

Amendment No. 835

Senate Amendment to Assembly Bill No. 54 First Reprint (BDR 43-740)

Proposed by: Senate Committee on Transportation and Homeland Security

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will REMOVE the 2/3s majority vote requirement from A.B. 54.

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	☐	Lost	☐		Adopted	☐	Lost	☐	
Concurred In	☐	Not	☐		Concurred In	☐	Not	☐	
Receded	☐	Not	☐		Receded	☐	Not	☐	

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

MSM



Date: 5/21/2007

A.B. No. 54—Requires applicants for a special license plate to pay an application fee which is refundable in certain circumstances. (BDR 43-740)



ASSEMBLY BILL NO. 54—COMMITTEE ON TRANSPORTATION

PREFILED FEBRUARY 1, 2007

Referred to Committee on Transportation

SUMMARY—~~[Requires applicants for a special license plate to pay an application fee which is refundable in certain circumstances.]~~ **Makes various changes with respect to plates. (BDR 43-740)**

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; requiring an applicant requesting the design, preparation and issuance of a special license plate to ~~[pay an application fee;]~~ **post a surety bond with the Department of Motor Vehicles;** providing for the ~~[refund]~~ **release of the [application fee] surety bond** in certain circumstances; **requiring the Commission on Special License Plates to approve or disapprove changes in the distribution of additional fees generated by special license plates;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~[This]~~ **Section 1 of this** bill requires a person submitting an application to the Department of Motor Vehicles for the design, preparation and issuance of a special license plate to ~~[submit a fee]~~ **post with the Department a surety bond** in the amount of \$5,000 ~~[with] to accompany~~ the application. (NRS 482.367002) The Department is required to ~~[refund the fee to the applicant]~~ **release the bond** if the Department or the Commission on Special License Plates decides not to issue the plate, or after at least 1,000 plates are issued.

Section 2 of this bill provides that the Commission shall: (1) approve or disapprove any proposed change in the distribution of money received in the form of additional fees that are charged in connection with the issuance or renewal of a special license plate; and (2) if it approves such a change and determines that legislation is required to carry out the change, request the assistance of the Legislative Counsel in the preparation of a bill draft. (NRS 482.367004)

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

Section 1. NRS 482.367002 is hereby amended to read as follows:
482.367002 1. A person may request that the Department design, prepare and issue a special license plate by submitting an application to the Department.
2. An application submitted to the Department pursuant to subsection 1:
(a) Must be on a form prescribed and furnished by the Department;

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

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

~~(d)~~ (c) May be accompanied by suggestions for the design of and colors to be used in the special license plate ~~;~~ **and**

(d) Must be accompanied by a ~~fee~~ surety bond posted with the Department in the amount of \$5,000.

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

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

(b) The Commission on Special License Plates approves the application for that plate pursuant to subsection 5 of NRS 482.367004.

4. Except as otherwise provided in NRS 482.367008, the Department may issue a special license plate that:

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

(b) The Commission on Special License Plates has approved for issuance pursuant to subsection 5 of NRS 482.367004; and

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

➤ for any passenger car or light commercial vehicle 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. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with a special license plate issued pursuant to this section if that person pays the fees for personalized prestige license plates in addition to the fees for the special license plate.

~~5. Except as otherwise provided in subsection 6, the application fee submitted pursuant to subsection 2 must be deposited in the Revolving Account for the Issuance of Special License Plates created pursuant to NRS 482.1805.~~

~~6. The Department must promptly refund the application fee submitted~~
release the surety bond posted pursuant to subsection 2:

(a) If the Department or the Commission on Special License Plates determines not to issue the special license plate; or

(b) If it is determined that at least 1,000 special license plates have been issued pursuant to the assessment of the viability of the design of the special license plate conducted pursuant to NRS 482.367008.

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

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

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

Sec. 2. NRS 482.367004 is hereby amended to read as follows:

482.367004 1. There is hereby created the Commission on Special License Plates consisting of five Legislators and three nonvoting members as follows:

(a) Five Legislators appointed by the Legislative Commission:

(1) One of whom is the Legislator who served as the Chairman of the Assembly Standing Committee on Transportation during the most recent legislative

1 session. That Legislator may designate an alternate to serve in his place in his
2 absence. The alternate must be another Legislator who also served on the Assembly
3 Standing Committee on Transportation during the most recent legislative session.

4 (2) One of whom is the Legislator who served as the Chairman of the
5 Senate Standing Committee on Transportation during the most recent legislative
6 session. That Legislator may designate an alternate to serve in his place in his
7 absence. The alternate must be another Legislator who also served on the Senate
8 Standing Committee on Transportation during the most recent legislative session.

9 (b) Three nonvoting members consisting of:

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

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

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

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

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

19 4. The Director of the Legislative Counsel Bureau shall provide
20 administrative support to the Commission.

21 5. The Commission shall approve or disapprove:

22 (a) Applications for the design, preparation and issuance of special license
23 plates that are submitted to the Department pursuant to subsection 1 of NRS
24 482.367002; and

25 (b) The issuance by the Department of special license plates that have been
26 designed and prepared pursuant to NRS 482.367002.

27 In determining whether to approve such an application or issuance, the
28 Commission shall consider, without limitation, whether it would be appropriate and
29 feasible for the Department to, as applicable, design, prepare or issue the particular
30 special license plate.

31 6. The Commission shall:

32 (a) Approve or disapprove any proposed change in the distribution of money
33 received in the form of additional fees. As used in this paragraph, "additional
34 fees" means the fees that are charged in connection with the issuance or renewal
35 of a special license plate for the benefit of a particular cause, fund or charitable
36 organization. The term does not include registration and license fees or
37 governmental services taxes.

38 (b) If it approves a proposed change pursuant to paragraph (a) and
39 determines that legislation is required to carry out the change, request the
40 assistance of the Legislative Counsel in the preparation of a bill draft to carry out
41 the change.

42 ~~{Sec. 2}~~ Sec. 3. This act becomes effective on July 1, 2007.