

ASSEMBLY BILL NO. 455—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE COMMISSION ON
SPECIAL LICENSE PLATES)

MARCH 25, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions concerning special license plates.
(BDR 43-75)

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 special license plates; revising the role of the Commission on Special License Plates to advise the Department of Motor Vehicles with respect to certain matters; requiring that applicants for special license plates furnish to the Department certain amended information; requiring that the Commission compile and make publicly available certain information regarding special license plates which the Commission has recommended for approval; revising provisions governing the procedure for taking adverse action against a charitable organization that receives additional fees from a special license plate; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the Commission on Special License Plates reviews and approves applications for special license plates and engages in other activities related to special license plates. (NRS 482.367004) **Sections 2-6 and 9** of this bill revise the authority of the Commission so that the Commission, the voting members of which are all Legislators, advises and makes recommendations to but does not direct the activities of the Department of Motor Vehicles.

Existing law sets forth the process by which persons and organizations may apply directly to the Department of Motor Vehicles to have the Department design, prepare and issue new special license plates. (NRS 482.367002-482.367008)

Section 2 of this bill revises and expands the types of information and amended information that must be provided to the Department in an application for a special license plate. **Section 3** of this bill requires that the Commission compile and make



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publicly available certain information regarding special license plates which the Commission has recommended for approval.

Section 7 of this bill changes from September 1 to July 1 the deadline by which certain charitable organizations that receive additional fees from special license plates must provide to the Commission and the Department certain contact information. **Section 9** of this bill revises the process of determination, hearing, appeal and potential adverse action if a charitable organization that receives additional fees from special license plates is found to have failed to provide required information or financial documents or to have committed improper practices of financial administration.

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

Section 1. NRS 482.270 is hereby amended to read as follows:

482.270 1. Except as otherwise provided in this section or by specific statute, the Director shall order the redesign and preparation of motor vehicle license plates with colors that are predominately blue and silver. The Director may substitute white in place of silver when no suitable material is available.

2. Except as otherwise provided in subsection 3, the Department shall, upon the payment of all applicable fees, issue redesigned motor vehicle license plates pursuant to this section to persons who apply for the registration or renewal of the registration of a motor vehicle on or after January 1, 2001.

3. The Department shall not issue redesigned motor vehicle license plates pursuant to this section to a person who was issued motor vehicle license plates before January 1, 1982, or pursuant to NRS 482.3747, 482.3763, 482.3775, 482.378 or 482.379, without the approval of the person.

4. The Director may determine and vary the size, shape and form and the material of which license plates are made, but each license plate must be of sufficient size to be plainly readable from a distance of 100 feet during daylight. All license plates must be treated to reflect light and to be at least 100 times brighter than conventional painted number plates. When properly mounted on an unlighted vehicle, the license plates, when viewed from a vehicle equipped with standard headlights, must be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet.

5. Every license plate must have displayed upon it:

(a) The registration number, or combination of letters and numbers, assigned to the vehicle and to the owner thereof;

(b) The name of this State, which may be abbreviated;

(c) If issued for a calendar year, the year; and



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(d) If issued for a registration period other than a calendar year, the month and year the registration expires.

6. Except as otherwise provided in NRS 482.379, all letters and numbers must be of the same size.

7. Each special license plate that is designed, prepared and issued pursuant to NRS 482.367002 must be designed and prepared in such a manner that:

(a) The left-hand one-third of the plate is the only part of the plate on which is displayed any design or other insignia that is suggested pursuant to paragraph ~~(e)~~ (f) of subsection 2 of that section; and

(b) The remainder of the plate conforms to the requirements for coloring, lettering and design that are set forth in this section.

Sec. 2. 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. A person may submit an application for a special license plate that is intended to generate financial support for an organization only if:

(a) For an organization which is not a governmental entity, the organization is established as a nonprofit charitable organization which provides services to the community relating to public health, education or general welfare;

(b) For an organization which is a governmental entity, the organization only uses the financial support generated by the special license plate for charitable purposes relating to public health, education or general welfare;

(c) The organization is registered with the Secretary of State, if registration is required by law, and has filed any documents required to remain registered with the Secretary of State;

(d) The name and purpose of the organization do not promote, advertise or endorse any specific product, brand name or service that is offered for profit;

(e) The organization is nondiscriminatory; and

(f) The license plate will not promote a specific religion, faith or antireligious belief.

