

SENATE BILL NO. 274—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON SENIOR
CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS)

MARCH 18, 2011

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to certain special license
plates issued to veterans. (BDR 43-161)

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

~

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 available an
alternative version of the plates indicating service as a
female veteran; requiring the Department to ensure that
all special license plates for veterans, if the veteran has
suffered a 100-percent service-connected disability and
desires such an indication, include indicia of the veteran's
disabled status; and providing other matters properly
relating thereto.

Legislative Counsel's Digest:

1 Existing law requires the Director of the Department of Motor Vehicles to
2 order the preparation of special license plates for the support of outreach programs
3 and services for veterans and their families. These special license plates are
4 available to veterans of the Army, Navy, Air Force, Marine Corps or Coast Guard
5 of the United States, a reserve component thereof or the National Guard, or the
6 spouse, parent or child of such a veteran. (NRS 482.3763) **Section 4** of this bill
7 requires the Department to make available to female veterans of the Army, Navy,
8 Air Force, Marine Corps or Coast Guard of the United States, a reserve component
9 thereof or the National Guard, an alternative version of those special license plates
10 which indicates specifically that the veteran is a female veteran. The fees for the
11 initial issuance and renewal of the alternative version of the special license plates is
12 the same as for the original version.



* S B 2 7 4 *

Under existing law, new special license plates authorized by an act of the Legislature are subject to: (1) approval or disapproval by the Commission on Special License Plates; (2) a 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 special license plates for female veterans from those requirements because the alternative special license plates for female veterans are an alternate version of existing special license plates for veterans.

Existing law entitles a veteran who has suffered a 100-percent service-connected disability and who receives compensation from the United States for the disability to receive special license plates inscribed with the words "DISABLED VETERAN" or "VETERAN WHO IS DISABLED." (NRS 482.377) Veterans with these license plates are entitled to certain privileges and exemptions related to parking. (NRS 482.377, 484B.463, 484B.467) **Section 5** of this bill allows a veteran who has suffered a 100-percent service-connected disability and who receives compensation from the United States for the disability to request that any special license plate made available to the veteran indicates that the veteran is a disabled veteran.

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.



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, 482.37933, 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:



* S B 2 7 4 *

(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.

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



1 after July 1, 2005, the Legislature will direct that the license plate
2 not be issued by the Department unless its issuance complies with
3 subsection 2 of NRS 482.367008.

4 (c) In addition to the requirements set forth in paragraphs (a) and
5 (b), if a new special license plate is authorized by an act of the
6 Legislature after January 1, 2007, the Legislature will direct that the
7 license plate not be designed, prepared or issued by the Department
8 unless the Commission on Special License Plates approves the
9 application for the authorized plate pursuant to NRS 482.367004.

10 2. The provisions of subsection 1 do not apply with regard to
11 special license plates that are issued pursuant to NRS **482.3763** or
12 **482.3785**.

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

14 **482.3763** 1. The Director shall order the preparation of
15 special license plates for the support of outreach programs and
16 services for veterans and their families and establish procedures for
17 the application for and issuance of the plates.

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

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

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

27 ~~{→ The}~~

28 **3. Except as otherwise provided in subsection 4, special**
29 **license plates for the support of outreach programs and services**
30 **for veterans and their families** must be inscribed with the word
31 "VETERAN" and with the seal of the branch of the Armed Forces
32 of the United States or the seal of the National Guard, as applicable,
33 requested by the applicant.

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

42 **5.** A person may request that personalized prestige license
43 plates issued pursuant to NRS 482.3667 be combined with special
44 license plates for the support of outreach programs and services for
45 veterans and their families if that person pays the fees for the



1 personalized prestige license plates in addition to the fees for the
2 special license plates for the support of outreach programs and
3 services for veterans and their families pursuant to subsection ~~4~~.

4 ~~3~~ 7.

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

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

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

14 ~~4~~ 7. In addition to all other applicable registration and
15 license fees and governmental services taxes, and to the special fee
16 imposed pursuant to NRS 482.3764 for the support of outreach
17 programs and services for veterans and their families, the fee for:

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

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

20 ~~5~~ 8. If the special plates issued pursuant to this section are
21 lost, stolen or mutilated, the owner of the vehicle may secure a set of
22 replacement license plates from the Department for a fee of \$10.

23 Sec. 5. NRS 482.377 is hereby amended to read as follows:

24 482.377 1. A veteran of the Armed Forces of the United
25 States who, as a result of his or her service:

26 (a) Has suffered a 100-percent service-connected disability and
27 who receives compensation from the United States for the disability
28 is entitled to specially designed license plates inscribed with the
29 words "DISABLED VETERAN" or "VETERAN WHO IS
30 DISABLED," at the option of the veteran, and three or four
31 consecutive numbers.

