

SENATE BILL NO. 229—SENATORS GUSTAVSON; MANENDO,
ROBERSON AND SETTELMAYER

MARCH 9, 2015

JOINT SPONSORS: ASSEMBLYMEN HANSEN, SILBERKRAUS,
SEAMAN, WHEELER, FIORE; DICKMAN, ELLISON, GARDNER
AND JONES

Referred to Committee on Transportation

SUMMARY—Provides for the issuance of special license plates
indicating support for Second Amendment rights.
(BDR 43-713)

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

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to motor vehicles; providing for the issuance of
special license plates indicating support for the rights
guaranteed by the Second Amendment to the United
States Constitution; imposing a fee for the issuance and
renewal of such license plates; and providing other
matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 1** of this bill provides for the issuance of special license plates
2 indicating support for the rights guaranteed by the Second Amendment to the
3 United States Constitution. The fees generated by such special license plates that
4 are in addition to all other applicable registration and license fees and governmental
5 services taxes are required to be deposited with the State Treasurer, who must, on a
6 quarterly basis, distribute the fees to the Nevada Firearms Coalition or its successor
7 for programs and activities in support of the rights guaranteed by the Second
8 Amendment. These special license plates must be approved by the Commission on
9 Special License Plates and, after such approval, will not be issued until one of the
10 30 design slots for such special license plates becomes available. (NRS
11 482.367004, 482.367008, 482.36705) **Sections 2-9** of this bill make conforming
12 changes to various sections referring to such special license plates. This bill does
13 not require, as a prerequisite to design, preparation and issuance, that such special



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14 license plates receive a minimum number of applications, but does require that a
15 surety bond be posted with the Department of Motor Vehicles.

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

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

3 *1. Except as otherwise provided in subsection 2, the*
4 *Department, in cooperation with the Nevada Firearms Coalition*
5 *or its successor, shall design, prepare and issue license plates*
6 *which indicate support for the rights guaranteed by the Second*
7 *Amendment to the United States Constitution, using any colors*
8 *that the Department deems appropriate.*

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

11 *(a) The Commission on Special License Plates recommends to*
12 *the Department that the Department approve the design,*
13 *preparation and issuance of those plates as described in NRS*
14 *482.367004; and*

15 *(b) A surety bond in the amount of \$5,000 is posted with the*
16 *Department.*

17 *3. If the conditions set forth in subsection 2 are met, the*
18 *Department shall issue license plates which indicate support for*
19 *the rights guaranteed by the Second Amendment to the United*
20 *States Constitution for a passenger car or light commercial vehicle*
21 *upon application by a person who is entitled to license plates*
22 *pursuant to NRS 482.265 and who otherwise complies with the*
23 *requirements for registration and licensing pursuant to this*
24 *chapter. A person may request that personalized prestige license*
25 *plates issued pursuant to NRS 482.3667 be combined with license*
26 *plates which indicate support for the rights guaranteed by the*
27 *Second Amendment to the United States Constitution if that*
28 *person pays the fees for the personalized prestige license plates in*
29 *addition to the fees for the license plates which indicate support*
30 *for the rights guaranteed by the Second Amendment to the United*
31 *States Constitution pursuant to subsections 4 and 5.*

32 *4. The fee for license plates which indicate support for the*
33 *rights guaranteed by the Second Amendment to the United States*
34 *Constitution is \$35, in addition to all other applicable registration*
35 *and license fees and governmental services taxes. The license*
36 *plates are renewable upon the payment of \$10.*

37 *5. In addition to all other applicable registration and license*
38 *fees and governmental services taxes and the fee prescribed*
39 *pursuant to subsection 4, a person who requests a set of license*



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1 *plates which indicate support for the rights guaranteed by the*
2 *Second Amendment to the United States Constitution must pay for*
3 *the initial issuance of the plates an additional fee of \$25 and for*
4 *each renewal of the plates an additional fee of \$20, to be deposited*
5 *in accordance with subsection 6.*

6 *6. Except as otherwise provided in NRS 482.38279, the*
7 *Department shall deposit the fees collected pursuant to subsection*
8 *5 with the State Treasurer for credit to the State General Fund.*
9 *The State Treasurer shall, on a quarterly basis, distribute the fees*
10 *deposited pursuant to this subsection to the Nevada Firearms*
11 *Coalition or its successor for its programs and activities in support*
12 *of the rights guaranteed by the Second Amendment to the United*
13 *States Constitution.*