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 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~~:

(1) The name of the cause or charitable organization; and



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(2) Whether the financial support intended to be generated for the particular cause or charitable organization will be for:

(I) General use by the particular cause or charitable organization; or

(II) Use by the particular cause or charitable organization in a more limited or specific manner;

(c) Must include the name and signature of a person who represents:

(1) The organization which is requesting that the Department design, prepare and issue the special license plate; and

(2) If different from the organization described in subparagraph (1), the cause or charitable organization for which the special license plate being requested is intended to generate financial support;

(d) Must include proof that the organization satisfies the requirements set forth in subsection 1;

~~[(d)]~~ *(e) Must be accompanied by a surety bond posted with the Department in the amount of \$5,000; and*

~~[(e)]~~ *(f) May be accompanied by suggestions for the design of and colors to be used in the special license plate.*

3. If an application for a special license plate has been submitted pursuant to this section but the Department has not yet designed, prepared or issued the plate, the applicant shall amend the application with updated information when any of the following events take place:

(a) The name of the organization that submitted the application has changed since the initial application was submitted.

(b) The cause or charitable organization for which the special license plate being requested is intended to generate financial support has a different name than that set forth on the initial application.

(c) The cause or charitable organization for which the special license plate being requested is intended to generate financial support is different from that set forth on the initial application.

➤ The updated information described in this subsection must be submitted to the Department within 90 days after the relevant change takes place, unless the applicant has received notice that the special license plate is on an agenda to be heard at a meeting of the Commission on Special License Plates, in which case the updated information must be submitted to the Department within 48 hours after the applicant receives such notice. The updating of information pursuant to this subsection does not alter, change or otherwise affect the issuance of special license plates by the



Department in accordance with the chronological order of their authorization or approval, as described in subsection 2 of NRS 482.367008.

4. 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~~ *recommends to the Department that the Department approve* the application for that plate pursuant to subsection 5 of NRS 482.367004.

~~4-1~~ 5. 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~~ *recommended the Department approve* for issuance pursuant to subsection 5 of NRS 482.367004; and

(c) Complies with the requirements of subsection 7 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.

~~5-1~~ 6. The Department must promptly release the surety bond posted pursuant to subsection 2:

(a) If the Department ~~for 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.

~~6-1~~ 7. 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. 3. NRS 482.367004 is hereby amended to read as follows:

482.367004 1. There is hereby created the Commission on Special License Plates. ~~consisting~~ *The Commission is advisory to the Department and consists* 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 Tourism and 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 *recommend to the Department that the Department* 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 ~~16.1~~ 7, 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~~ *recommend to the Department the approval of* 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~~ *For the purpose of making recommendations to the Department, the* Commission shall consider each application in the chronological order in which the application was received by the Department.

6. *On or before September 1 of each fiscal year, the Commission shall compile a list of each special license plate for which the Commission, during the immediately preceding fiscal year, recommended to the Department that the Department approve the application for the special license plate or approve the issuance of the special license plate. The list so compiled must set forth, for each such plate, the cause or charitable organization for which the special license plate generates or would generate financial support, and the intended use to which the financial support is being put or would be put. The Commission shall transmit the information described in this subsection to the Department and the Department shall make that information available on its Internet website.*

7. The provisions of paragraph (c) of subsection 5 do not apply with regard to special license plates that are issued pursuant to NRS 482.3785 or 482.3787.

~~17.1~~ 8. The Commission shall:

(a) ~~Approve~~ *Recommend to the Department that the Department 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~~ *recommends* a proposed change pursuant to paragraph (a) and determines that legislation is required to carry out the change, *recommend to the Department that the Department* request the assistance of the Legislative Counsel in the preparation of a bill draft to carry out the change.



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

3 482.367008 1. As used in this section, "special license plate"
4 means:

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

8 (b) A license plate approved by the Legislature that the
9 Department has designed and prepared pursuant to NRS 482.3747,
10 482.37903, 482.37905, 482.37917, 482.379175, 482.37918,
11 482.37919, 482.3792, 482.3793, 482.37933, 482.37934, 482.37935,
12 482.379355, 482.379365, 482.37937, 482.379375, 482.37938 or
13 482.37945; and

14 (c) Except for a license plate that is issued pursuant to NRS
15 482.3785 or 482.3787, a license plate that:

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

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

19 2. Notwithstanding any other provision of law to the contrary,
20 the Department shall not, at any one time, issue more than 30
21 separate designs of special license plates. Whenever the total
22 number of separate designs of special license plates issued by the
23 Department at any one time is less than 30, the Department shall
24 issue a number of additional designs of special license plates that
25 have been authorized by an act of the Legislature or the application
26 for which has been ~~approved~~ *recommended* by the Commission on
27 Special License Plates *to be approved by the Department* pursuant
28 to subsection 5 of NRS 482.367004, not to exceed a total of 30
29 designs issued by the Department at any one time. Such additional
30 designs must be issued by the Department in accordance with the
31 chronological order of their authorization or approval ~~+~~ *by the*
32 *Department.*

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

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

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



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

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

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

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

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

14 (a) If the special license plate generates financial support for a
15 cause or charitable organization, to that cause or charitable
16 organization.

