

Amendment No. 620

Senate Amendment to Assembly Bill No. 109 Second Reprint (BDR 43-958)

Proposed by: Senate Committee on Energy, Infrastructure and Transportation

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

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 109 (§ 2).

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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 dashed underlining is newly added transitory language.

MSN/TMC



Date: 5/7/2009

A.B. No. 109—Revises provisions governing special license plates. (BDR 43-958)



ASSEMBLY BILL NO. 109—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE COMMISSION ON SPECIAL LICENSE PLATES)

PREFILED JANUARY 22, 2009

Referred to Committee on Transportation

SUMMARY—Revises provisions governing special license plates. (BDR 43-958)

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

~

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

AN ACT relating to motor vehicles; requiring that license plates without distinguishing marks be furnished for two vehicles used by the office of the county coroner; ~~authorizing~~ deleting provisions which prohibit the Department of Motor Vehicles ~~to issue certain~~ from issuing special license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno unless the Department receives at least 1,000 applications for the issuance of those plates before May 29, 2009; authorizing the Department to issue certain special license plates for use on motorcycles; prescribing the fees for special license plates for use on vehicles other than passenger cars and light commercial vehicles; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that license plates furnished for certain exempt vehicles maintained for and used by certain governmental entities must be free of distinguishing marks which would otherwise identify the vehicle as a governmental vehicle. (NRS 482.368) **Section 1.3** of this bill adds two vehicles used by the office of a county coroner to the list of vehicles for which license plates without a distinguishing mark must be furnished.

Existing law authorizes the Department of Motor Vehicles to issue special license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno if the Department receives at least 1,000 applications for the issuance of the special license plates before May 29, 2009. (NRS 482.379375) Sections 1 and 1.7 of this bill delete the provisions which authorize the Department to issue such special plates only if the Department receives at least 1,000 applications before May 29, 2009.

Under existing law, if the Department ~~for Motor Vehicles~~ issues special license plates for use on a passenger car or light commercial vehicle and if those special license plates generate financial support for a charitable organization, the Department is authorized to issue the special license plates for use on a trailer or other type of vehicle that is not a passenger car or light commercial vehicle, but is prohibited from issuing the special license plates for use on a motorcycle or heavy commercial vehicle. (NRS 482.3824) Effective July 1, 2010, **section 2** of this bill removes the prohibition against the Department issuing such special license plates for use on motorcycles and provides further that the fees for special license plates issued for

use on vehicles other than passenger cars or light commercial vehicles must be the same as if the special license plates were issued for use on a passenger car or light commercial vehicle.

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

Section 1. NRS 482.36705 is hereby amended to read as follows:

482.36705 1. If a new special license plate is authorized by an act of the Legislature after January 1, 2003, other than a special license plate that is authorized pursuant to NRS 482.379375, the Legislature will direct that the license plate not be designed, prepared or issued by the Department unless the Department receives at least 1,000 applications for the issuance of that plate within 2 years after the effective date of the act of the Legislature that authorized the plate.

2. In addition to the requirements set forth in subsection 1, if a new special license plate is authorized by an act of the Legislature after July 1, 2005, the Legislature will direct that the license plate not be issued by the Department unless its issuance complies with subsection 2 of NRS 482.367008.

3. In addition to the requirements set forth in subsections 1 and 2, if a new special license plate is authorized by an act of the Legislature after January 1, 2007, the Legislature will direct that the license plate not be designed, prepared or issued by the Department unless the Commission on Special License Plates approves the application for the authorized plate pursuant to NRS 482.367004.

~~[Section 1.]~~ **Sec. 1.3.** NRS 482.368 is hereby amended to read as follows:

482.368 1. Except as otherwise provided in subsection 2, the Department shall provide suitable distinguishing license plates for exempt vehicles. These plates must be displayed on the vehicles in the same manner as provided for privately owned vehicles. The fee for the issuance of the plates is \$5. Any license plates authorized by this section must be immediately returned to the Department when the vehicle for which they were issued ceases to be used exclusively for the purpose for which it was exempted from the governmental services tax.

2. License plates furnished for:

(a) Those vehicles which are maintained for and used by the Governor or under the authority and direction of the Chief Parole and Probation Officer, the State Contractors' Board and auditors, the State Fire Marshal, the Investigation Division of the Department of Public Safety and any authorized federal law enforcement agency or law enforcement agency from another state;

(b) One vehicle used by the Department of Corrections, three vehicles used by the Department of Wildlife, two vehicles used by the Caliente Youth Center and four vehicles used by the Nevada Youth Training Center;

(c) Vehicles of a city, county or the State, if authorized by the Department for the purposes of law enforcement or work related thereto or such other purposes as are approved upon proper application and justification; ~~and~~

(d) Two vehicles used by the office of the county coroner of any county which has created that office pursuant to NRS 244.163; and

(e) Vehicles maintained for and used by investigators of the following:

- (1) The State Gaming Control Board;
- (2) The State Department of Agriculture;
- (3) The Attorney General;
- (4) City or county juvenile officers;
- (5) District attorneys' offices;
- (6) Public administrators' offices;

(7) Public guardians' offices;

(8) Sheriffs' offices;

(9) Police departments in the State; and

(10) The Securities Division of the Office of the Secretary of State,

must not bear any distinguishing mark which would serve to identify the vehicles as owned by the State, county or city. These license plates must be issued annually for \$12 per plate or, if issued in sets, per set.

