

ASSEMBLY BILL NO. 358—ASSEMBLYMAN PERKINS

MARCH 17, 2003

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to certain special license plates. (BDR 43-1140)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to motor vehicles; providing for the issuance of special license plates for the support of the conservation of wetlands; imposing a fee for the issuance and renewal of such plates; providing for the design, preparation and issuance of special license plates by petition to the Department of Motor Vehicles under certain circumstances; imposing a fee for the issuance and renewal of such license plates; setting forth criteria for the design of such license plates; creating and setting forth the powers of the Commission on Special License Plates; limiting the number of different designs of certain special license plates that may be issued by the Department at any one time; providing in certain circumstances for the withdrawal from use of a particular design of special license plate; expanding the purposes for which money in the Revolving Account for the Issuance of Special License Plates may be used; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:



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1 **Section 1.** Chapter 482 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 1.5 to 5, inclusive, of this
3 act.

4 **Sec. 1.5. 1.** *Except as otherwise provided in this subsection,*
5 *the Department, in cooperation with Nevada Ducks Unlimited or*
6 *its successor, shall design, prepare and issue license plates for the*
7 *support of the conservation of wetlands, using any colors and*
8 *designs that the Department deems appropriate. The Department*
9 *shall not design, prepare or issue the license plates unless it*
10 *receives at least 1,000 applications for the issuance of those plates.*

11 **2.** *If the Department receives at least 1,000 applications for*
12 *the issuance of license plates for the support of the conservation of*
13 *wetlands, the Department shall issue those plates for a passenger*
14 *car or light commercial vehicle upon application by a person who*
15 *is entitled to license plates pursuant to NRS 482.265 and who*
16 *otherwise complies with the requirements for registration and*
17 *licensing pursuant to this chapter. A person may request that*
18 *personalized prestige license plates issued pursuant to NRS*
19 *482.3667 be combined with license plates for the support of*
20 *the conservation of wetlands if that person pays the fees for the*
21 *personalized prestige license plates in addition to the fees for the*
22 *license plates for the support of the conservation of wetlands*
23 *pursuant to subsections 3 and 4.*

24 **3.** *The fee for license plates for the support of the*
25 *conservation of wetlands is \$35, in addition to all other applicable*
26 *registration and license fees and governmental services taxes. The*
27 *license plates are renewable upon the payment of \$10.*

28 **4.** *In addition to all other applicable registration and license*
29 *fees and governmental services taxes and the fee prescribed in*
30 *subsection 3, a person who requests a set of license plates for the*
31 *support of the conservation of wetlands must pay for the initial*
32 *issuance of the plates an additional fee of \$25 and for each*
33 *renewal of the plates an additional fee of \$20, to be distributed*
34 *pursuant to subsection 5.*

35 **5.** *The Department shall deposit the fees collected pursuant to*
36 *subsection 4 with the State Treasurer for credit to the State*
37 *General Fund. The State Treasurer shall, on a quarterly basis,*
38 *distribute the fees deposited pursuant to this subsection to the*
39 *Treasurer of Nevada Ducks Unlimited or its successor for use by*
40 *Nevada Ducks Unlimited or its successor in carrying out:*

41 **(a)** *Projects for the conservation of wetlands that are:*

42 **(1)** *Conducted within Nevada; and*

43 **(2)** *Sponsored or participated in by Nevada Ducks*
44 *Unlimited or its successor; and*



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1 (b) *Fundraising activities for the conservation of wetlands that*
2 *are:*

3 (1) *Conducted within Nevada; and*

4 (2) *Sponsored or participated in by Nevada Ducks*
5 *Unlimited or its successor.*

6 6. *If, during a registration year, the holder of license plates*
7 *issued pursuant to the provisions of this section disposes of the*
8 *vehicle to which the plates are affixed, the holder shall:*

9 (a) *Retain the plates and affix them to another vehicle that*
10 *meets the requirements of this section if the holder pays the fee for*
11 *the transfer of the registration and any registration fee or*
12 *governmental services tax due pursuant to NRS 482.399; or*

13 (b) *Within 30 days after removing the plates from the vehicle,*
14 *return them to the Department.*

15 7. *As used in this section, "wetland" has the meaning*
16 *ascribed to it in NRS 244.388.*

17 **Sec. 2.** 1. *A person may request that the Department*
18 *design, prepare and issue a special license plate by submitting an*
19 *application to the Department.*