14 *7. The Department must promptly release the surety bond*
15 *that is required to be posted pursuant to paragraph (b) of*
16 *subsection 2:*

17 *(a) If the Department, based upon the recommendation of the*
18 *Commission on Special License Plates, determines not to issue the*
19 *special license plate; or*

20 *(b) If it is determined that at least 1,000 special license plates*
21 *have been issued pursuant to the assessment of the viability of the*
22 *design of the special license plate conducted pursuant to*
23 *NRS 482.367008.*

24 *8. The provisions of paragraph (a) of subsection 1 of NRS*
25 *482.36705 do not apply to license plates described in this section.*

26 *9. If, during a registration period, the holder of license plates*
27 *issued pursuant to the provisions of this section disposes of the*
28 *vehicle to which the plates are affixed, the holder shall:*

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

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

35 **Sec. 2.** NRS 482.2065 is hereby amended to read as follows:

36 482.2065 1. A trailer may be registered for a 3-year period as
37 provided in this section.

38 2. A person who registers a trailer for a 3-year period must pay
39 upon registration all fees and taxes that would be due during the 3-
40 year period if he or she registered the trailer for 1 year and renewed
41 that registration for 2 consecutive years immediately thereafter,
42 including, without limitation:

43 (a) Registration fees pursuant to NRS 482.480 and 482.483.

44 (b) A fee for each license plate issued pursuant to NRS 482.268.



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(c) Fees for the initial issuance and renewal of a special license plate pursuant to NRS 482.265, if applicable.

(d) Fees for the initial issuance and renewal of a personalized prestige license plate pursuant to NRS 482.367, if applicable.

(e) Additional fees for the initial issuance and renewal of a special license plate issued pursuant to NRS 482.3667 to 482.3823, inclusive, *and section 1 of this act*, which are imposed to generate financial support for a particular cause or charitable organization, if applicable.

(f) Governmental services taxes imposed pursuant to chapter 371 of NRS, as provided in NRS 482.260.

(g) The applicable taxes imposed pursuant to chapters 372, 374, 377 and 377A of NRS.

3. As used in this section, the term "trailer" does not include a full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483.

Sec. 3. NRS 482.216 is hereby amended to read as follows:

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

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

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

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

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

(a) Transmit the applications received to the Department within the period prescribed by the Department;

(b) Transmit the fees collected from the applicants and properly account for them within the period prescribed by the Department;

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

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

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

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

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

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



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

(1) Obtain special license plates pursuant to NRS 482.3667 to 482.3823, inclusive ~~§~~, *and section 1 of this act*; or

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

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

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

(b) The withdrawal of the authority granted to a new vehicle dealer pursuant to subsection 1 if that dealer fails to comply with the regulations adopted by the Department.

Sec. 4. NRS 482.2703 is hereby amended to read as follows:

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

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

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

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

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

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

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

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

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



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

Sec. 5. NRS 482.274 is hereby amended to read as follows:

482.274 1. The Director shall order the preparation of vehicle license plates for trailers in the same manner provided for motor vehicles in NRS 482.270, except that a vehicle license plate prepared for a full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483 is not required to have displayed upon it the month and year the registration expires.

2. The Director shall order preparation of two sizes of vehicle license plates for trailers. The smaller plates may be used for trailers with a gross vehicle weight of less than 1,000 pounds.

3. The Director shall determine the registration numbers assigned to trailers.

4. Any license plates issued for a trailer before July 1, 1975, bearing a different designation from that provided for in this section, are valid during the period for which such plates were issued.

5. The Department shall not issue for a full trailer or semitrailer that is registered pursuant to subsection 3 of NRS 482.483 a special license plate available pursuant to NRS 482.3667 to 482.3823, inclusive **H, and section 1 of this act.**

Sec. 6. 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 **H or section 1 of this act;** and

(c) Except for a license plate that is issued pursuant to NRS 482.3757, 482.3785, 482.3787 or 482.37901, a license plate that is approved by the Legislature after July 1, 2005.