32 (b) Has been captured and held prisoner by a military force of a
33 foreign nation is entitled to specially designed license plates
34 inscribed with the words "EX PRISONER OF WAR" and three or
35 four consecutive numbers.

36 2. *In addition to the provisions of subsection 1, the*
37 *Department shall ensure that special license plates issued*
38 *pursuant to NRS 482.376, 482.3763, 482.37635, 482.3765,*
39 *482.3775, 482.378 or 482.3785 to a veteran of the Armed Forces*
40 *of the United States who, as a result of his or her service, has*
41 *suffered a 100-percent service-connected disability and who*
42 *receives compensation from the United States for the disability, at*
43 *the option of the veteran, indicate that the veteran is a disabled*
44 *veteran. To qualify for the indicia described in this subsection, a*



1 *person must submit evidence of disability required by the*
2 *Department.*

3 3. Each person who qualifies for special license plates pursuant
4 to ~~[this section]~~ *subsection 1* may apply for not more than two sets
5 of plates. If the person applies for a second set of plates for an
6 additional vehicle, the second set of plates must have a different
7 number than the first set of plates issued to the same applicant.
8 Special license plates issued pursuant to this section may be used
9 only on a private passenger vehicle, a noncommercial truck or a
10 motor home.

11 ~~[3.]~~ 4. The Department shall issue specially designed license
12 plates for persons qualified pursuant to ~~[this section]~~ *subsection 1*
13 who submit an application on a form prescribed by the Department
14 and evidence of disability or former imprisonment required by the
15 Department.

16 ~~[4.]~~ 5. A vehicle on which license plates issued by the
17 Department pursuant to this section *or setting forth the indicia*
18 *described in subsection 2* are displayed is exempt from the payment
19 of any parking fees, including those collected through parking
20 meters, charged by the State or any political subdivision or other
21 public body within the State, other than the United States.

22 ~~[5.]~~ 6. If, during a registration year, the holder of a set of
23 special license plates issued pursuant to this section disposes of the
24 vehicle to which the plates are affixed, the holder shall:

25 (a) Retain the plates and affix them to another vehicle which
26 meets the requirements of this section and report the change to the
27 Department in accordance with the procedure set forth for other
28 transfers; or

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

31 **Sec. 6.** NRS 484B.463 is hereby amended to read as follows:

32 484B.463 1. Except as otherwise provided in subsection 3, an
33 owner or operator of a motor vehicle displaying a special parking
34 placard, a special parking sticker, a temporary parking placard, a
35 temporary parking sticker or a special plate or plates issued pursuant
36 to NRS 482.384, or a special plate or plates for a veteran with a
37 disability issued pursuant to NRS 482.377 ~~[]~~ *or setting forth the*
38 *indicia described in subsection 2 of that section*, may park the
39 motor vehicle for not more than 4 hours at any one time in a parking
40 zone restricted as to the length of time parking is permitted, without
41 penalty, removal or impoundment of the vehicle if the parking is
42 otherwise consistent with public safety and is done by a person with
43 a permanent disability, disability of moderate duration or temporary
44 disability, a veteran with a disability or a person transporting any
45 such person.



2. An owner or operator of a motor vehicle displaying a special plate or plates for a veteran with a disability issued pursuant to NRS 482.377 *or setting forth the indicia described in subsection 2 of that section* may, without displaying a special license plate, placard or sticker issued pursuant to NRS 482.384, park in a parking space designated for persons who are handicapped if:

(a) The parking is done by a veteran with a disability; or

(b) A veteran with a disability is a passenger in the motor vehicle being parked.

3. This section does not authorize the parking of a motor vehicle in any privately or municipally owned facility for parking off the highway without paying the required fee for the time during which the vehicle is so parked.

Sec. 7. NRS 484B.467 is hereby amended to read as follows:

484B.467 1. Any parking space designated for persons who are handicapped must be indicated by a sign:

(a) Bearing the international symbol of access with or without the words "Parking," "Handicapped Parking," "Handicapped Parking Only" or "Reserved for the Handicapped," or any other word or combination of words indicating that the space is designated for persons who are handicapped;

(b) Stating "Minimum fine of \$250 for use by others" or equivalent words; and

(c) The bottom of which must be not less than 4 feet above the ground.

2. In addition to the requirements of subsection 1, a parking space designated for persons who are handicapped which:

(a) Is designed for the exclusive use of a vehicle with a side-loading wheelchair lift; and

(b) Is located in a parking lot with 60 or more parking spaces, must be indicated by a sign using a combination of words to state that the space is for the exclusive use of a vehicle with a side-loading wheelchair lift.

