

ASSEMBLY BILL NO. 321—ASSEMBLYMEN ATKINSON, PARKS, MANENDO, BEERS, BOBZIEN, CLABORN, DENIS, GERHARDT, GOEDHART, HOGAN, HORNE, KIHUEN, KIRKPATRICK, KOIVISTO, MCCLAIN, MUNFORD, OCEGUERA, PIERCE, SEGERBLOM, STEWART AND WOMACK

MARCH 15, 2007

Referred to Committee on Transportation

SUMMARY—Authorizes the Department of Motor Vehicles to issue special license plates and registration certificates for custom vehicles. (BDR 43-1185)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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; authorizing the Department of Motor Vehicles to issue special license plates and registration certificates for custom vehicles; imposing fees for the issuance of those special license plates; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill authorizes the Department of Motor Vehicles to issue special license
2 plates and registration certificates for custom vehicles, which are vehicles
3 manufactured after 1968 to resemble vehicles manufactured before 1968. This bill
4 provides that a custom vehicle which is not used for general transportation may be
5 registered without the payment of the usual registration fees and governmental
6 services tax, instead requiring an owner of a custom vehicle to pay a specific fee for
7 the issuance of the special license plates. This bill exempts a custom vehicle not
8 used for general transportation from vehicle inspection and emission control
9 inspection requirements. An owner of a custom vehicle may elect to use the custom
10 vehicle for general transportation if the full registration fee and governmental
11 services tax is paid and if the vehicle passes required inspections.



* A B 3 2 1 *

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

Section 1. Chapter 482 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department may issue special license plates and registration certificates to residents of Nevada for a custom vehicle pursuant to this section. Except as otherwise provided in subsection 3, the custom vehicle must not be used for general transportation, but may be used for occasional transportation, exhibitions, club activities, parades, tours or similar uses.

2. In lieu of the annual registration and fees required by this chapter, and of the governmental services tax imposed by chapter 371 of NRS, the owner of a custom vehicle may submit:

(a) An affidavit to the Department indicating that the custom vehicle:

(1) Will only be used for the purposes enumerated in subsection 1;

(2) Has been inspected and found safe to be operated on the highways of this State;

(3) Was manufactured after 1968 to resemble a vehicle manufactured before 1968; and

(4) Has been altered from the original design of the manufacturer or has body parts that are not original parts.

(b) The following fees for the issuance of these license plates:

(1) For the first issuance..... \$15

(2) For a renewal sticker..... 5

3. If the owner elects to use the custom vehicle as general transportation, he shall pay the regular annual registration and fees prescribed by law and the governmental services tax imposed by chapter 371 of NRS.

4. License plates issued pursuant to this section must bear the inscription "Custom Vehicle," and the plates must be numbered consecutively.

5. The model year listed on the certificate of title of a custom vehicle must be the model year of the vehicle on which the design of the custom vehicle is based.

6. A custom vehicle is not required to be equipped with any equipment which was not required by law in this State for vehicles sold in the model year listed on the certificate of title for the custom vehicle.

7. Except for vehicles registered pursuant to subsection 3 and except as otherwise provided for in paragraph (a) of subsection 2, a custom vehicle registered pursuant to this section is exempt from



1 *any vehicle inspections required by law and from an emissions*
2 *control inspection required pursuant to NRS 445B.770.*

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

6 (a) *Retain the plates and affix them to another vehicle that*
7 *meets the requirements of this section if the transfer and*
8 *registration fees are paid as set out in this chapter; or*

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

11 9. *The provisions of NRS 482.36705 do not apply to this*
12 *section.*

13 10. *As used in this section, "occasional transportation"*
14 *means the operation of the custom vehicle not more than 1 day*
15 *every 7 days.*

16 **Sec. 2.** NRS 482.216 is hereby amended to read as follows:

17 482.216 1. Upon the request of a new vehicle dealer, the
18 Department may authorize the new vehicle dealer to:

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

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

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

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

28 (a) Transmit the applications he receives to the Department
29 within the period prescribed by the Department;

30 (b) Transmit the fees he collects from the applicants and
31 properly account for them within the period prescribed by the
32 Department;

33 (c) Comply with the regulations adopted pursuant to subsection
34 4; and

35 (d) Bear any cost of equipment which is necessary to issue
36 certificates of registration, including any computer hardware or
37 software.

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

40 (a) Charge any additional fee for the performance of those
41 services;

42 (b) Receive compensation from the Department for the
43 performance of those services;

44 (c) Accept applications for the renewal of registration of a motor
45 vehicle; or



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

(1) Obtain special license plates pursuant to NRS 482.3667 to 482.3825, inclusive ~~§4~~, *and section 1 of this act*; or

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

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

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

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

Sec. 3. NRS 482.379 is hereby amended to read as follows:

482.379 1. The Director may order the design and preparation of license plates which commemorate the 125th anniversary of Nevada's admission into the Union and establish the procedures for the application and issuance of the plates.

2. The Department may designate any colors, numbers and letters for the commemorative plates.

3. A person who is entitled to license plates pursuant to NRS 482.265 may apply for commemorative license plates.

4. The fee for the commemorative license plates is \$10, in addition to all other applicable registration and license fees and governmental services taxes. If a person is eligible for and applies for any special license plates issued pursuant to NRS 482.3667, 482.3672, 482.3675, 482.368 or 482.370 to 482.3825, inclusive, *and section 1 of this act*, and applies to have those special license plates combined with commemorative plates, the person must pay the fees for the special license plates in addition to the fee for the commemorative plates.