2. Notwithstanding any other provision of law to the contrary, and except as otherwise provided in subsection 3, the Department shall not, at any one time, issue more than 30 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 30, the Department shall issue a number of additional designs of special license plates that have been authorized



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1 by an act of the Legislature or the application for which has been
2 recommended by the Commission on Special License Plates to be
3 approved by the Department pursuant to subsection 5 of NRS
4 482.367004, not to exceed a total of 30 designs issued by the
5 Department at any one time. Such additional designs must be issued
6 by the Department in accordance with the chronological order of
7 their authorization or approval by the Department.

8 3. In addition to the special license plates described in
9 subsection 2, the Department may issue not more than five separate
10 designs of special license plates in excess of the limit set forth in
11 that subsection. To qualify for issuance pursuant to this subsection:

12 (a) The Commission on Special License Plates must have
13 recommended to the Department that the Department approve the
14 design, preparation and issuance of the special plates as described in
15 paragraphs (a) and (b) of subsection 5 of NRS 482.367004; and

16 (b) The special license plates must have been applied for,
17 designed, prepared and issued pursuant to NRS 482.367002, except
18 that:

19 (1) The application for the special license plates must be
20 accompanied by a surety bond posted with the Department in the
21 amount of \$20,000; and

22 (2) Pursuant to the assessment of the viability of the design
23 of the special license plates that is conducted pursuant to this
24 section, it is determined that at least 3,000 special license plates
25 have been issued.

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

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

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

38 5. If, on October 1, the total number of validly registered motor
39 vehicles to which a particular design of special license plate is
40 affixed is:

41 (a) In the case of special license plates not described in
42 subsection 3, less than 1,000; or

43 (b) In the case of special license plates described in subsection
44 3, less than 3,000,



1 ↪ the Director shall provide notice of that fact in the manner
2 described in subsection 6.

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

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

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

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

16 (a) In the case of special license plates not described in
17 subsection 3, less than 1,000; or

18 (b) In the case of special license plates described in subsection
19 3, less than 3,000,

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

26 **Sec. 7.** NRS 482.3824 is hereby amended to read as follows:

27 482.3824 1. Except as otherwise provided in NRS
28 482.38279, with respect to any special license plate that is issued
29 pursuant to NRS 482.3667 to 482.3823, inclusive, *and section 1 of*
30 *this act*, and for which additional fees are imposed for the issuance
31 of the special license plate to generate financial support for a
32 charitable organization:

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

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

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

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



1 or other type of vehicle that is not a passenger car or light
2 commercial vehicle, excluding vehicles required to be registered
3 with the Department pursuant to NRS 706.801 to 706.861,
4 inclusive, and full trailers or semitrailers registered pursuant to
5 subsection 3 of NRS 482.483, upon application by a person who is
6 entitled to license plates pursuant to NRS 482.265 or 482.272 and
7 who otherwise complies with the requirements for registration and
8 licensing pursuant to this chapter or chapter 486 of NRS. The
9 Department may not issue a special license plate for such other
10 types of vehicles if the Department determines that the design or
11 manufacture of the plate for those other types of vehicles would not
12 be feasible. In addition, if the Department incurs additional costs to
13 manufacture a special license plate for such other types of vehicles,
14 including, without limitation, costs associated with the purchase,
15 manufacture or modification of dies or other equipment necessary to
16 manufacture the special license plate for such other types of
17 vehicles, those additional costs must be paid from private sources
18 without any expense to the State of Nevada.

19 2. If, as authorized pursuant to paragraph (b) of subsection 1,
20 the Department issues a special license plate for a trailer, motorcycle
21 or other type of vehicle that is not a passenger car or light
22 commercial vehicle, the Department shall charge and collect for the
23 issuance and renewal of such a plate the same fees that the
24 Department would charge and collect if the other type of vehicle
25 was a passenger car or light commercial vehicle. As used in this
26 subsection, "fees" does not include any applicable registration or
27 license fees or governmental services taxes.

28 3. As used in this section:

29 (a) "Additional fees" has the meaning ascribed to it in
30 NRS 482.38273.

31 (b) "Charitable organization" means a particular cause, charity
32 or other entity that receives money from the imposition of additional
33 fees in connection with the issuance of a special license plate
34 pursuant to NRS 482.3667 to 482.3823, inclusive **H**, and *section 1*
35 *of this act*. The term includes the successor, if any, of a charitable
36 organization.

