

SENATE BILL NO. 329—SENATOR AMODEI

MARCH 16, 2009

Referred to Committee on Energy, Infrastructure and Transportation

SUMMARY—Provides for the issuance of special license plates indicating support for the Nevada CASA Association. (BDR 43-860)

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 indicating support for the Nevada CASA Association; imposing a fee for the issuance and renewal of such license plates; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 1** of this bill provides for the issuance of special license plates
2 indicating support for the Nevada CASA Association. The fees generated by such
3 special license plates that are in addition to all other applicable registration and
4 license fees and governmental services taxes are required to be distributed to the
5 Association, or its successor, for its programs and activities in support of ensuring
6 volunteer court advocacy for abused and neglected children in Nevada. These
7 special license plates must be approved by the Commission on Special License
8 Plates and, after such approval, will not be issued until one of the 25 design slots
9 for special license plates becomes available. (NRS 482.367004, 482.367008,
10 482.36705)

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

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

3 ***1. Except as otherwise provided in subsection 2, the***
4 ***Department, in cooperation with the Nevada CASA Association or***
5 ***its successor, shall design, prepare and issue license plates***



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1 *indicating support for the Association and its programs and*
2 *activities, using any colors that the Department deems appropriate.*

3 *2. The Department shall not design, prepare or issue the*
4 *license plates described in subsection 1 unless:*

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

8 *(b) A surety bond in the amount of \$5,000 is posted with the*
9 *Department; and*

10 *(c) The issuance of the plates complies with subsection 2 of*
11 *NRS 482.367008.*

12 *3. If the conditions set forth in subsection 2 are met, the*
13 *Department shall issue license plates indicating support for the*
14 *Nevada CASA Association for a passenger car or light commercial*
15 *vehicle upon application by a person who is entitled to license*
16 *plates pursuant to NRS 482.265 and who otherwise complies with*
17 *the requirements for registration and licensing pursuant to this*
18 *chapter. A person may request that personalized prestige license*
19 *plates issued pursuant to NRS 482.3667 be combined with license*
20 *plates indicating support for the Nevada CASA Association if that*
21 *person pays the fees for the personalized prestige license plates in*
22 *addition to the fees for the license plates indicating support for the*
23 *Nevada CASA Association pursuant to subsections 4 and 5.*

24 *4. The fee for license plates indicating support for the Nevada*
25 *CASA Association is \$35, in addition to all other applicable*
26 *registration and license fees and governmental services taxes. The*
27 *license plates are renewable upon the payment of \$10.*

28 *5. In addition to all fees for the license, registration and*
29 *governmental services taxes, a person who requests a set of license*
30 *plates indicating support for the Nevada CASA Association must*
31 *pay for the initial issuance of the plates an additional fee of \$25*
32 *and for each renewal of the plates an additional fee of \$20, to be*
33 *deposited in accordance with subsection 6.*

34 *6. The Department shall deposit the fees collected pursuant to*
35 *subsection 5 with the State Treasurer for credit to the State*
36 *General Fund. The State Treasurer shall, on a quarterly basis,*
37 *distribute the fees deposited pursuant to this subsection to the*
38 *Nevada CASA Association, or its successor, for its programs and*
39 *activities in support of ensuring volunteer court advocacy for*
40 *abused and neglected children in Nevada.*

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

44 *(a) Retain the plates and affix them to another vehicle that*
45 *meets the requirements of this section if the holder pays the fee for*



1 *the transfer of the registration and any registration fee or*
2 *governmental services tax due pursuant to NRS 482.399; or*
3 *(b) Within 30 days after removing the plates from the vehicle,*
4 *return them to the Department.*

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

6 482.216 1. Upon the request of a new vehicle dealer, the
7 Department may authorize the new vehicle dealer to:

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

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

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

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

17 (a) Transmit the applications he receives to the Department
18 within the period prescribed by the Department;

19 (b) Transmit the fees he collects from the applicants and
20 properly account for them within the period prescribed by the
21 Department;

22 (c) Comply with the regulations adopted pursuant to subsection
23 4; and

24 (d) Bear any cost of equipment which is necessary to issue
25 certificates of registration, including any computer hardware or
26 software.

