

Amendment No. 174

Assembly Amendment to Assembly Bill No. 204	(BDR 43-571)
Proposed by: Assembly Committee on Transportation	
Amends: Summary: No 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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

DLJ/MSM



Date: 4/1/2015

A.B. No. 204—Revises provisions governing motor vehicle licensing.  
(BDR 43-571)



## ASSEMBLY BILL NO. 204—ASSEMBLYMAN CARRILLO

MARCH 2, 2015

Referred to Committee on Transportation

SUMMARY—Revises provisions governing motor vehicle licensing.  
(BDR 43-571)

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

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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; revising provisions governing the requirements for ***special license plates***, a special parking placard ***or a special parking sticker*** issued by the Department of Motor Vehicles to certain persons with disabilities; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, the Department of Motor Vehicles is authorized to issue ***special license plates***, a special ***or temporary*** parking placard ***or a special or temporary parking sticker*** to a person with a permanent disability, ~~for~~ a person with a disability of moderate duration ***or a person with a temporary disability*** who applies for such a ***plate***, placard, ~~or~~ ***or sticker***. Such a ~~special parking~~ ***plate***, placard ***or sticker*** is required to have on it the international symbol of access, an identification number, an expiration date and the seal or other identification of the Department, ~~and must have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of a vehicle.~~ ***A city or county may also issue such a temporary parking placard or a temporary parking sticker. Upon issuance of such a plate, placard or sticker, the Department or the city or county, as applicable, must issue a letter to the applicant that sets forth the name of the person with the disability and certain other information.*** (NRS 482.384) ***Section 1*** of this bill requires that such a ~~special parking placard~~ ***letter issued by the Department or a city or county, as applicable***, also contain the photograph of the holder of the placard that appears on the driver's license ***or identification card, if any***, of the holder. ~~Each such placard must also include a removable sleeve, designed to cover the portion of the placard where the photograph is located, which obscures the photograph from view.~~ ***Sections 2 and 3*** of this bill require the owner or operator of a motor vehicle displaying such a ***plate***, placard ***or sticker*** to ~~remove the sleeve~~ ***present the letter*** upon the request of a police officer or certain volunteers appointed by a local law enforcement agency to enforce handicapped parking provisions.

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

**Section 1.** NRS 482.384 is hereby amended to read as follows:

482.384 1. Upon the application of a person with a permanent disability, the Department may issue special license plates for a vehicle, including a motorcycle, registered by the applicant pursuant to this chapter. The application must include a statement from a licensed physician certifying that the applicant is a person with a permanent disability. The issuance of a special license plate to a person with a permanent disability pursuant to this subsection does not preclude the issuance to such a person of a special parking placard for a vehicle other than a motorcycle or a special parking sticker for a motorcycle pursuant to subsection 6.

2. Every year after the initial issuance of special license plates to a person with a permanent disability, the Department shall require the person to renew the special license plates in accordance with the procedures for renewal of registration pursuant to this chapter. The Department shall not require a person with a permanent disability to include with the application for renewal a statement from a licensed physician certifying that the person is a person with a permanent disability.

3. Upon the application of an organization which provides transportation for a person with a permanent disability, disability of moderate duration or temporary disability, the Department may issue special license plates for a vehicle registered by the organization pursuant to this chapter, or the Department may issue special parking placards to the organization pursuant to this section to be used on vehicles providing transportation to such persons. The application must include a statement from the organization certifying that:

(a) The vehicle for which the special license plates are issued is used primarily to transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities; or

(b) The organization which is issued the special parking placards will only use such placards on vehicles that actually transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities.

4. The Department may charge a fee for special license plates issued pursuant to this section not to exceed the fee charged for the issuance of license plates for the same class of vehicle.

5. Special license plates issued pursuant to this section must display the international symbol of access in a color which contrasts with the background and is the same size as the numerals and letters on the plate.

6. Upon the application of a person with a permanent disability or disability of moderate duration, the Department may issue:

(a) A special parking placard for a vehicle other than a motorcycle. Upon request, the Department may issue one additional placard to an applicant to whom special license plates have not been issued pursuant to this section.

(b) A special parking sticker for a motorcycle.

➤ The application must include a statement from a licensed physician certifying that the applicant is a person with a permanent disability or disability of moderate duration.

7. A special parking placard issued pursuant to subsection 6 must:

(a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a blue background;

(b) Have an identification number and date of expiration of:

(1) If the special parking placard is issued to a person with a permanent disability, 10 years after the initial date of issuance; or

(2) If the special parking placard is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance;

~~(c) Have placed on it the photograph of the holder of the special parking placard which appears on the driver's license of the holder;~~

~~(d) Have a removable sleeve, designed to cover only the portion of the placard where the photograph of the holder required pursuant to paragraph (c) is located, and sufficient to obscure the photograph from the view of any person viewing the placard;~~

~~(e) Have placed or inscribed on it the seal or other identification of the Department; and~~

~~(f) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle.~~

8. A special parking sticker issued pursuant to subsection 6 must:

(a) Have inscribed on it the international symbol of access which complies with any applicable federal standards, is centered on the sticker and is white on a blue background;

(b) Have an identification number and a date of expiration of:

(1) If the special parking sticker is issued to a person with a permanent disability, 10 years after the initial date of issuance; or

(2) If the special parking sticker is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance; and

(c) Have placed or inscribed on it the seal or other identification of the Department.