20 2. *An application submitted to the Department pursuant to*
21 *subsection 1:*

22 (a) *Must be on a form prescribed and furnished by the*
23 *Department;*

24 (b) *Must be accompanied by a petition containing the*
25 *signatures of at least 1,000 persons who wish to obtain the special*
26 *license plate;*

27 (c) *Must specify whether the special license plate being*
28 *requested is intended to generate financial support for a particular*
29 *cause or charitable organization and, if so, the name of the cause*
30 *or charitable organization; and*

31 (d) *May be accompanied by suggestions for the design of and*
32 *colors to be used in the special license plate.*

33 3. *The Department may design and prepare a special license*
34 *plate requested pursuant to subsection 1 if:*

35 (a) *The Department determines that the application for that*
36 *plate complies with subsection 2; and*

37 (b) *The Commission on Special License Plates approves the*
38 *application for that plate pursuant to subsection 5 of section 3 of*
39 *this act.*

40 4. *Except as otherwise provided in section 5 of this act, the*
41 *Department may issue a special license plate that:*

42 (a) *The Department has designed and prepared pursuant to*
43 *this section;*

44 (b) *The Commission on Special License Plates has approved*
45 *for issuance pursuant to subsection 5 of section 3 of this act; and*



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1 (c) *Complies with the requirements of subsection 8 of*
2 *NRS 482.270,*
3 *for any passenger car or light commercial vehicle upon*
4 *application by a person who is entitled to license plates pursuant*
5 *to NRS 482.265 and who otherwise complies with the*
6 *requirements for registration and licensing pursuant to this*
7 *chapter. A person may request that personalized prestige license*
8 *plates issued pursuant to NRS 482.3667 be combined with a*
9 *special license plate issued pursuant to this section if that person*
10 *pays the fees for personalized prestige license plates in addition to*
11 *the fees for the special license plate.*

12 5. *If, during a registration year, the holder of license plates*
13 *issued pursuant to the provisions of this section disposes of the*
14 *vehicle to which the plates are affixed, the holder shall:*

15 (a) *Retain the plates and affix them to another vehicle that*
16 *meets the requirements of this section if the holder pays the fee for*
17 *the transfer of the registration and any registration fee or*
18 *governmental services tax due pursuant to NRS 482.399; or*

19 (b) *Within 30 days after removing the plates from the vehicle,*
20 *return them to the Department.*

21 **Sec. 3. 1.** *There is hereby created the Commission on*
22 *Special License Plates consisting of five Legislators and three*
23 *nonvoting members as follows:*

24 (a) *Five Legislators appointed by the Legislative Commission,*
25 *one of whom is:*

26 (1) *The Legislator who served as the Chairman of the*
27 *Assembly Standing Committee on Transportation during the most*
28 *recent legislative session; and*

29 (2) *One of whom is the Legislator who served as the*
30 *Chairman of the Senate Standing Committee on Transportation*
31 *during the most recent legislative session.*

32 (b) *Three nonvoting members consisting of:*

33 (1) *The Director of the Department of Motor Vehicles, or*
34 *his designee.*

35 (2) *The Director of the Department of Public Safety, or his*
36 *designee.*

37 (3) *The Director of the Department of Cultural Affairs, or*
38 *his designee.*

39 2. *Each member of the Commission appointed pursuant to*
40 *paragraph (a) of subsection 1 serves a term of 2 years,*
41 *commencing on July 1 of each odd-numbered year. A vacancy on*
42 *the Commission must be filled in the same manner as the original*
43 *appointment.*

44 3. *Members of the Commission serve without salary or*
45 *compensation for their travel or per diem expenses.*



1 4. The Director of the Legislative Counsel Bureau shall
2 provide administrative support to the Commission.

3 5. The Commission shall approve or disapprove:

4 (a) Applications for the design, preparation and issuance of
5 special license plates that are submitted to the Department
6 pursuant to subsection 1 of section 2 of this act; and

7 (b) The issuance by the Department of special license plates
8 that have been designed and prepared pursuant to section 2 of this
9 act.

10 In determining whether to approve such an application or
11 issuance, the Commission shall consider, without limitation,
12 whether it would be appropriate and feasible for the Department
13 to, as applicable, design, prepare or issue the particular special
14 license plate.

