

Senate Bill No. 251—Senators Raggio, Townsend, Hardy, Amodei, Beers, Cegavske, Heck, Mathews, McGinness, Rhoads, Tiffany, Titus, Washington and Wiener

Joint Sponsor: Assemblywoman Allen

CHAPTER.....

AN ACT relating to motor vehicles; authorizing the operation of certain motor vehicles without a front license plate under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that, with the exception of motorcycles, power cycles and motor vehicles being transported by a licensed vehicle transporter, a motor vehicle must have two license plates attached thereto, one in the front and one in the rear. (NRS 482.275)

This bill provides that if a motor vehicle would otherwise be required to have two license plates attached thereto, but: (1) the motor vehicle was not manufactured to include a bracket, device or other contrivance for displaying and securing a front license plate; and (2) the manufacturer of the motor vehicle provided no other means or method for displaying and securing a front license plate, the motor vehicle must have one license plate attached in the rear and the other license plate may be, but is not required to be, attached in the front.

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

Section 1. NRS 482.275 is hereby amended to read as follows:

482.275 1. The license plates for a motor vehicle other than a motorcycle, power cycle or motor vehicle being transported by a licensed vehicle transporter must be attached thereto, one in ~~the front and the other in~~ the rear ~~[-]~~ *and, except as otherwise provided in subsection 2, one in the front.* The license plate issued for all other vehicles required to be registered must be attached to the rear of the vehicle. The license plates must be so displayed during the current calendar year or registration period.

2. *If the motor vehicle was not manufactured to include a bracket, device or other contrivance to display and secure a front license plate, and if the manufacturer of the motor vehicle provided no other means or method by which a front license plate may be displayed upon and secured to the motor vehicle:*

(a) One license plate must be attached to the motor vehicle in the rear; and

(b) The other license plate may, at the option of the owner of the vehicle, be attached to the motor vehicle in the front.

3. *The provisions of subsection 2 do not relieve the Department of the duty to issue a set of two license plates as*

otherwise required pursuant to NRS 482.265 or other applicable law and do not entitle the owner of a motor vehicle to pay a reduced tax or fee in connection with the registration or transfer of the motor vehicle. If the owner of a motor vehicle, in accordance with the provisions of subsection 2, exercises the option to attach a license plate only to the rear of the motor vehicle, the owner shall:

(a) Retain the other license plate; and

(b) Insofar as it may be practicable, return or surrender both plates to the Department as a set when required by law to do so.

4. Every license plate must at all times be securely fastened to the vehicle to which it is assigned so as to prevent the plate from swinging and at a height not less than 12 inches from the ground, measuring from the bottom of such plate, in a place and position to be clearly visible, and must be maintained free from foreign materials and in a condition to be clearly legible.

~~§~~ 5. Any license plate which is issued to a vehicle transporter or a dealer, rebuilder or manufacturer may be attached to a vehicle owned or controlled by that person by a secure means. No license plate may be displayed loosely in the window or by any other unsecured method in any motor vehicle.

Sec. 2. NRS 482.335 is hereby amended to read as follows:

482.335 1. No manufacturer, distributor, dealer or rebuilder may operate any vehicle owned or controlled by him upon any public highway, or permit it to be so operated, unless *a* license *plate or license* plates assigned to him are attached thereto in the manner specified in this chapter.

2. It shall be lawful for a manufacturer, distributor or dealer to operate new vehicles without the *plate or* plates being attached thereto from the railroad depot, warehouse or other place of storage to the place of business of that manufacturer, distributor or dealer where the depot, warehouse or place of storage is within the same city or town or not more than 5 miles from the place of business.

Sec. 3. NRS 482.384 is hereby amended to read as follows:

482.384 1. Upon the application of a person with a permanent disability, the Department may issue special license plates for a vehicle, including a motorcycle, registered by the applicant pursuant to this chapter. The application must include a statement from a licensed physician certifying that the applicant is a person with a permanent disability. The issuance of a special license plate to a person with a permanent disability pursuant to this subsection does not preclude the issuance to such a person of a special parking placard for a vehicle other than a motorcycle or a special parking sticker for a motorcycle pursuant to subsection 6.

