

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 naturalized citizenship; 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 license 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 1.3 to 5, inclusive, of this
3 act.

4 **Sec. 1.3.** *1. Except as otherwise provided in this subsection,*
5 *the Department, in cooperation with the Immigrant Workers*
6 *Citizenship Project or its successor, shall design, prepare and*
7 *issue license plates for the support of naturalized citizenship,*
8 *using any colors and designs that the Department deems*
9 *appropriate. The design of the license plates must include a*
10 *depiction of the Aztec Calendar. The Department shall not design,*
11 *prepare or issue the license plates unless it receives at least 1,000*
12 *applications for the issuance of those plates.*

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

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

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

37 *5. The Department shall deposit the fees collected pursuant to*
38 *subsection 4 with the State Treasurer for credit to the State*
39 *General Fund. The State Treasurer shall, on a quarterly basis,*
40 *distribute the fees deposited pursuant to this subsection to the*
41 *Immigrant Workers Citizenship Project or its successor for its*
42 *programs and charitable activities in support of naturalized*
43 *citizenship.*



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

4 (a) Retain the plates and affix them to another vehicle that
5 meets the requirements of this section if the holder pays the fee for
6 the transfer of the registration and any registration fee or
7 governmental services tax due pursuant to NRS 482.399; or

8 (b) Within 30 days after removing the plates from the vehicle,
9 return them to the Department.

10 **Sec. 1.7.** 1. Except as otherwise provided in this subsection,
11 the Department, in cooperation with Nevada Ducks Unlimited or
12 its successor, shall design, prepare and issue license plates for the
13 support of the conservation of wetlands, using any colors and
14 designs that the Department deems appropriate. The Department
15 shall not design, prepare or issue the license plates unless it
16 receives at least 1,000 applications for the issuance of those plates.

17 2. If the Department receives at least 1,000 applications for
18 the issuance of license plates for the support of the conservation of
19 wetlands, the Department shall issue those plates for a passenger
20 car or light commercial vehicle upon application by a person who
21 is entitled to license plates pursuant to NRS 482.265 and who
22 otherwise complies with the requirements for registration and
23 licensing pursuant to this chapter. A person may request that
24 personalized prestige license plates issued pursuant to NRS
25 482.3667 be combined with license plates for the support of
26 the conservation of wetlands if that person pays the fees for the
27 personalized prestige license plates in addition to the fees for the
28 license plates for the support of the conservation of wetlands
29 pursuant to subsections 3 and 4.

30 3. The fee for license plates for the support of the
31 conservation of wetlands is \$35, in addition to all other applicable
32 registration and license fees and governmental services taxes. The
33 license plates are renewable upon the payment of \$10.

34 4. In addition to all other applicable registration and license
35 fees and governmental services taxes and the fee prescribed in
36 subsection 3, a person who requests a set of license plates for the
37 support of the conservation of wetlands must pay for the initial
38 issuance of the plates an additional fee of \$25 and for each
39 renewal of the plates an additional fee of \$20, to be distributed
40 pursuant to subsection 5.

41 5. The Department shall deposit the fees collected pursuant to
42 subsection 4 with the State Treasurer for credit to the State
43 General Fund. The State Treasurer shall, on a quarterly basis,
44 distribute the fees deposited pursuant to this subsection to the