15 Sec. 4. 1. The fee for special license plates designed,
16 prepared and issued pursuant to section 2 of this act is \$35, in
17 addition to all other applicable registration and license fees and
18 governmental services taxes. The license plates are renewable
19 upon the payment of \$10.

20 2. In addition to all other applicable registration and license
21 fees and governmental services taxes and the fee prescribed in
22 subsection 1, if a special license plate is designed, prepared and
23 issued pursuant to section 2 of this act to generate financial
24 support for a particular cause or charitable organization, a person
25 who requests a set of such license plates must pay for the initial
26 issuance of the plates an additional fee of \$25 and for each
27 renewal of the plates an additional fee of \$20, to be distributed in
28 the manner described in subsection 3.

29 3. The Department shall deposit the additional fees collected
30 pursuant to subsection 2 with the State Treasurer for credit to an
31 account created in the State General Fund for the benefit of the
32 particular cause or charitable organization for whose financial
33 benefit the special license plate was created. The Department shall
34 designate an appropriate state agency to administer the account.
35 The state agency designated by the Department to administer the
36 account shall, at least once each quarter, distribute the fees
37 deposited pursuant to this subsection to the particular cause or
38 charitable organization for whose benefit the special license plate
39 was created.

40 4. Money in an account created pursuant to subsection 3 does
41 not lapse to the State General Fund at the end of a fiscal year. The
42 interest and income earned on money in such an account, after
43 deducting any applicable charges, must be credited to the account.

44 Sec. 5. 1. As used in this section, "special license plate"
45 means:



- 1 (a) A license plate that the Department has designed and
2 prepared pursuant to section 2 of this act in accordance with the
3 system of application and petition described in that section; and
4 (b) A license plate approved by the Legislature that the
5 Department has designed and prepared pursuant to NRS
6 482.3747, 482.37903, 482.37905, 482.37917, 482.379175,
7 482.37918, 482.37919, 482.3792, 482.3793, 482.37933, 482.37934,
8 482.37935, 482.37937, 482.37938 or 482.37945 or section 1 of
9 Assembly Bill No. 19 of this session or section 1.5 of this act.
- 10 2. Notwithstanding any other provision of law to the contrary,
11 the Department shall not, at any one time, issue more than 25
12 separate designs of special license plates.
- 13 3. Except as otherwise provided in this subsection, on
14 October 1 of each year the Department shall assess the viability of
15 each separate design of special license plate that the Department is
16 currently issuing by determining the total number of validly
17 registered motor vehicles to which that design of special license
18 plate is affixed. The Department shall not determine the total
19 number of validly registered motor vehicles to which a particular
20 design of special license plate is affixed if:
- 21 (a) The particular design of special license plate was designed
22 and prepared by the Department pursuant to section 2 of this act;
23 and
- 24 (b) On October 1, that particular design of special license plate
25 has been available to be issued for less than 12 months.
- 26 4. Except as otherwise provided in subsection 6, if, on
27 October 1, the total number of validly registered motor vehicles to
28 which a particular design of special license plate is affixed is:
- 29 (a) In the case of special license plates designed and prepared
30 by the Department pursuant to section 2 of this act, less than
31 1,000; or
- 32 (b) In the case of special license plates authorized directly by
33 the Legislature which are described in paragraph (b) of subsection
34 1, less than the number of applications required to be received by
35 the Department for the initial issuance of those plates,
36 the Director shall provide notice of that fact in the manner
37 described in subsection 5.
- 38 5. The notice required pursuant to subsection 4 must be
39 provided:
- 40 (a) If the special license plate generates financial support for a
41 cause or charitable organization, to that cause or charitable
42 organization.
- 43 (b) If the special license plate does not generate financial
44 support for a cause or charitable organization, to an entity which



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1 *is involved in promoting the activity, place or other matter that is*
2 *depicted on the plate.*

3 6. *If, on December 31 of the same year in which notice was*
4 *provided pursuant to subsections 4 and 5, the total number of*
5 *validly registered motor vehicles to which a particular design of*
6 *special license plate is affixed is:*

7 (a) *In the case of special license plates designed and prepared*
8 *by the Department pursuant to section 2 of this act, less than*
9 *1,000; or*

10 (b) *In the case of special license plates authorized directly by*
11 *the Legislature which are described in paragraph (b) of subsection*
12 *1, less than the number of applications required to be received by*
13 *the Department for the initial issuance of those plates,*
14 *the Director shall, notwithstanding any other provision of law*
15 *to the contrary, issue an order providing that the Department will*
16 *no longer issue that particular design of special license plate.*
17 *Such an order does not require existing holders of that particular*
18 *design of special license plate to surrender their plates to the*
19 *Department and does not prohibit those holders from renewing*
20 *those plates.*