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

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

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

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

31 ➔ the Director shall, notwithstanding any other provision of law to
32 the contrary, issue an order providing that the Department will no
33 longer issue that particular design of special license plate. Such an
34 order does not require existing holders of that particular design of
35 special license plate to surrender their plates to the Department and
36 does not prohibit those holders from renewing those plates.

37 **Sec. 5.** NRS 482.36705 is hereby amended to read as follows:

38 482.36705 1. Except as otherwise provided in subsection 2:

39 (a) If a new special license plate is authorized by an act of the
40 Legislature after January 1, 2003, other than a special license plate
41 that is authorized pursuant to NRS 482.379375, the Legislature will
42 direct that the license plate not be designed, prepared or issued by
43 the Department unless the Department receives at least 1,000
44 applications for the issuance of that plate within 2 years after the
45 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~~ *recommends to the Department that the Department approve* 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 482.3785 or 482.3787.

Sec. 6. 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~~ *recommends to the Department that the Department approve* 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.

2. If the Commission on Special License Plates ~~approves~~ *recommends to the Department that the Department approve* 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



1 personalized prestige license plates in addition to the fees for the
2 license plates for the support and enhancement of parks, recreation
3 facilities and programs in the City of Reno pursuant to subsections 3
4 and 4.

5 3. The fee for license plates for the support and enhancement
6 of parks, recreation facilities and programs in the City of Reno is
7 \$35, in addition to all other applicable registration and license fees
8 and governmental services taxes. The license plates are renewable
9 upon the payment of \$10.

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

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

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

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

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

32 **Sec. 7.** NRS 482.38277 is hereby amended to read as follows:

33 482.38277 1. On or before September 1 of each fiscal year,
34 each charitable organization, not including a governmental entity
35 whose budget is included in the executive budget, that receives
36 additional fees shall ~~+~~:

37 ~~—(a) Prepare~~ *prepare* a balance sheet for the immediately
38 preceding fiscal year on a form provided by the Commission on
39 Special License Plates and file the balance sheet, accompanied by a
40 recent bank statement, with the Commission. The Commission shall
41 prepare and make available, or cause to be prepared and made
42 available, a form that must be used by a charitable organization to
43 prepare such a balance sheet.

44 ~~+(b) Provide~~



1 ***2. On or before July 1 of each fiscal year, each charitable***
2 ***organization, not including a governmental entity whose budget is***
3 ***included in the executive budget, that receives additional fees shall***
4 ***provide*** to the Commission and the Department:

5 ~~1-1~~ (a) A list of the names of the persons, whether or not
6 designated officers, who are responsible for overseeing the
7 operation of the charitable organization;

8 ~~1-2~~ (b) The current mailing address of the charitable
9 organization; and

10 ~~1-3~~ (c) The current telephone number of the charitable
11 organization.

12 ~~1-2~~ 3. The Legislative Auditor shall prescribe:

13 (a) The form and content of the balance sheets required to be
14 filed pursuant to subsection 1; and

15 (b) Any additional information that must accompany the balance
16 sheets and bank statements required to be filed pursuant to
17 subsection 1, including, without limitation, the methods and
18 procedures used to ensure that all money received in the form of
19 additional fees is expended solely for the benefit of the intended
20 recipient.

21 ~~1-3~~ 4. The Commission shall provide to the Legislative
22 Auditor:

23 (a) A copy of each balance sheet and bank statement that it
24 receives from a charitable organization pursuant to ~~paragraph (a)~~
25 ~~of~~ subsection 1; and

26 (b) A copy of the information that it receives from a charitable
27 organization pursuant to ~~paragraph (b) of~~ subsection ~~1-1~~ 2.

28 **Sec. 8.** NRS 482.38278 is hereby amended to read as follows:

29 482.38278 1. On or before September 30 following the end
30 of each fiscal year, the Legislative Auditor shall present to the
31 Commission on Special License Plates a final written report with
32 respect to the charitable organizations for which the Commission
33 provided to the Legislative Auditor a balance sheet pursuant to
34 subsection ~~1-3~~ 4 of NRS 482.38277.

35 2. The final written report must be distributed to each member
36 of the Commission before the report is presented to the
37 Commission.

38 3. Along with any statement of explanation or rebuttal from the
39 audited charitable organization, the final written report may include,
40 without limitation:

41 (a) Evidence regarding the inadequacy or inaccuracy of any
42 forms or records filed by the charitable organization with the
43 Commission or the Department;

44 (b) Evidence regarding any improper practices of financial
45 administration on the part of the charitable organization;



(c) Evidence regarding the methods and procedures, or lack thereof, used to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient; and

(d) Any other evidence or information that the Legislative Auditor determines to be relevant to the propriety of the financial administration and recordkeeping of the charitable organization, including, without limitation, the disposition of any additional fees received by the charitable organization.