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- 1 *Treasurer of Nevada Ducks Unlimited or its successor for use by*
2 *Nevada Ducks Unlimited or its successor in carrying out:*
3 (a) *Projects for the conservation of wetlands that are:*
4 (1) *Conducted within Nevada; and*
5 (2) *Sponsored or participated in by Nevada Ducks*
6 *Unlimited or its successor; and*
7 (b) *Fundraising activities for the conservation of wetlands that*
8 *are:*
9 (1) *Conducted within Nevada; and*
10 (2) *Sponsored or participated in by Nevada Ducks*
11 *Unlimited or its successor.*
12 6. *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 7. *As used in this section, "wetland" has the meaning*
22 *ascribed to it in NRS 244.388.*
23 **Sec. 2.** 1. *A person may request that the Department*
24 *design, prepare and issue a special license plate by submitting an*
25 *application to the Department.*
26 2. *An application submitted to the Department pursuant to*
27 *subsection 1:*
28 (a) *Must be on a form prescribed and furnished by the*
29 *Department;*
30 (b) *Must be accompanied by a petition containing the*
31 *signatures of at least 1,000 persons who wish to obtain the special*
32 *license plate;*
33 (c) *Must specify whether the special license plate being*
34 *requested is intended to generate financial support for a particular*
35 *cause or charitable organization and, if so, the name of the cause*
36 *or charitable organization; and*
37 (d) *May be accompanied by suggestions for the design of and*
38 *colors to be used in the special license plate.*
39 3. *The Department may design and prepare a special license*
40 *plate requested pursuant to subsection 1 if:*
41 (a) *The Department determines that the application for that*
42 *plate complies with subsection 2; and*
43 (b) *The Commission on Special License Plates approves the*
44 *application for that plate pursuant to subsection 5 of section 3 of*
45 *this act.*



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

3 (a) The Department has designed and prepared pursuant to
4 this section;

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

7 (c) Complies with the requirements of subsection 8 of
8 NRS 482.270,

9 for any passenger car or light commercial vehicle upon
10 application by a person who is entitled to license plates pursuant
11 to NRS 482.265 and who otherwise complies with the
12 requirements for registration and licensing pursuant to this
13 chapter. A person may request that personalized prestige license
14 plates issued pursuant to NRS 482.3667 be combined with a
15 special license plate issued pursuant to this section if that person
16 pays the fees for personalized prestige license plates in addition to
17 the fees for the special license plate.

18 5. If, during a registration year, the holder of license plates
19 issued pursuant to the provisions of this section disposes of the
20 vehicle to which the plates are affixed, the holder shall:

21 (a) Retain the plates and affix them to another vehicle that
22 meets the requirements of this section if the holder pays the fee for
23 the transfer of the registration and any registration fee or
24 governmental services tax due pursuant to NRS 482.399; or

25 (b) Within 30 days after removing the plates from the vehicle,
26 return them to the Department.

27 Sec. 3. 1. There is hereby created the Commission on
28 Special License Plates consisting of five Legislators and three
29 nonvoting members as follows:

30 (a) Five Legislators appointed by the Legislative Commission,
31 one of whom is:

32 (1) The Legislator who served as the Chairman of the
33 Assembly Standing Committee on Transportation during the most
34 recent legislative session; and

35 (2) One of whom is the Legislator who served as the
36 Chairman of the Senate Standing Committee on Transportation
37 during the most recent legislative session.

38 (b) Three nonvoting members consisting of:

39 (1) The Director of the Department of Motor Vehicles, or
40 his designee.

41 (2) The Director of the Department of Public Safety, or his
42 designee.

43 (3) The Director of the Department of Cultural Affairs, or
44 his designee.



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

6 3. Members of the Commission serve without salary or
7 compensation for their travel or per diem expenses.

8 4. The Director of the Legislative Counsel Bureau shall
9 provide administrative support to the Commission.

10 5. The Commission shall approve or disapprove:

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

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

17 In determining whether to approve such an application or
18 issuance, the Commission shall consider, without limitation,
19 whether it would be appropriate and feasible for the Department
20 to, as applicable, design, prepare or issue the particular special
21 license plate.

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

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

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



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1 *charitable organization for whose benefit the special license plate*
2 *was created.*

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

7 **Sec. 5.** *1. As used in this section, "special license plate"*
8 *means:*

9 *(a) A license plate that the Department has designed and*
10 *prepared pursuant to section 2 of this act in accordance with the*
11 *system of application and petition described in that section; and*

12 *(b) A license plate approved by the Legislature that the*
13 *Department has designed and prepared pursuant to NRS*
14 *482.3747, 482.37903, 482.37905, 482.37917, 482.379175,*
15 *482.37918, 482.37919, 482.3792, 482.3793, 482.37933, 482.37934,*
16 *482.37935, 482.37937, 482.37938 or 482.37945 or section 1 of*
17 *Assembly Bill No. 19 of this session or section 1.3 or 1.7 of this*
18 *act.*