21 **Sec. 6.** NRS 482.1805 is hereby amended to read as follows:

22 482.1805 1. The Revolving Account for the Issuance of
23 Special License Plates is hereby created as a special account in the
24 Motor Vehicle Fund. An amount equal to \$35 of the fee received by
25 the Department for the initial issuance of a special license plate, not
26 including any additional fee which may be added to generate
27 financial support for a particular cause or charitable organization,
28 must be deposited in the Motor Vehicle Fund for credit to the
29 Account.

30 2. The Department shall use the money in the Account to ~~pay~~
31 :

32 (a) *Pay* the expenses involved in issuing special license plates
33 ~~;~~; and

34 (b) *Purchase improved and upgraded technology, including,*
35 *without limitation, digital technology for the production of special*
36 *license plates, to ensure that special license plates are produced in*
37 *the most efficient manner possible.*

38 3. Money in the Account must be used only for the ~~purpose~~
39 *purposes* specified in subsection 2.

40 4. At the end of each fiscal year, the State Controller shall
41 transfer from the Account to the State Highway Fund an amount of
42 money equal to the balance in the Account which exceeds \$50,000.

43 **Sec. 7.** NRS 482.216 is hereby amended to read as follows:

44 482.216 1. Upon the request of a new vehicle dealer, the
45 Department may authorize the new vehicle dealer to:



1 (a) Accept applications for the registration of the new motor
2 vehicles he sells and the related fees and taxes;

3 (b) Issue certificates of registration to applicants who satisfy the
4 requirements of this chapter; and

5 (c) Accept applications for the transfer of registration pursuant
6 to NRS 482.399 if the applicant purchased from the new vehicle
7 dealer a new vehicle to which the registration is to be transferred.

8 2. A new vehicle dealer who is authorized to issue certificates
9 of registration pursuant to subsection 1 shall:

10 (a) Transmit the applications he receives to the Department
11 within the period prescribed by the Department;

12 (b) Transmit the fees he collects from the applicants and
13 properly account for them within the period prescribed by the
14 Department;

15 (c) Comply with the regulations adopted pursuant to subsection
16 4; and

17 (d) Bear any cost of equipment which is necessary to issue
18 certificates of registration, including any computer hardware or
19 software.

20 3. A new vehicle dealer who is authorized to issue certificates
21 of registration pursuant to subsection 1 shall not:

22 (a) Charge any additional fee for the performance of those
23 services;

24 (b) Receive compensation from the Department for the
25 performance of those services;

26 (c) Accept applications for the renewal of registration of a motor
27 vehicle; or

28 (d) Accept an application for the registration of a motor vehicle
29 if the applicant wishes to:

30 (1) Obtain special license plates pursuant to NRS 482.3667
31 to 482.3825, inclusive ~~§~~, *and sections 1.5 and 2 of this act*; or

32 (2) Claim the exemption from the governmental services tax
33 provided pursuant to NRS 361.1565 to veterans and their relations.

34 4. The Director shall adopt such regulations as are necessary to
35 carry out the provisions of this section. The regulations adopted
36 pursuant to this subsection must provide for:

37 (a) The expedient and secure issuance of license plates and
38 decals by the Department; and

39 (b) The withdrawal of the authority granted to a new vehicle
40 dealer pursuant to subsection 1 if that dealer fails to comply with the
41 regulations adopted by the Department.

42 **Sec. 8.** NRS 482.270 is hereby amended to read as follows:

43 482.270 1. Except as otherwise provided *in this section or* by
44 specific statute, the Director shall order the redesign and preparation
45 of motor vehicle license plates with colors that are predominately



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1 blue and silver. The Director may substitute white in place of silver
2 when no suitable material is available.

3 2. Except as otherwise provided in subsection 3, the
4 Department shall, upon the payment of all applicable fees, issue
5 redesigned motor vehicle license plates pursuant to this section to
6 persons who apply for the registration or renewal of the registration
7 of a motor vehicle on or after January 1, 2001.

8 3. The Department shall not issue redesigned motor vehicle
9 license plates pursuant to this section to a person who was issued
10 motor vehicle license plates before January 1, 1982, or pursuant to
11 NRS 482.3747, 482.3763, 482.3775, 482.378 or 482.379, without
12 the approval of the person.