2. Every year after the initial issuance of special license plates to a person with a permanent disability, the Department shall require

the person to renew his special license plates in accordance with the procedures for renewal of registration pursuant to this chapter. The Department shall not require a person with a permanent disability to include with his application for renewal a statement from a licensed physician certifying that the person is a person with a permanent disability.

3. Upon the application of an organization which provides transportation for a person with a permanent disability, disability of moderate duration or temporary disability, the Department may issue special license plates for a vehicle registered by the organization pursuant to this chapter, or the Department may issue special parking placards to the organization pursuant to this section to be used on vehicles providing transportation to such persons. The application must include a statement from the organization certifying that:

(a) The vehicle for which the special license plates are issued is used primarily to transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities; or

(b) The organization which is issued the special parking placards will only use such placards on vehicles that actually transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities.

4. The Department may charge a fee for special license plates issued pursuant to this section not to exceed the fee charged for the issuance of license plates for the same class of vehicle.

5. Special license plates issued pursuant to this section must display the international symbol of access in a color which contrasts with the background and is the same size as the numerals and letters on the plate.

6. Upon the application of a person with a permanent disability or disability of moderate duration, the Department may issue:

(a) A special parking placard for a vehicle other than a motorcycle. Upon request, the Department may issue one additional placard to an applicant to whom special license plates have not been issued pursuant to this section.

(b) A special parking sticker for a motorcycle.

➤ The application must include a statement from a licensed physician certifying that the applicant is a person with a permanent disability or disability of moderate duration.

7. A special parking placard issued pursuant to subsection 6 must:

(a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a blue background;

(b) Have an identification number and date of expiration of:

(1) If the special parking placard is issued to a person with a permanent disability, 10 years after the initial date of issuance; or

(2) If the special parking placard is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance;

(c) Have placed or inscribed on it the seal or other identification of the Department; and

(d) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle.

8. A special parking sticker issued pursuant to subsection 6 must:

(a) Have inscribed on it the international symbol of access which complies with any applicable federal standards, is centered on the sticker and is white on a blue background;

(b) Have an identification number and a date of expiration of:

(1) If the special parking sticker is issued to a person with a permanent disability, 10 years after the initial date of issuance; or

(2) If the special parking sticker is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance; and

(c) Have placed or inscribed on it the seal or other identification of the Department.

9. Before the date of expiration of a special parking placard or special parking sticker issued to a person with a permanent disability or disability of moderate duration, the person shall renew his special parking placard or special parking sticker. If the applicant for renewal is a person with a disability of moderate duration, the applicant must include with his application for renewal a statement from a licensed physician certifying that the applicant is a person with a disability which limits or impairs the ability to walk, and that such disability, although not irreversible, is estimated to last longer than 6 months. A person with a permanent disability is not required to submit evidence of a continuing disability with his application for renewal.

10. The Department, or a city or county, may issue, and charge a reasonable fee for, a temporary parking placard for a vehicle other than a motorcycle or a temporary parking sticker for a motorcycle upon the application of a person with a temporary disability. Upon request, the Department, city or county may issue one additional temporary parking placard to an applicant. The application must include a certificate from a licensed physician indicating:

(a) That the applicant has a temporary disability; and

(b) The estimated period of the disability.

11. A temporary parking placard issued pursuant to subsection 10 must:

(a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a red background; and

(b) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle.

12. A temporary parking sticker issued pursuant to subsection 10 must have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the sticker and is white on a red background.