19 *2. Notwithstanding any other provision of law to the contrary,*
20 *the Department shall not, at any one time, issue more than 25*
21 *separate designs of special license plates.*

22 *3. Except as otherwise provided in this subsection, on*
23 *October 1 of each year the Department shall assess the viability of*
24 *each separate design of special license plate that the Department is*
25 *currently issuing by determining the total number of validly*
26 *registered motor vehicles to which that design of special license*
27 *plate is affixed. The Department shall not determine the total*
28 *number of validly registered motor vehicles to which a particular*
29 *design of special license plate is affixed if:*

30 *(a) The particular design of special license plate was designed*
31 *and prepared by the Department pursuant to section 2 of this act;*
32 *and*

33 *(b) On October 1, that particular design of special license plate*
34 *has been available to be issued for less than 12 months.*

35 *4. Except as otherwise provided in subsection 6, if, on*
36 *October 1, the total number of validly registered motor vehicles to*
37 *which a particular design of special license plate is affixed is:*

38 *(a) In the case of special license plates designed and prepared*
39 *by the Department pursuant to section 2 of this act, less than*
40 *1,000; or*

41 *(b) In the case of special license plates authorized directly by*
42 *the Legislature which are described in paragraph (b) of subsection*
43 *1, less than the number of applications required to be received by*
44 *the Department for the initial issuance of those plates,*



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1 *the Director shall provide notice of that fact in the manner*
2 *described in subsection 5.*

3 *5. The notice required pursuant to subsection 4 must be*
4 *provided:*

5 *(a) If the special license plate generates financial support for a*
6 *cause or charitable organization, to that cause or charitable*
7 *organization.*

8 *(b) If the special license plate does not generate financial*
9 *support for a cause or charitable organization, to an entity which*
10 *is involved in promoting the activity, place or other matter that is*
11 *depicted on the plate.*

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

16 *(a) In the case of special license plates designed and prepared*
17 *by the Department pursuant to section 2 of this act, less than*
18 *1,000; or*

19 *(b) In the case of special license plates authorized directly by*
20 *the Legislature which are described in paragraph (b) of subsection*
21 *1, less than the number of applications required to be received by*
22 *the Department for the initial issuance of those plates,*
23 *the Director shall, notwithstanding any other provision of law*
24 *to the contrary, issue an order providing that the Department will*
25 *no longer issue that particular design of special license plate.*
26 *Such an order does not require existing holders of that particular*
27 *design of special license plate to surrender their plates to the*
28 *Department and does not prohibit those holders from renewing*
29 *those plates.*

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

31 482.1805 1. The Revolving Account for the Issuance of
32 Special License Plates is hereby created as a special account in the
33 Motor Vehicle Fund. An amount equal to \$35 of the fee received by
34 the Department for the initial issuance of a special license plate, not
35 including any additional fee which may be added to generate
36 financial support for a particular cause or charitable organization,
37 must be deposited in the Motor Vehicle Fund for credit to the
38 Account.

39 2. The Department shall use the money in the Account to ~~pay~~
40 :

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

43 *(b) Purchase improved and upgraded technology, including,*
44 *without limitation, digital technology for the production of special*



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1 *license plates, to ensure that special license plates are produced in*
2 *the most efficient manner possible.*

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

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

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

9 482.216 1. Upon the request of a new vehicle dealer, the
10 Department may authorize the new vehicle dealer to:

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

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

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

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

20 (a) Transmit the applications he receives to the Department
21 within the period prescribed by the Department;

22 (b) Transmit the fees he collects from the applicants and
23 properly account for them within the period prescribed by the
24 Department;

25 (c) Comply with the regulations adopted pursuant to subsection
26 4; and

27 (d) Bear any cost of equipment which is necessary to issue
28 certificates of registration, including any computer hardware or
29 software.