Sec. 9. NRS 482.38279 is hereby amended to read as follows:

482.38279 1. If the Commission on Special License Plates determines that a charitable organization has failed to comply with one or more of the provisions of NRS 482.38277 or if, in a report provided to the Commission by the Legislative Auditor pursuant to NRS 482.38278, the Legislative Auditor determines that a charitable organization has committed improper practices of financial administration, has filed with the Commission or the Department forms or records that are inadequate or inaccurate, or has failed to use adequate methods and procedures to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient, the Commission shall notify the charitable organization of that determination.

2. A charitable organization may request in writing a hearing, within 20 days after receiving notification pursuant to subsection 1, to respond to the determinations of the Commission or Legislative Auditor. The hearing must be held not later than 30 days after the receipt of the request for a hearing unless the parties, by written stipulation, agree to extend the time.

3. The Commission shall issue a decision ~~immediately after the hearing,~~ on whether to uphold the original determination of the Commission or the Legislative Auditor or to overturn that determination. The decision ~~of the Commission pursuant to this subsection is a final decision for purposes of judicial review.~~ *required pursuant to this subsection must be issued:*

(a) Immediately after the hearing, if a hearing was requested; or

(b) Within 30 days after the expiration of the 20-day period within which a hearing may be requested, if a hearing was not requested.

4. If the Commission ~~upholds~~ *decides to uphold* its own determination that a charitable organization has failed to comply with one or more of the provisions of NRS 482.38277 or ~~upholds~~ *decides to uphold* the determination of the Legislative Auditor that the organization has committed improper practices of financial administration, has filed with the Commission or the Department



forms or records that are inadequate or inaccurate, or has failed to use adequate methods and procedures to ensure that all money received in the form of additional fees is expended solely for the benefit of the intended recipient, the Commission *shall issue its decision in writing and* may ~~require~~ *recommend* that the Department:

(a) Suspend the collection of all additional fees collected on behalf of the charitable organization; and

(b) Suspend production of the particular design of special license plates from which the charitable organization receives additional fees, if the Department is still producing that design.

5. If, in accordance with subsection 4, the Commission recommends that the Department take adverse action against a charitable organization, the Commission shall notify the charitable organization, in writing, of that fact within 30 days after making the recommendation. A charitable organization aggrieved by a recommendation of the Commission may, within 30 days after the date on which it received notice of the recommendation, submit to the Department any facts, evidence or other information that it believes is relevant to the propriety of the Commission's recommendation. Within 30 days after receiving all facts, evidence and other relevant information submitted to the Department by the aggrieved charitable organization, the Department shall render a decision, in writing, as to whether the Department accepts or rejects the Commission's recommendation. The decision of the Department is a final decision for the purpose of judicial review.

Sec. 10. NRS 482.555 is hereby amended to read as follows:

482.555 **1.** In addition to any other penalty provided by this chapter:

~~(1)~~ **(a)** It is a gross misdemeanor for any person knowingly to falsify:

~~(a)~~ **(1)** A dealer's or rebuilder's report of sale, as described in NRS 482.423 and 482.424;

~~(b)~~ **(2)** An application or document to obtain any license, permit, certificate of title or vehicle registration issued under the provisions of this chapter; or

~~(c)~~ **(3)** An application or document to obtain a salvage title or nonrepairable vehicle certificate as defined in chapter 487 of NRS.

~~(2)~~ **(b)** It is a misdemeanor for any person to violate any of the provisions of this chapter unless such violation is by this section or other provision of this chapter or other law of this State declared to be a gross misdemeanor or a felony.

2. The provisions of this section do not apply to a violation of subsection 3 of NRS 482.367002.



1 **Sec. 11.** 1. If, before July 1, 2013, a person or organization
2 submitted to the Department of Motor Vehicles an application for a
3 special license plate pursuant to NRS 482.367002 and the
4 application is still pending, the person or organization shall amend
5 the application to include the information required by paragraphs (b)
6 and (c) of subsection 2 of NRS 482.367002, as amended by section
7 2 of this act.

8 2. The provisions of this section do not alter, change or
9 otherwise affect the issuance of special license plates by the
10 Department in accordance with the chronological order of
11 their authorization or approval, as described in subsection 2 of
12 NRS 482.367008.

13 **Sec. 12.** The provisions of this act do not affect the validity of
14 any approval or other action taken by the Commission on Special
15 License Plates before July 1, 2013.

16 **Sec. 13.** This act becomes effective on July 1, 2013.