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

29 (a) Charge any additional fee for the performance of those
30 services;

31 (b) Receive compensation from the Department for the
32 performance of those services;

33 (c) Accept applications for the renewal of registration of a motor
34 vehicle; or

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

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

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

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

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



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(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 482.2703 is hereby amended to read as follows:

482.2703 1. The Director may order the preparation of sample license plates which must be of the same design and size as regular license plates or license plates issued pursuant to NRS 482.384. The Director shall ensure that:

(a) Each license plate issued pursuant to this subsection, regardless of its design, is inscribed with the word SAMPLE and an identical designation which consists of the same group of three numerals followed by the same group of three letters; and

(b) The designation of numerals and letters assigned pursuant to paragraph (a) is not assigned to a vehicle registered pursuant to this chapter or chapter 706 of NRS.

2. The Director may order the preparation of sample license plates which must be of the same design and size as any of the special license plates issued pursuant to NRS 482.3667 to 482.3823, inclusive **H**, and *section 1 of this act*. The Director shall ensure that:

(a) Each license plate issued pursuant to this subsection, regardless of its design, is inscribed with the word SAMPLE and the number zero in the location where any other numerals would normally be displayed on a license plate of that design; and

(b) The number assigned pursuant to paragraph (a) is not assigned to a vehicle registered pursuant to this chapter or chapter 706 of NRS.

3. The Director may establish a fee for the issuance of sample license plates of not more than \$15 for each license plate.

4. A decal issued pursuant to NRS 482.271 may be displayed on a sample license plate issued pursuant to this section.

5. All money collected from the issuance of sample license plates must be deposited in the State Treasury for credit to the Motor Vehicle Fund.

6. A person shall not affix a sample license plate issued pursuant to this section to a vehicle. A person who violates the provisions of this subsection is guilty of a misdemeanor.

Sec. 4. NRS 482.367008 is hereby amended to read as follows:

482.367008 1. As used in this section, "special license plate" means:

(a) A license plate that the Department has designed and prepared pursuant to NRS 482.367002 in accordance with the system of application and petition described in that section;



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(b) A license plate approved by the Legislature that the Department has designed and prepared pursuant to NRS 482.3747, 482.37903, 482.37905, 482.37917, 482.379175, 482.37918, 482.37919, 482.3792, 482.3793, 482.37933, 482.37934, 482.37935, 482.379355, 482.379365, 482.37937, 482.379375, 482.37938 or 482.37945 ~~H~~ *or section 1 of this act*; and

(c) A license plate that:

(1) Is approved by the Legislature after July 1, 2005; and

(2) Differs substantially in design from the license plates that are described in subsection 1 of NRS 482.270.

2. Notwithstanding any other provision of law to the contrary, the Department shall not, at any one time, issue more than 25 separate designs of special license plates. Whenever the total number of separate designs of special license plates issued by the Department at any one time is less than 25, the Department shall issue a number of additional designs of special license plates that have been authorized by an act of the Legislature or the application for which has been approved by the Commission on Special License Plates pursuant to subsection 5 of NRS 482.367004, not to exceed a total of 25 designs issued by the Department at any one time. Such additional designs must be issued by the Department in accordance with the chronological order of their authorization or approval.

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

(a) The particular design of special license plate was designed and prepared by the Department pursuant to NRS 482.367002; and

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

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

(a) In the case of special license plates designed and prepared by the Department pursuant to NRS 482.367002, less than 1,000; or

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

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



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1 5. The notice required pursuant to subsection 4 must be
2 provided:

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

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

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

14 (a) In the case of special license plates designed and prepared by
15 the Department pursuant to NRS 482.367002, less than 1,000; or

16 (b) In the case of special license plates authorized directly by the
17 Legislature which are described in paragraph (b) of subsection 1,
18 less than the number of applications required to be received by the
19 Department for the initial issuance of those plates,

20 ➤ the Director shall, notwithstanding any other provision of law to
21 the contrary, issue an order providing that the Department will no
22 longer issue that particular design of special license plate. Such an
23 order does not require existing holders of that particular design of
24 special license plate to surrender their plates to the Department and
25 does not prohibit those holders from renewing those plates.