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

32 (a) Charge any additional fee for the performance of those
33 services;

34 (b) Receive compensation from the Department for the
35 performance of those services;

36 (c) Accept applications for the renewal of registration of a motor
37 vehicle; or

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

40 (1) Obtain special license plates pursuant to NRS 482.3667
41 to 482.3825, inclusive ~~to~~, *and sections 1.3, 1.7 and 2 of this act*; or

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



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

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

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

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

10 482.270 1. Except as otherwise provided *in this section or* by
11 specific statute, the Director shall order the redesign and preparation
12 of motor vehicle license plates with colors that are predominately
13 blue and silver. The Director may substitute white in place of silver
14 when no suitable material is available.

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

20 3. The Department shall not issue redesigned motor vehicle
21 license plates pursuant to this section to a person who was issued
22 motor vehicle license plates before January 1, 1982, or pursuant to
23 NRS 482.3747, 482.3763, 482.3775, 482.378 or 482.379, without
24 the approval of the person.

25 4. The Director may determine and vary the size, shape and
26 form and the material of which license plates are made, but each
27 license plate must be of sufficient size to be plainly readable from a
28 distance of 100 feet during daylight. All license plates must be
29 treated to reflect light and to be at least 100 times brighter than
30 conventional painted number plates. When properly mounted on an
31 unlighted vehicle, the license plates, when viewed from a vehicle
32 equipped with standard headlights, must be visible for a distance of
33 not less than 1,500 feet and readable for a distance of not less than
34 110 feet.

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

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

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

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

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

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

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



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

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

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

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

11 482.500 1. Except as otherwise provided in subsection 2 or 3,
12 whenever upon application any duplicate or substitute certificate of
13 registration, decal or number plate is issued, the following fees must
14 be paid:

15
16 For a certificate of registration..... \$5.00
17 For every substitute number plate or set of plates..... 5.00
18 For every duplicate number plate or set of plates 10.00
19 For every decal displaying a county name..... .50
20 For every other decal, license plate sticker or tab..... 5.00
21

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

24 (a) For any special plate issued pursuant to NRS 482.3667,
25 482.3672, 482.3675, 482.370 to 482.376, inclusive, or 482.379 to
26 482.3816, inclusive, *and sections 1.3, 1.7 and 2 of this act*, a fee of
27 \$10.

28 (b) For any special plate issued pursuant to NRS 482.368,
29 482.3765, 482.377 or 482.378, a fee of \$5.

30 (c) Except as otherwise provided in NRS 482.37937 and
31 482.37945, for any souvenir license plate issued pursuant to NRS
32 482.3825 or sample license plate issued pursuant to NRS 482.2703,
33 a fee equal to that established by the Director for the issuance of
34 those plates.

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

37 4. The fees which are paid for duplicate number plates and
38 decals displaying county names must be deposited with the State
39 Treasurer for credit to the Motor Vehicle Fund and allocated to the
40 Department to defray the costs of duplicating the plates and
41 manufacturing the decals.

42 5. As used in this section:

43 (a) "Duplicate number plate" means a license plate or a set of
44 license plates issued to a registered owner which repeat the code of



1 a plate or set of plates previously issued to the owner to maintain his
2 registration using the same code.

3 (b) “Substitute number plate” means a license plate or a set of
4 license plates issued in place of a previously issued and unexpired
5 plate or set of plates. The plate or set of plates does not repeat the
6 code of the previously issued plate or set.

7 **Sec. 10.** On or before July 1, 2005, the Department of Motor
8 Vehicles shall determine and publicly declare the number of
9 applications it has received for the issuance of license plates:

10 1. Pursuant to section 1.3 of this act; and

11 2. Pursuant to section 1.7 of this act.

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

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

16 3. Section 1.3 of this act expires by limitation on July 1, 2005,
17 if on that date the Department of Motor Vehicles has received fewer
18 than 1,000 applications for the issuance of license plates pursuant to
19 that section.

20 4. Section 1.7 of this act expires by limitation on July 1, 2005,
21 if on that date the Department of Motor Vehicles has received fewer
22 than 1,000 applications for the issuance of license plates pursuant to
23 that section.