13 4. The Director may determine and vary the size, shape and
14 form and the material of which license plates are made, but each
15 license plate must be of sufficient size to be plainly readable from a
16 distance of 100 feet during daylight. All license plates must be
17 treated to reflect light and to be at least 100 times brighter than
18 conventional painted number plates. When properly mounted on an
19 unlighted vehicle, the license plates, when viewed from a vehicle
20 equipped with standard headlights, must be visible for a distance of
21 not less than 1,500 feet and readable for a distance of not less than
22 110 feet.

23 5. Every license plate must have displayed upon it:

24 (a) The registration number, or combination of letters and
25 numbers, assigned to the vehicle and to the owner thereof;

26 (b) The name of this state, which may be abbreviated;

27 (c) If issued for a calendar year, the year; and

28 (d) If issued for a registration period other than a calendar year,
29 the month and year the registration expires.

30 6. The letters I and Q must not be used in the designation.

31 7. Except as otherwise provided in NRS 482.379, all letters and
32 numbers must be of the same size.

33 8. *Each special license plate that is designed, prepared and*
34 *issued pursuant to section 2 of this act must be designed and*
35 *prepared in such a manner that:*

36 (a) *The left-hand one-third of the plate is the only part of the*
37 *plate on which is displayed any design or other insignia that is*
38 *suggested pursuant to paragraph (d) of subsection 2 of that*
39 *section; and*

40 (b) *The remainder of the plate conforms to the requirements*
41 *for coloring, lettering and design that are set forth in this section.*

42 **Sec. 9.** NRS 482.500 is hereby amended to read as follows:

43 482.500 1. Except as otherwise provided in subsection 2 or 3,
44 whenever upon application any duplicate or substitute certificate of



1 registration, decal or number plate is issued, the following fees must
2 be paid:

3
4 For a certificate of registration \$5.00
5 For every substitute number plate or set of plates 5.00
6 For every duplicate number plate or set of plates 10.00
7 For every decal displaying a county name50
8 For every other decal, license plate sticker or tab 5.00
9

10 2. The following fees must be paid for any replacement plate or
11 set of plates issued for the following special license plates:

12 (a) For any special plate issued pursuant to NRS 482.3667,
13 482.3672, 482.3675, 482.370 to 482.376, inclusive, or 482.379 to
14 482.3816, inclusive, *and sections 1.5 and 2 of this act*, a fee of \$10.

15 (b) For any special plate issued pursuant to NRS 482.368,
16 482.3765, 482.377 or 482.378, a fee of \$5.

17 (c) Except as otherwise provided in NRS 482.37937 and
18 482.37945, for any souvenir license plate issued pursuant to NRS
19 482.3825 or sample license plate issued pursuant to NRS 482.2703,
20 a fee equal to that established by the Director for the issuance of
21 those plates.

22 3. A fee must not be charged for a duplicate or substitute of a
23 decal issued pursuant to NRS 482.37635.

24 4. The fees which are paid for duplicate number plates and
25 decals displaying county names must be deposited with the State
26 Treasurer for credit to the Motor Vehicle Fund and allocated to the
27 Department to defray the costs of duplicating the plates and
28 manufacturing the decals.

29 5. As used in this section:

30 (a) "Duplicate number plate" means a license plate or a set of
31 license plates issued to a registered owner which repeat the code of
32 a plate or set of plates previously issued to the owner to maintain his
33 registration using the same code.

34 (b) "Substitute number plate" means a license plate or a set of
35 license plates issued in place of a previously issued and unexpired
36 plate or set of plates. The plate or set of plates does not repeat the
37 code of the previously issued plate or set.

38 **Sec. 10.** On or before July 1, 2005, the Department of Motor
39 Vehicles shall determine and publicly declare the number of
40 applications it has received for the issuance of license plates
41 pursuant to section 1.5 of this act.

42 **Sec. 11.** 1. This section and section 6 of this act become
43 effective upon passage and approval.

44 2. Sections 1 to 5, inclusive, 7, 8 and 9 of this act become
45 effective on July 1, 2003.



1 3. Section 1.5 of this act expires by limitation on July 1, 2005,
2 if on that date the Department of Motor Vehicles has received fewer
3 than 1,000 applications for the issuance of license plates pursuant to
4 that section.