26 **Sec. 5.** NRS 482.3824 is hereby amended to read as follows:

27 482.3824 1. Except as otherwise provided in NRS
28 482.38279, with respect to any special license plate that is issued
29 pursuant to NRS 482.3667 to 482.3825, inclusive, *and section 1 of*
30 *this act* and for which an additional fee is imposed for the issuance
31 of the special license plate to generate financial support for a
32 charitable organization:

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

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

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

43 (b) The Department may, except as otherwise provided in this
44 paragraph and after the particular special license plate is approved
45 for issuance, issue the special license plate for a trailer or other type



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1 of vehicle that is not a passenger car or light commercial vehicle,
2 excluding motorcycles and vehicles required to be registered with
3 the Department pursuant to NRS 706.801 to 706.861, inclusive,
4 upon application by a person who is entitled to license plates
5 pursuant to NRS 482.265 and who otherwise complies with the
6 requirements for registration and licensing pursuant to this chapter.
7 The Department may not issue a special license plate for such other
8 types of vehicles if the Department determines that the design or
9 manufacture of the plate for those other types of vehicles would not
10 be feasible. In addition, if the Department incurs additional costs to
11 manufacture a special license plate for such other types of vehicles,
12 including, without limitation, costs associated with the purchase,
13 manufacture or modification of dies or other equipment necessary to
14 manufacture the special license plate for such other types of
15 vehicles, those additional costs must be paid from private sources
16 without any expense to the State of Nevada.

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

23 **Sec. 6.** NRS 482.399 is hereby amended to read as follows:

24 482.399 1. Upon the transfer of the ownership of or interest
25 in any vehicle by any holder of a valid registration, or upon
26 destruction of the vehicle, the registration expires.

27 2. The holder of the original registration may transfer the
28 registration to another vehicle to be registered by him and use the
29 same regular license plate or plates or special license plate or plates
30 issued pursuant to NRS 482.3667 to 482.3823, inclusive, *and*
31 *section 1 of this act*, or 482.384, on the vehicle from which the
32 registration is being transferred, if the license plate or plates are
33 appropriate for the second vehicle, upon filing an application for
34 transfer of registration and upon paying the transfer registration fee
35 and the excess, if any, of the registration fee and governmental
36 services tax on the vehicle to which the registration is transferred
37 over the total registration fee and governmental services tax paid on
38 all vehicles from which he is transferring his ownership or interest.
39 Except as otherwise provided in NRS 482.294, an application for
40 transfer of registration must be made in person, if practicable, to any
41 office or agent of the Department or to a registered dealer, and the
42 license plate or plates may not be used upon a second vehicle until
43 registration of that vehicle is complete.

44 3. In computing the governmental services tax, the
45 Department, its agent or the registered dealer shall credit the portion



1 of the tax paid on the first vehicle attributable to the remainder of
2 the current registration period or calendar year on a pro rata monthly
3 basis against the tax due on the second vehicle or on any other
4 vehicle of which the person is the registered owner. If any person
5 transfers his ownership or interest in two or more vehicles, the
6 Department or the registered dealer shall credit the portion of the tax
7 paid on all of the vehicles attributable to the remainder of the
8 current registration period or calendar year on a pro rata monthly
9 basis against the tax due on the vehicle to which the registration is
10 transferred or on any other vehicle of which the person is the
11 registered owner. The certificates of registration and unused license
12 plates of the vehicles from which a person transfers his ownership or
13 interest must be submitted before credit is given against the tax due
14 on the vehicle to which the registration is transferred or on any other
15 vehicle of which the person is the registered owner.

