

Amendment No. 316

Assembly Amendment to Assembly Bill No. 277

(BDR 43-810)

Proposed by: Assembly Committee on Transportation**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

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 underlining* is newly added transitory language.

MSM/BJE



Date: 4/25/2011

A.B. No. 277—Provides for the creation of alternative special license plates honoring service of female veterans. (BDR 43-810)



ASSEMBLY BILL NO. 277—ASSEMBLYMEN ANDERSON; BENITEZ-THOMPSON, BUSTAMANTE ADAMS, CARLTON, DIAZ, DONDERO LOOP, FLORES, MASTROLUCA, NEAL, PIERCE AND WOODBURY (BY REQUEST)

MARCH 15, 2011

JOINT SPONSORS: SENATORS HALSETH, LESLIE; BREEDEN, CEGAVSKE, COPENING AND WIENER

Referred to Committee on Transportation

SUMMARY—Provides for ~~{the creation of alternative}~~ special license plates honoring ~~{service of}~~ female veterans. (BDR 43-810)

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 the Department of Motor Vehicles, with respect to special license plates for the support of outreach programs and services for veterans and their families, to make such plates available ~~{an alternative version of the plates indicating service as a}~~ to female ~~{veteran}~~ veterans with an optional image representative of female veterans; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Director of the Department of Motor Vehicles to order the preparation of special license plates for the support of outreach programs and services for veterans and their families. These special license plates are available to veterans of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United States, a reserve component thereof or the National Guard, or the spouse, parent or child of such a veteran. (NRS 482.3763) **Section 4** of this bill requires the Department to make the plates available : (1) to female veterans ~~{of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United States, a reserve component thereof or the National Guard, an alternative version of the special license plates for the support of outreach programs and services for veterans and their families. Such alternative version must indicate specifically that the veteran is a female veteran.}~~ ; and (2) with an optional image representative of female veterans. The fees for the initial issuance and renewal of the ~~{alternative}~~ optional version of the special license plates for the support of outreach programs and services for veterans and their families are the same as for the regular version.

Under existing law, new special license plates authorized by an act of the Legislature typically are subject to all of the following: (1) approval or disapproval by the Commission on Special License Plates; (2) the limitation on the number of separate designs of special license plates that may be issued by the Department at any one time; and (3) the requirement that the Department receive at least 1,000 applications for the issuance of the plate within 2 years after

the effective date of the act of the Legislature. (NRS 482.367004, 482.367008, 482.36705) ~~[Sections 1-3 of this bill exempt the alternative.]~~ **The optional** special license plates for female veterans **are exempt** from all three of ~~[those]~~ **the preceding** requirements. ~~[The rationale for those exemptions is that the alternative special license plates for female veterans are not an entirely separate design of special license plates but, instead,] because the plates~~ are simply an ~~[alternate]~~ **optional** version of existing special license plates for veterans.

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

Section 1. ~~[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 Chair of the~~
~~Assembly Standing Committee on Transportation during the most recent legislative~~
~~session. That Legislator may designate an alternate to serve in place of the~~
~~Legislator when absent. The alternate must be another Legislator who also served~~
~~on the Assembly Standing Committee on Transportation during the most recent~~
~~legislative session.~~
~~(2) One of whom is the Legislator who served as the Chair of the Senate~~
~~Standing Committee on Transportation during the most recent legislative session.~~
~~That Legislator may designate an alternate to serve in place of the Legislator when~~
~~absent. The alternate must be another Legislator who also served on the Senate~~
~~Standing Committee on Transportation during the most recent legislative session.~~
~~(b) Three nonvoting members consisting of:~~
~~(1) The Director of the Department of Motor Vehicles, or a designee of the~~
~~Director;~~
~~(2) The Director of the Department of Public Safety, or a designee of the~~
~~Director;~~
~~(3) The Director of the Department of Cultural Affairs, or a designee of the~~
~~Director;~~
~~2. Each member of the Commission appointed pursuant to paragraph (a) of~~
~~subsection 1 serves a term of 2 years, commencing on July 1 of each odd-numbered~~
~~year. A vacancy on the Commission must be filled in the same manner as the~~
~~original appointment.~~
~~3. Members of the Commission serve without salary or compensation for their~~
~~travel or per diem expenses.~~
~~4. The Director of the Legislative Counsel Bureau shall provide~~
~~administrative support to the Commission.~~
~~5. The Commission shall approve or disapprove:~~
~~(a) Applications for the design, preparation and issuance of special license~~
~~plates that are submitted to the Department pursuant to subsection 1 of NRS~~
~~482.367002;~~
~~(b) The issuance by the Department of special license plates that have been~~
~~designed and prepared pursuant to NRS 482.367002; and~~
~~(c) Except as otherwise provided in subsection 6, applications for the design,~~
~~preparation and issuance of special license plates that have been authorized by an~~
~~act of the Legislature after January 1, 2007.~~
~~→ In determining whether to approve such an application or issuance, the~~
~~Commission shall consider, without limitation, whether it would be appropriate and~~
~~feasible for the Department to, as applicable, design, prepare or issue the particular~~