13. A temporary parking placard or temporary parking sticker is valid only for the period for which a physician has certified the disability, but in no case longer than 6 months. If the temporary disability continues after the period for which the physician has certified the disability, the person with the temporary disability must renew the temporary parking placard or temporary parking sticker before the temporary parking placard or temporary parking sticker expires. The person with the temporary disability shall include with his application for renewal a statement from a licensed physician certifying that the applicant continues to be a person with a temporary disability and the estimated period of the disability.

14. A special or temporary parking placard must be displayed in the vehicle when the vehicle is parked by hanging or attaching the placard to the rearview mirror of the vehicle. If the vehicle has no rearview mirror, the placard must be placed on the dashboard of the vehicle in such a manner that the placard can easily be seen from outside the vehicle when the vehicle is parked.

15. A special or temporary parking sticker must be affixed to the windscreen of the motorcycle. If the motorcycle has no windscreen, the sticker must be affixed to any other part of the motorcycle which may be easily seen when the motorcycle is parked.

16. Special or temporary parking placards, special or temporary parking stickers, or special license plates issued pursuant to this section do not authorize parking in any area on a highway where parking is prohibited by law.

17. No person, other than the person certified as being a person with a permanent disability, disability of moderate duration or temporary disability, or a person actually transporting such a person, may use the special license *plate or* plates or a special or temporary parking placard, or a special or temporary parking sticker issued pursuant to this section to obtain any special parking privileges available pursuant to this section.

18. Any person who violates the provisions of subsection 17 is guilty of a misdemeanor.

19. The Department may review the eligibility of each holder of a special parking placard, a special parking sticker or special license plates, or any combination thereof. Upon a determination of ineligibility by the Department, the holder shall surrender the special parking placard, special parking sticker or special license plates, or any combination thereof, to the Department.

20. The Department may adopt such regulations as are necessary to carry out the provisions of this section.

Sec. 4. NRS 484.407 is hereby amended to read as follows:

484.407 1. Except as otherwise provided in subsection 3, an owner or operator of a motor vehicle displaying a special parking placard, a special parking sticker, a temporary parking placard, a temporary parking sticker or *a* special *plate or* plates issued pursuant to NRS 482.384, or *a* special *plate or* plates for a disabled veteran issued pursuant to NRS 482.377, may park the motor vehicle for not more than 4 hours at any one time in a parking zone restricted as to the length of time parking is permitted, without penalty, removal or impoundment of the vehicle if the parking is otherwise consistent with public safety and is done by a person with a permanent disability, disability of moderate duration or temporary disability, a disabled veteran, or a person transporting any such person.

2. An owner or operator of a motor vehicle displaying *a* special *plate or* plates for a disabled veteran issued pursuant to NRS 482.377 may, without displaying a special license plate, placard or sticker issued pursuant to NRS 482.384, park in a parking space designated for the handicapped if:

(a) The parking is done by a disabled veteran; or

(b) A disabled veteran is a passenger in the motor vehicle being parked.

3. This section does not authorize the parking of a motor vehicle in any privately or municipally owned facility for parking off the highway without paying the required fee for the time during which the vehicle is so parked.

Sec. 5. NRS 484.408 is hereby amended to read as follows:

484.408 1. Any parking space designated for the handicapped must be indicated by a sign:

(a) Bearing the international symbol of access with or without the words "Parking," "Handicapped Parking," "Handicapped Parking Only" or "Reserved for the Handicapped," or any other word or combination of words indicating that the space is designated for the handicapped;

(b) Stating "Minimum fine of \$100 for use by others" or equivalent words; and

(c) The bottom of which must be not less than 4 feet above the ground.

2. In addition to the requirements of subsection 1, a parking space designated for the handicapped which:

(a) Is designed for the exclusive use of a vehicle with a side-loading wheelchair lift; and

(b) Is located in a parking lot with 60 or more parking spaces, ➡ must be indicated by a sign using a combination of words to state that the space is for the exclusive use of a vehicle with a side-loading wheelchair lift.