9. Before the date of expiration of a special parking placard or special parking sticker issued to a person with a permanent disability or disability of moderate duration, the person shall renew the special parking placard or special parking sticker. If the applicant for renewal is a person with a disability of moderate duration, the applicant must include with the application for renewal a statement from a licensed physician certifying that the applicant is a person with a disability which limits or impairs the ability to walk, and that such disability, although not irreversible, is estimated to last longer than 6 months. A person with a permanent disability is not required to submit evidence of a continuing disability with the application for renewal.

10. The Department, or a city or county, may issue, and charge a reasonable fee for, a temporary parking placard for a vehicle other than a motorcycle or a temporary parking sticker for a motorcycle upon the application of a person with a temporary disability. Upon request, the Department, city or county may issue one additional temporary parking placard to an applicant. The application must include a certificate from a licensed physician indicating:

(a) That the applicant has a temporary disability; and

(b) The estimated period of the disability.

11. A temporary parking placard issued pursuant to subsection 10 must:

(a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a red background;

(b) Have an identification number and a date of expiration; and

(c) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle.

12. A temporary parking sticker issued pursuant to subsection 10 must:

(a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the sticker and is white on a red background; and

(b) Have an identification number and a date of expiration.

13. A temporary parking placard or temporary parking sticker is valid only for the period for which a physician has certified the disability, but in no case

1 longer than 6 months. If the temporary disability continues after the period for  
2 which the physician has certified the disability, the person with the temporary  
3 disability must renew the temporary parking placard or temporary parking sticker  
4 before the temporary parking placard or temporary parking sticker expires. The  
5 person with the temporary disability shall include with the application for renewal a  
6 statement from a licensed physician certifying that the applicant continues to be a  
7 person with a temporary disability and the estimated period of the disability.

8 14. A special or temporary parking placard must be displayed in the vehicle  
9 when the vehicle is parked by hanging or attaching the placard to the rearview  
10 mirror of the vehicle. If the vehicle has no rearview mirror, the placard must be  
11 placed on the dashboard of the vehicle in such a manner that the placard can easily  
12 be seen from outside the vehicle when the vehicle is parked.

13 15. Upon issuing a special license plate pursuant to subsection 1, a special or  
14 temporary parking placard, or a special or temporary parking sticker, the  
15 Department, or the city or county, if applicable, shall issue ~~to~~ an authorization  
16 letter to the applicant that includes the photograph of the applicant which appears  
17 on the driver's license or identification card, if any, of the applicant who is the  
18 person with a disability, and sets forth the name and address of the person with a  
19 permanent disability, disability of moderate duration or temporary disability to  
20 whom the special license plate, special or temporary parking placard or special or  
21 temporary parking sticker has been issued and:

22 (a) If the person receives special license plates, the license plate number  
23 designated for the plates; and

24 (b) If the person receives a special or temporary parking placard or a special or  
25 temporary parking sticker, the identification number and date of expiration  
26 indicated on the placard or sticker.

27 ➤ The authorization letter, or a legible copy thereof, must be kept with the vehicle  
28 for which the special license plate has been issued or in which the person to whom  
29 the special or temporary parking placard or special or temporary parking sticker has  
30 been issued is driving or is a passenger.

31 16. A special or temporary parking sticker must be affixed to the windscreen  
32 of the motorcycle. If the motorcycle has no windscreen, the sticker must be affixed  
33 to any other part of the motorcycle which may be easily seen when the motorcycle  
34 is parked.

35 17. Special or temporary parking placards, special or temporary parking  
36 stickers, or special license plates issued pursuant to this section do not authorize  
37 parking in any area on a highway where parking is prohibited by law.

38 18. No person, other than the person certified as being a person with a  
39 permanent disability, disability of moderate duration or temporary disability, or a  
40 person actually transporting such a person, may use the special license plate or  
41 plates or a special or temporary parking placard, or a special or temporary parking  
42 sticker issued pursuant to this section to obtain any special parking privileges  
43 available pursuant to this section.

44 19. Any person who violates the provisions of subsection 18 is guilty of a  
45 misdemeanor.

46 20. The Department may review the eligibility of each holder of a special  
47 parking placard, a special parking sticker or special license plates, or any  
48 combination thereof. Upon a determination of ineligibility by the Department, the  
49 holder shall surrender the special parking placard, special parking sticker or special  
50 license plates, or any combination thereof, to the Department.

51 21. The Department may adopt such regulations as are necessary to carry out  
52 the provisions of this section.