~~special license plate. The Commission shall consider each application in the chronological order in which the application was received by the Department.~~

~~6. The provisions of paragraph (c) of subsection 5 do not apply with regard to special license plates that are issued pursuant to NRS 482.3763 or 482.3785.~~

~~7. The Commission shall:~~

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

~~(b) If it approves a proposed change pursuant to paragraph (a) 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 to carry out the change.]~~

~~(Deleted by amendment.)~~

~~Sec. 2. [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;~~

~~(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, 482.37932, 482.37934, 482.37935, 482.379355, 482.379365, 482.37937, 482.379375, 482.37938 or 482.37945; and~~

~~(c) Except for a license plate that is issued pursuant to NRS 482.3763 or 482.3785, 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.~~

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

~~— (a) If the special license plate generates financial support for a cause or charitable organization, to that cause or charitable organization;~~

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

~~6. If, on December 31 of the same year in which notice was provided pursuant to subsections 4 and 5, 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, notwithstanding any other provision of law to the contrary, issue an order providing that the Department will no longer issue that particular design of special license plate. Such an order does not require existing holders of that particular design of special license plate to surrender their plates to the Department and does not prohibit those holders from renewing those plates.]~~

(Deleted by amendment.)

Sec. 3. [NRS 482.36705 is hereby amended to read as follows:]

~~482.36705 1. Except as otherwise provided in subsection 2:~~

~~— (a) 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 482.3763 or 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.~~

~~— (b) In addition to the requirements set forth in paragraph (a), 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;~~

~~— (c) In addition to the requirements set forth in paragraphs (a) and (b), 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.~~

~~2. The provisions of subsection 1 do not apply with regard to special license plates that are issued pursuant to NRS 482.3763 or 482.3785.]~~ **(Deleted by amendment.)**

Sec. 4. NRS 482.3763 is hereby amended to read as follows:

482.3763 1. The Director shall order the preparation of special license plates for the support of outreach programs and services for veterans and their families and establish procedures for the application for and issuance of the plates.

2. The Department shall, upon application therefor and payment of the prescribed fees, issue special license plates for the support of outreach programs and services for veterans and their families to:

(a) A veteran of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United States, a reserve component thereof or the National Guard; ~~for~~

(b) A female veteran; or

(c) The spouse, parent or child of a person described in paragraph (a); or (b).

The

~~plates for the support of outreach programs and services for veterans and their families~~ must be inscribed with the word "VETERAN" and with the seal of the branch of the Armed Forces of the United States, ~~for~~ the seal of the National Guard, ~~for~~ or an image representative of the female veterans, as applicable, requested by the applicant.

~~4. The Department shall, using any colors and designs which the Department deems appropriate, make available to female veterans of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United States, a reserve component thereof or the National Guard, an alternative version of the special license plates for the support of outreach programs and services for veterans and their families. Such alternative version must indicate specifically that the veteran is a female veteran.~~

~~5.~~ A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with special license plates for the support of outreach programs and services for veterans and their families if that person pays the fees for the personalized prestige license plates in addition to the fees for the special license plates for the support of outreach programs and services for veterans and their families pursuant to subsection 4.

3. ~~for~~

~~6.~~ If, during a registration year, the holder of special plates issued pursuant to 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 which 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.

4. ~~for~~ In addition to all other applicable registration and license fees and governmental services taxes, and to the special fee imposed pursuant to NRS 482.3764 for the support of outreach programs and services for veterans and their families, the fee for:

(a) The initial issuance of the special license plates is \$35.

(b) The annual renewal sticker is \$10.

5. ~~for~~ If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of replacement license plates from the Department for a fee of \$10.

Sec. 5. The Nevada Veterans' Services Commission, created by NRS 417.150, shall provide an image representative of female veterans to the Department of Motor Vehicles for the purposes of NRS 482.3763, as amended by section 4 of this act.