37 **Sec. 8.** NRS 482.399 is hereby amended to read as follows:

38 482.399 1. Upon the transfer of the ownership of or interest
39 in any vehicle by any holder of a valid registration, or upon
40 destruction of the vehicle, the registration expires.

41 2. Except as otherwise provided in subsection 3 of NRS
42 482.483, the holder of the original registration may transfer the
43 registration to another vehicle to be registered by the holder and use
44 the same regular license plate or plates or special license plate or
45 plates issued pursuant to NRS 482.3667 to 482.3823, inclusive, *and*



section 1 of this act or 482.384, on the vehicle from which the registration is being transferred, if the license plate or plates are appropriate for the second vehicle, upon filing an application for transfer of registration and upon paying the transfer registration fee and the excess, if any, of the registration fee and governmental services tax on the vehicle to which the registration is transferred over the total registration fee and governmental services tax paid on all vehicles from which he or she is transferring ownership or interest. Except as otherwise provided in NRS 482.294, an application for transfer of registration must be made in person, if practicable, to any office or agent of the Department or to a registered dealer, and the license plate or plates may not be used upon a second vehicle until registration of that vehicle is complete.

3. In computing the governmental services tax, the Department, its agent or the registered dealer shall credit the portion of the tax paid on the first vehicle attributable to the remainder of the current registration period or calendar year on a pro rata monthly basis against the tax due on the second vehicle or on any other vehicle of which the person is the registered owner. If any person transfers ownership or interest in two or more vehicles, the Department or the registered dealer shall credit the portion of the tax paid on all of the vehicles attributable to the remainder of the current registration period or calendar year on a pro rata monthly basis against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner. The certificates of registration and unused license plates of the vehicles from which a person transfers ownership or interest must be submitted before credit is given against the tax due on the vehicle to which the registration is transferred or on any other vehicle of which the person is the registered owner.

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

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

6. If the license plate or plates are not appropriate for the second vehicle, the plate or plates must be surrendered to the Department or registered dealer and an appropriate plate or plates must be issued by the Department. The Department shall not reissue



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1 the surrendered plate or plates until the next succeeding licensing
2 period.

3 7. If application for transfer of registration is not made within
4 60 days after the destruction or transfer of ownership of or interest
5 in any vehicle, the license plate or plates must be surrendered to the
6 Department on or before the 60th day for cancellation of the
7 registration.

8 8. Except as otherwise provided in subsection 2 of NRS
9 371.040 and subsection 7 of NRS 482.260, if a person cancels his or
10 her registration and surrenders to the Department the license plates
11 for a vehicle, the Department shall, in accordance with the
12 provisions of subsection 9, issue to the person a refund of the
13 portion of the registration fee and governmental services tax paid on
14 the vehicle attributable to the remainder of the current calendar year
15 or registration period on a pro rata basis.

16 9. The Department shall issue a refund pursuant to subsection 8
17 only if the request for a refund is made at the time the registration is
18 cancelled and the license plates are surrendered, the person
19 requesting the refund is a resident of Nevada, the amount eligible
20 for refund exceeds \$100, and evidence satisfactory to the
21 Department is submitted that reasonably proves the existence of
22 extenuating circumstances. For the purposes of this subsection, the
23 term "extenuating circumstances" means circumstances wherein:

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

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

28 (c) The owner of the vehicle is seriously ill or has died and the
29 guardians or survivors have sold or otherwise disposed of the
30 vehicle.

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

34 **Sec. 9.** NRS 482.500 is hereby amended to read as follows:

35 482.500 1. Except as otherwise provided in subsection 2 or 3,
36 whenever upon application any duplicate or substitute certificate of
37 registration, indicator, decal or number plate is issued, the following
38 fees must be paid:

39	
40	For a certificate of registration \$5.00
41	For every substitute number plate or set of plates 5.00
42	For every duplicate number plate or set of plates..... 10.00
43	For every decal displaying a county name50
44	For every other indicator, decal, license plate sticker
45	or tab 5.00



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

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

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

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

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

4. The fees which are paid for duplicate number plates and decals displaying county names must be deposited with the State Treasurer for credit to the Motor Vehicle Fund and allocated to the Department to defray the costs of duplicating the plates and manufacturing the decals.