16 4. In computing the registration fee, the Department or its
17 agent or the registered dealer shall credit the portion of the
18 registration fee paid on each vehicle attributable to the remainder of
19 the current calendar year or registration period on a pro rata basis
20 against the registration fee due on the vehicle to which registration
21 is transferred.

22 5. If the amount owed on the registration fee or governmental
23 services tax on the vehicle to which registration is transferred is less
24 than the credit on the total registration fee or governmental services
25 tax paid on all vehicles from which a person transfers his ownership
26 or interest, no refund may be allowed by the Department.

27 6. If the license plate or plates are not appropriate for the
28 second vehicle, the plate or plates must be surrendered to the
29 Department or registered dealer and an appropriate plate or plates
30 must be issued by the Department. The Department shall not reissue
31 the surrendered plate or plates until the next succeeding licensing
32 period.

33 7. If application for transfer of registration is not made within
34 60 days after the destruction or transfer of ownership of or interest
35 in any vehicle, the license plate or plates must be surrendered to the
36 Department on or before the 60th day for cancellation of the
37 registration.

38 8. If a person cancels his registration and surrenders to the
39 Department his license plates for a vehicle, the Department shall, in
40 accordance with the provisions of subsection 9, issue to the person a
41 refund of the portion of the registration fee and governmental
42 services tax paid on the vehicle attributable to the remainder of the
43 current calendar year or registration period on a pro rata basis.

44 9. The Department shall issue a refund pursuant to subsection 8
45 only if the request for a refund is made at the time the registration is



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1 cancelled and the license plates are surrendered, the person
2 requesting the refund is a resident of Nevada, the amount eligible
3 for refund exceeds \$100, and evidence satisfactory to the
4 Department is submitted that reasonably proves the existence of
5 extenuating circumstances. For the purposes of this subsection, the
6 term "extenuating circumstances" means circumstances wherein:

7 (a) The person has recently relinquished his driver's license and
8 has sold or otherwise disposed of his vehicle.

9 (b) The vehicle has been determined to be inoperable and the
10 person does not transfer the registration to a different vehicle.

11 (c) The owner of the vehicle is seriously ill or has died and the
12 guardians or survivors have sold or otherwise disposed of the
13 vehicle.

14 (d) Any other event occurs which the Department, by regulation,
15 has defined to constitute an "extenuating circumstance" for the
16 purposes of this subsection.

17 **Sec. 7.** NRS 482.500 is hereby amended to read as follows:

18 482.500 1. Except as otherwise provided in subsection 2 or 3,
19 whenever upon application any duplicate or substitute certificate of
20 registration, decal or number plate is issued, the following fees must
21 be paid:

22
23 For a certificate of registration\$5.00
24 For every substitute number plate or set of plates5.00
25 For every duplicate number plate or set of plates.....10.00
26 For every decal displaying a county name50
27 For every other decal, license plate sticker or tab5.00
28

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

31 (a) For any special plate issued pursuant to NRS 482.3667,
32 482.367002, 482.3672, 482.3675, 482.370 to 482.376, inclusive, or
33 482.379 to 482.3818, inclusive, *and section 1 of this act*, a fee of
34 \$10.

35 (b) For any special plate issued pursuant to NRS 482.368,
36 482.3765, 482.377 or 482.378, a fee of \$5.

37 (c) Except as otherwise provided in paragraph (a) of subsection
38 1 of NRS 482.3824, for any souvenir license plate issued pursuant
39 to NRS 482.3825 or sample license plate issued pursuant to NRS
40 482.2703, a fee equal to that established by the Director for the
41 issuance of those plates.

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

44 4. The fees which are paid for duplicate number plates and
45 decals displaying county names must be deposited with the State



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- 1 Treasurer for credit to the Motor Vehicle Fund and allocated to the
- 2 Department to defray the costs of duplicating the plates and
- 3 manufacturing the decals.
- 4 **Sec. 8.** This act becomes effective upon passage and approval.