3. The Director may enter into agreements with departments of motor vehicles of other states providing for exchanges of license plates of regular series for vehicles maintained for and used by investigators of the law enforcement agencies enumerated in paragraph ~~1~~(e) of subsection 2, subject to all of the requirements imposed by that paragraph, except that the fee required by that paragraph must not be charged.

4. Applications for the licenses must be made through the head of the department, board, bureau, commission, school district or irrigation district, or through the chairman of the board of county commissioners of the county or town or through the mayor of the city, owning or controlling the vehicles, and no plate or plates may be issued until a certificate has been filed with the Department showing that the name of the department, board, bureau, commission, county, city, town, school district or irrigation district, as the case may be, and the words "For Official Use Only" have been permanently and legibly affixed to each side of the vehicle, except those vehicles enumerated in subsection 2.

5. As used in this section, "exempt vehicle" means a vehicle exempt from the governmental services tax, except a vehicle owned by the United States.

6. The Department shall adopt regulations governing the use of all license plates provided for in this section. Upon a finding by the Department of any violation of its regulations, it may revoke the violator's privilege of registering vehicles pursuant to this section.

Sec. 1.7. NRS 482.379375 is hereby amended to read as follows:

482.379375 1. Except as otherwise provided in this subsection, the Department, in cooperation with the Reno Recreation and Parks Commission or its successor, shall design, prepare and issue license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno, using any colors and designs that the Department deems appropriate. The Department shall not design, prepare or issue the license plates unless:

(a) The Commission on Special License Plates approves the design, preparation and issuance of those plates as described in NRS 482.367004; and

(b) The Department receives at least 1,000 applications for the issuance of those plates. ~~[within 2 years after the effective date of this act.]~~

2. If the Commission on Special License Plates approves the design, preparation and issuance of license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno pursuant to subsection 1, and the Department receives at least 1,000 applications for the issuance of the license plates, the Department shall issue those plates for a 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 license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno pursuant to subsections 3 and 4.

3. The fee for license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno is \$35, in addition to all other applicable registration and license fees and governmental services taxes. The license plates are renewable upon the payment of \$10.

4. In addition to all other applicable registration and license fees and governmental services taxes and the fee prescribed in subsection 3, a person who requests a set of license plates for the support and enhancement of parks, recreation facilities and programs in the City of Reno must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates an additional fee of \$20 to be distributed pursuant to subsection 5.

5. The Department shall deposit the fees collected pursuant to subsection 4 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this section to the City Treasurer of the City of Reno to be used to pay for the support and enhancement of parks, recreation facilities and programs in the City of Reno.

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 482.3824 is hereby amended to read as follows:

482.3824 1. Except as otherwise provided in NRS 482.38279, with respect to any special license plate that is issued pursuant to NRS 482.3667 to 482.3825, inclusive, and for which ~~an additional fee is~~ **additional fees are** 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, **motorcycle** 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 **or 482.272** and who otherwise complies with the requirements for registration and licensing pursuant to this chapter ~~or~~ **chapter 486 of NRS**. 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. *If, as authorized pursuant to paragraph (b) of subsection 1, the Department issues a special license plate for a trailer, motorcycle or other type of vehicle that is not a passenger car or light commercial vehicle, the Department shall charge and collect for the issuance and renewal of such a plate the same fees that the Department would charge and collect if the other type of vehicle was a passenger car or light commercial vehicle. As used in this subsection, "fees" does not include any applicable registration or license fees or governmental services taxes.*

3. As used in this section ~~["charitable"]~~ :

(a) *"Additional fees" has the meaning ascribed to it in NRS 482.38273.*

(b) *"Charitable organization" means a particular cause, charity or other entity that receives money from the imposition of ~~["an additional fee"]~~ additional fees in connection with the issuance of a special license plate pursuant to NRS 482.3667 to 482.3825, inclusive. The term includes the successor, if any, of a charitable organization.*

Sec. 3. NRS 482.38274 is hereby amended to read as follows:

482.38274 "Charitable organization" has the meaning ascribed to it in ~~["subsection 2 of"]~~ NRS 482.3824.

Sec. 4. 1. This section and ~~["section"]~~ sections 1 and 1.7 of this act become effective upon passage and approval.

~~2.~~ Section 1.3 of this act ~~["become"]~~ becomes effective on July 1, 2009.

~~3.~~ 3. Sections 2 and 3 of this act become effective on July 1, 2010.