3. If a parking space is designed for the use of a vehicle with a side-loading wheelchair lift, the space which is immediately adjacent and intended for use in the loading and unloading of a wheelchair into or out of such a vehicle must be indicated by a sign:

(a) Stating "No Parking" or similar words which indicate that parking in such a space is prohibited;

(b) Stating "Minimum fine of \$100 for violation" or similar words indicating that the minimum fine for parking in such a space is \$100; and

(c) The bottom of which must not be less than 4 feet above the ground.

4. An owner of private property upon which is located a parking space described in subsection 1, 2 or 3 shall erect and maintain or cause to be erected and maintained any sign required pursuant to subsection 1, 2 or 3, whichever is applicable. If a parking space described in subsection 1, 2 or 3 is located on public property, the governmental entity having control over that public property shall erect and maintain or cause to be erected and maintained any sign required pursuant to subsection 1, 2 or 3, whichever is applicable.

5. A person shall not park a vehicle in a space designated for the handicapped by a sign that meets the requirements of subsection 1, whether on public or privately owned property, unless he is eligible to do so and the vehicle displays:

(a) ~~[Special]~~ A special license plate or plates issued pursuant to NRS 482.384;

(b) A special or temporary parking placard issued pursuant to NRS 482.384;

(c) A special or temporary parking sticker issued pursuant to NRS 482.384;

(d) ~~[Special]~~ A special license plate or plates, a special or temporary parking sticker, or a special or temporary parking placard displaying the international symbol of access issued by another state or a foreign country; or

(e) ~~[Special]~~ A special license plate or plates for a disabled veteran issued pursuant to NRS 482.377.

6. Except as otherwise provided in this subsection, a person shall not park a vehicle in a space that is reserved for the exclusive

use of a vehicle with a side-loading wheelchair lift and is designated for the handicapped by a sign that meets the requirements of subsection 2, whether on public or privately owned property, unless:

- (a) He is eligible to do so;
 - (b) The vehicle displays the special license *plate*, plates or placard set forth in subsection 5; and
 - (c) The vehicle is equipped with a side-loading wheelchair lift.
- ➔ A person who meets the requirements of paragraphs (a) and (b) may park a vehicle that is not equipped with a side-loading wheelchair lift in such a parking space if the space is in a parking lot with fewer than 60 parking spaces.

7. A person shall not park in a space which:

- (a) Is immediately adjacent to a space designed for use by a vehicle with a side-loading wheelchair lift; and
 - (b) Is designated as a space in which parking is prohibited by a sign that meets the requirements of subsection 3,
- ➔ whether on public or privately owned property.

8. A person shall not use a plate, sticker or placard set forth in subsection 5 to park in a space designated for the handicapped unless he is a person with a permanent disability, disability of moderate duration or temporary disability, a disabled veteran, or the driver of a vehicle in which any such person is a passenger.

9. A person who violates any of the provisions of subsections 5 to 8, inclusive, is guilty of a misdemeanor and shall be punished:

- (a) Upon the first offense, by a fine of \$100.
- (b) Upon the second offense, by a fine of \$250 and not less than 8 hours, but not more than 50 hours, of community service.
- (c) Upon the third or subsequent offense, by a fine of not less than \$500, but not more than \$1,000 and not less than 25 hours, but not more than 100 hours, of community service.

Sec. 6. NRS 371.190 is hereby amended to read as follows:

371.190 1. Every governmental services tax and any penalty added thereto constitute a lien upon the vehicle for which due from the date on which the tax becomes due.

2. The Department may collect the tax and any penalty by seizure and sale of the vehicle or, if the Department determines that it is impractical to seize and sell the vehicle, the Nevada highway patrol shall remove the registration certificate and license *plate or* plates from the vehicle and retain the certificate and *plate or* plates until the governmental services tax and any penalty are paid.

3. The seizure and sale must be conducted by the Department in the same manner as is provided by law for the seizure and sale of personal property for the collection of taxes due on personal property.

Sec. 7. This act becomes effective on July 1, 2005.