3. If a parking space is designed for the use of a vehicle with a side-loading wheelchair lift, the space which is immediately adjacent and intended for use in the loading and unloading of a wheelchair into or out of such a vehicle must be indicated by a sign:

(a) Stating "No Parking" or similar words which indicate that parking in such a space is prohibited;

(b) Stating "Minimum fine of \$250 for violation" or similar words indicating that the minimum fine for parking in such a space is \$250; and

(c) The bottom of which must not be less than 4 feet above the ground.



1 4. An owner of private property upon which is located a
2 parking space described in subsection 1, 2 or 3 shall erect and
3 maintain or cause to be erected and maintained any sign required
4 pursuant to subsection 1, 2 or 3, whichever is applicable. If a
5 parking space described in subsection 1, 2 or 3 is located on public
6 property, the governmental entity having control over that public
7 property shall erect and maintain or cause to be erected and
8 maintained any sign required pursuant to subsection 1, 2 or 3,
9 whichever is applicable.

10 5. A person shall not park a vehicle in a space designated for
11 persons who are handicapped by a sign that meets the requirements
12 of subsection 1, whether on public or privately owned property,
13 unless the person is eligible to do so and the vehicle displays:

14 (a) A special license plate or plates issued pursuant to
15 NRS 482.384;

16 (b) A special or temporary parking placard issued pursuant to
17 NRS 482.384;

18 (c) A special or temporary parking sticker issued pursuant to
19 NRS 482.384;

20 (d) A special license plate or plates, a special or temporary
21 parking sticker, or a special or temporary parking placard displaying
22 the international symbol of access issued by another state or a
23 foreign country; or

24 (e) A special license plate or plates for a veteran with a
25 disability issued pursuant to NRS 482.377 **or setting forth the**
26 ***indicia described in subsection 2 of that section.***

27 6. Except as otherwise provided in this subsection, a person
28 shall not park a vehicle in a space that is reserved for the exclusive
29 use of a vehicle with a side-loading wheelchair lift and is designated
30 for persons who are handicapped by a sign that meets the
31 requirements of subsection 2, whether on public or privately owned
32 property, unless:

33 (a) The person is eligible to do so;

34 (b) The vehicle displays the special license plate, plates or
35 placard set forth in subsection 5; and

36 (c) The vehicle is equipped with a side-loading wheelchair lift.

37 ➤ A person who meets the requirements of paragraphs (a) and (b)
38 may park a vehicle that is not equipped with a side-loading
39 wheelchair lift in such a parking space if the space is in a parking lot
40 with fewer than 60 parking spaces.

41 7. A person shall not park in a space which:

42 (a) Is immediately adjacent to a space designed for use by a
43 vehicle with a side-loading wheelchair lift; and



(b) Is designated as a space in which parking is prohibited by a sign that meets the requirements of subsection 3, whether on public or privately owned property.

8. A person shall not use a plate, sticker or placard set forth in subsection 5 to park in a space designated for persons who are handicapped unless he or she is a person with a permanent disability, disability of moderate duration or temporary disability, a veteran with a disability or the driver of a vehicle in which any such person is a passenger.

9. A person with a permanent disability, disability of moderate duration or temporary disability to whom a:

(a) Special license plate, or a special or temporary parking sticker, has been issued pursuant to NRS 482.384 shall not allow any other person to park the vehicle or motorcycle displaying the special license plate or special or temporary parking sticker in a space designated for persons who are handicapped unless the person with the permanent disability, disability of moderate duration or temporary disability is a passenger in the vehicle or on the motorcycle, or is being picked up or dropped off by the driver of the vehicle or motorcycle, at the time that the vehicle or motorcycle is parked in the space designated for persons who are handicapped.

(b) Special or temporary parking placard has been issued pursuant to NRS 482.384 shall not allow any other person to park the vehicle which displays the special or temporary parking placard in a space designated for persons who are handicapped unless the person with the permanent disability, disability of moderate duration or temporary disability is a passenger in the vehicle, or is being picked up or dropped off by the driver of the vehicle, at the time that it is parked in the space designated for persons who are handicapped.

10. A person who violates any of the provisions of subsections 5 to 9, inclusive, is guilty of a misdemeanor and shall be punished:

(a) Upon the first offense, by a fine of \$250.

(b) Upon the second offense, by a fine of \$250 and not less than 8 hours, but not more than 50 hours, of community service.

(c) Upon the third or subsequent offense, by a fine of not less than \$500, but not more than \$1,000 and not less than 25 hours, but not more than 100 hours, of community service.

Sec. 8. This act becomes effective on July 1, 2011.