5. In addition to all fees for the license, registration and governmental services taxes, a person who is eligible for and applies for commemorative plates must pay \$25 for the celebration of the 125th anniversary of Nevada's admission into the Union. The fees for the license, registration, and governmental services taxes and the charge for the celebration may be paid with a single check.

6. Commemorative plates are renewable upon the payment of \$10.

7. If , during a registration year, the holder of commemorative plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, he may retain the plates and:



(a) Within 30 days after removing the plates from the vehicle, return them to the Department; or

(b) Affix them to another vehicle which meets the requirements of this section if the transfer and registration fees are paid as is provided for in this chapter.

8. Except as otherwise provided by subsection 10, if a commemorative license plate or set of license plates issued pursuant to the provisions of this section is lost, stolen or mutilated, the owner of the vehicle may secure a replacement license plate or set of replacement license plates, as the case may be, from the Department upon payment of the fees set forth in subsection 2 of NRS 482.500.

9. The Department shall, for each set of commemorative license plates that it issues:

(a) Deposit the \$25 collected for the celebration of the 125th anniversary of Nevada's admission into the Union with the State Treasurer for credit to the Account for Nevada's 125th Anniversary in the State General Fund;

(b) Deposit \$7.50 with the State Treasurer for credit to the Motor Vehicle Fund pursuant to the provisions of NRS 482.180; and

(c) Deposit \$2.50 with the State Treasurer for credit to the Department to reimburse the Department for the cost of manufacturing the license plates.

10. The Department shall not:

(a) Issue the commemorative license plates after October 31, 1990.

(b) Issue replacement commemorative license plates after June 30, 1995.

Sec. 4. NRS 482.3824 is hereby amended to read as follows:

482.3824 1. With respect to any special license plate that is issued pursuant to NRS 482.3667 to 482.3825, inclusive, *and section 1 of this act*, and for which an additional fee is imposed for the issuance of the special license plate to generate financial support for a charitable organization:

(a) The Director shall, at the request of the charitable organization that is benefited by the particular special license plate:

(1) Order the design and preparation of souvenir license plates, the design of which must be substantially similar to the particular special license plate; and

(2) Issue such souvenir license plates, for a fee established pursuant to NRS 482.3825, only to the charitable organization that is benefited by the particular special license plate. The charitable organization may resell such souvenir license plates at a price determined by the charitable organization.



(b) The Department may, except as otherwise provided in this paragraph and after the particular special license plate is approved for issuance, issue the special license plate for a trailer or other type of vehicle that is not a passenger car or light commercial vehicle, excluding motorcycles and vehicles required to be registered with the Department pursuant to NRS 706.801 to 706.861, inclusive, upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. The Department may not issue a special license plate for such other types of vehicles if the Department determines that the design or manufacture of the plate for those other types of vehicles would not be feasible. In addition, if the Department incurs additional costs to manufacture a special license plate for such other types of vehicles, including, without limitation, costs associated with the purchase, manufacture or modification of dies or other equipment necessary to manufacture the special license plate for such other types of vehicles, those additional costs must be paid from private sources without any expense to the State of Nevada.

2. As used in this section, "charitable organization" means a particular cause, charity or other entity that receives money from the imposition of an additional fee in connection with the issuance of a special license plate pursuant to NRS 482.3667 to 482.3825, inclusive **H**, and *section 1 of this act*. The term includes the successor, if any, of a charitable organization.

Sec. 5. NRS 482.500 is hereby amended to read as follows:

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

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

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

(a) For any special plate issued pursuant to NRS 482.3667, 482.367002, 482.3672, 482.3675, 482.370 to 482.376, inclusive, or 482.379 to 482.3818, inclusive, *and section 1 of this act*, a fee of \$10.

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



(c) Except as otherwise provided in paragraph (a) of subsection 1 of NRS 482.3824, for any souvenir license plate issued pursuant to NRS 482.3825 or sample license plate issued pursuant to NRS 482.2703, a fee equal to that established by the Director for the issuance of those plates.

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

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

Sec. 6. NRS 445B.760 is hereby amended to read as follows:

445B.760 1. The State Environmental Commission may by regulation prescribe standards for exhaust emissions, fuel evaporative emissions and visible emissions of smoke from mobile internal combustion engines on the ground or in the air, including, but not limited to, aircraft, motor vehicles, snowmobiles and railroad locomotives. The regulations must:

(a) Provide for the exemption from such standards of restored *and custom* vehicles for which special license plates have been issued pursuant to NRS 482.381, 482.3812, 482.3814 or 482.3816 ~~or~~ *or section 1 of this act.*

(b) Establish criteria for the condition and functioning of a restored vehicle to qualify for the exemption, and provide that the evaluation of the condition and functioning of such a vehicle may be conducted at an authorized inspection station or authorized station as defined in NRS 445B.710 and 445B.720, respectively.

(c) Define "restored vehicle" for the purposes of the regulations.

2. Standards for exhaust emissions which apply to a trimobile must be based on standards which were in effect in the year in which the engine of the trimobile was built.

3. Any such standards which pertain to motor vehicles must be approved by the Department of Motor Vehicles before they are adopted by the Commission.

Sec. 7. This act becomes effective on July 1, 2007.