1       **Sec. 2.** NRS 484B.463 is hereby amended to read as follows:

2       484B.463 1. Except as otherwise provided in subsection ~~1-1~~ 4, an owner or  
3 operator of a motor vehicle displaying a special parking placard, a special parking  
4 sticker, a temporary parking placard, a temporary parking sticker or a special plate  
5 or plates issued pursuant to NRS 482.384, or a special plate or plates for a veteran  
6 with a disability issued pursuant to NRS 482.377, may park the motor vehicle for  
7 not more than 4 hours at any one time in a parking zone restricted as to the length  
8 of time parking is permitted, without penalty, removal or impoundment of the  
9 vehicle if the parking is otherwise consistent with public safety and is done by a  
10 person with a permanent disability, disability of moderate duration or temporary  
11 disability, a veteran with a disability or a person transporting any such person.

12       2. An owner or operator of a motor vehicle displaying a special plate or plates  
13 for a veteran with a disability issued pursuant to NRS 482.377 may, without  
14 displaying a special license plate, placard or sticker issued pursuant to NRS  
15 482.384, park in a parking space designated for persons who are handicapped if:

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

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

18       3. An owner or operator of a motor vehicle displaying a special license plate  
19 or plates, a special or temporary parking placard or a special or temporary  
20 parking sticker that has been issued pursuant to ~~subsection 6 of~~ NRS 482.384  
21 shall, if requested by a police officer or a volunteer appointed pursuant to NRS  
22 484B.470, ~~remove the sleeve covering the photograph on the placard~~ present the  
23 authorization letter issued pursuant to subsection 15 of NRS 482.384 so that the  
24 police officer or volunteer may view the photograph.

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

28       **Sec. 3.** NRS 484B.467 is hereby amended to read as follows:

29       484B.467 1. Any parking space designated for persons who are  
30 handicapped must be indicated by a sign:

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

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

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

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

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

41       (b) Is located in a parking lot with 60 or more parking spaces,

42       ➤ must be indicated by a sign using a combination of words to state that the space  
43 is for the exclusive use of a vehicle with a side-loading wheelchair lift.

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

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

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

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

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

- 12        (a) A special license plate or plates issued pursuant to NRS 482.384;
- 13        (b) A special or temporary parking placard issued pursuant to NRS 482.384;
- 14        (c) A special or temporary parking sticker issued pursuant to NRS 482.384;
- 15        (d) A special license plate or plates, a special or temporary parking sticker, or a  
16 special or temporary parking placard displaying the international symbol of access  
17 issued by another state or a foreign country; or
- 18        (e) A special license plate or plates for a veteran with a disability issued  
19 pursuant to NRS 482.377.

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

- 25        (a) The person is eligible to do so;
  - 26        (b) The vehicle displays the special license plate, plates or placard set forth in  
27 subsection 5; and
  - 28        (c) The vehicle is equipped with a side-loading wheelchair lift.
- 29        ➤ A person who meets the requirements of paragraphs (a) and (b) may park a  
30 vehicle that is not equipped with a side-loading wheelchair lift in such a parking  
31 space if the space is in a parking lot with fewer than 60 parking spaces.

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

- 33        (a) Is immediately adjacent to a space designed for use by a vehicle with a  
34 side-loading wheelchair lift; and
- 35        (b) Is designated as a space in which parking is prohibited by a sign that meets  
36 the requirements of subsection 3,

37        ➤ whether on public or privately owned property.

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

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

- 45        (a) Special license plate, or a special or temporary parking sticker, has been  
46 issued pursuant to NRS 482.384 shall not allow any other person to park the vehicle  
47 or motorcycle displaying the special license plate or special or temporary parking  
48 sticker in a space designated for persons who are handicapped unless the person  
49 with the permanent disability, disability of moderate duration or temporary  
50 disability is a passenger in the vehicle or on the motorcycle, or is being picked up  
51 or dropped off by the driver of the vehicle or motorcycle, at the time that the  
52 vehicle or motorcycle is parked in the space designated for persons who are  
53 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. An owner or operator of a motor vehicle displaying a special license plate or plates, a special or temporary parking placard or a special or temporary parking sticker that has been issued pursuant to ~~subsection 6 of~~ NRS 482.384 shall, if requested by a police officer or a volunteer appointed pursuant to NRS 484B.470, ~~remove the sleeve covering the photograph on the placard~~ present the authorization letter issued pursuant to subsection 15 of NRS 482.384 so that the police officer or volunteer may view the photograph.

11. 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. 3.5. As soon as practicable after the passage and approval of this act, upon determining that sufficient resources are available to carry out the amendatory provisions of this act, the Director of the Department of Motor Vehicles shall notify the Governor and the Director of the Legislative Counsel Bureau of that fact, and shall publish on the Internet website of the Department notice to the public of that fact.

Sec. 4. This act becomes effective:

1. Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks necessary to carry out the provisions of this act; and

2. ~~{On January 1, 2016, for}~~ For all other purposes, ~~it~~, on the date on which the Director of the Department of Motor Vehicles, pursuant to section 4 of this act, notifies the Governor and the Director of the Legislative Counsel Bureau that sufficient resources are available to carry out the amendatory provisions of this act.