

Amendment No. 144

Senate Amendment to Senate Bill No. 181	(BDR 43-663)
Proposed by: Senate Committee on Growth and Infrastructure	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of S.B. 181 (§§ 1, 6).

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/BJE



Date: 4/16/2019

S.B. No. 181—Revises provisions relating to special license plates. (BDR 43-663)



SENATE BILL NO. 181—SENATOR SETTELMAYER

FEBRUARY 18, 2019

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions relating to special license plates. (BDR 43-663)

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 special license plates; requiring the Department of Motor Vehicles to design, prepare and issue special license plates for certain motor vehicles that are electric powered; providing a fee for the initial issuance and renewal of such plates; requiring the Department of Motor Vehicles to reinstitute the issuance of special license plates commemorating the 150th anniversary of Nevada's admission into the Union; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill requires the Department of Motor Vehicles to design, prepare and issue special license plates for any passenger car or light commercial vehicle that is wholly ~~for~~ *partly* powered by an electric motor. **Section 1** also provides that: (1) the fee for the initial issuance of such a special license plate is ~~[\$150.]~~ *\$125*, in addition to applicable governmental services taxes; and (2) the renewal fee for such a special license plate is ~~[\$75.]~~ *\$80*. Finally, **section 1** requires that after the Department deducts from the fee the amount of all applicable registration, license and license plate fees, the remaining amount of money must be ~~equally divided between~~ *deposited in* the State Highway Fund. ~~[and the Office of Energy and requires the Office of Energy to use the money for the Nevada Electric Highway.]~~ **Sections 2, 4, 5, 7 and 8** of this bill make conforming changes.

In 2013, the Legislature authorized a license plate commemorating the 150th anniversary of Nevada's admission into the Union. The additional fees paid upon renewal of the plate are divided equally between the Division of Museums and History of the Department of Tourism and Cultural Affairs and the Division of State Parks of the State Department of Conservation and Natural Resources. (NRS 482.37901) Under existing law, a holder of such a license plate may renew the plate, but the Director of the Department of Motor Vehicles may not issue a new commemorative license plate after October 31, 2016. **Section 6** of this bill requires the Department to once again issue the commemorative license plate. **Section 3** of this bill makes a conforming change.

Section 9 of this bill provides that these changes become effective on January 1, 2020.

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

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

1. The Department shall:

(a) Design, prepare and issue special license plates for passenger cars and light commercial vehicles that are wholly ~~for partly~~ powered by an electric motor, using any colors and designs that the Department deems appropriate; and

(b) Issue the plates only to residents of Nevada for a passenger car or light commercial vehicle which is wholly ~~for partly~~ powered by an electric motor.

2. The Department may issue special license plates pursuant to subsection 1 upon application by any person who:

(a) Is entitled to license plates pursuant to NRS 482.265;

(b) Submits proof satisfactory to the Department that the vehicle for which the special license plates are intended meets the requirements of subsection 1; and

(c) Otherwise complies with the requirements for registration and licensing pursuant to this chapter.

3. The fee for the special license plates is ~~[\$150,]~~ \$125, in addition to applicable governmental services taxes. The special license plates are renewable upon the payment of ~~[\$75,]~~ \$80.

4. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with special license plates issued pursuant to this section if that person pays the fees for the personalized prestige license plates in addition to the fees for the special license plates pursuant to subsection 3.

5. The Department, after deducting the costs of all applicable registration, license and license plate fees, shall deposit the fees collected pursuant to subsection 3 with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute the fees deposited pursuant to this subsection in ~~the following manner:~~

~~*(a) Remit one half of the fees to the State Highway Fund.*~~

~~*(b) Remit one half of the fees to the Office of Energy created by NRS 701.150, to be used for the Nevada Electric Highway.*~~

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

(a) Affix them to another vehicle which meets the requirements of this section and report the change to the Department in accordance with the procedures set forth for other transfers; or

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

Sec. 2. NRS 482.216 is hereby amended to read as follows:

482.216 1. Except as otherwise provided in NRS 482.2155, 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

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

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

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

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

10 (c) Comply with the regulations adopted pursuant to subsection 5; and

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

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

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

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

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

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

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

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

25 4. The provisions of this section do not apply to the registration of a moped
26 pursuant to NRS 482.2155.

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

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

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

35 **Sec. 3.** NRS 482.265 is hereby amended to read as follows:

36 482.265 1. The Department shall furnish to every owner whose vehicle is
37 registered two license plates for a motor vehicle other than a motorcycle or moped
38 and one license plate for all other vehicles required to be registered hereunder.
39 Except as otherwise provided in NRS 482.2155, upon renewal of registration, the
40 Department may issue one or more license plate stickers, tabs or other suitable
41 devices in lieu of new license plates.

42 2. Except as otherwise provided in NRS 482.2065, 482.266, 482.2705,
43 482.274 ~~H~~ and 482.379, ~~[and 482.37091,]~~ every 8 years the Department shall
44 reissue a license plate or plates at the time of renewal of each license plate or plates
45 issued pursuant to this chapter. The Director may adopt regulations to provide
46 procedures for such reissuance.

47 3. The Director shall have the authority to require the return to the
48 Department of all number plates upon termination of the lawful use thereof by the
49 owner under this chapter.

50 4. Except as otherwise specifically provided by statute, for the issuance of
51 each special license plate authorized pursuant to this chapter:

1 (a) The fee to be received by the Department for the initial issuance of the
2 special license plate is \$35, exclusive of any additional fee which may be added to
3 generate funds for a particular cause or charitable organization;

4 (b) The fee to be received by the Department for the renewal of the special
5 license plate is \$10, exclusive of any additional fee which may be added to generate
6 financial support for a particular cause or charitable organization; and

7 (c) The Department shall not design, prepare or issue a special license plate
8 unless, within 4 years after the date on which the measure authorizing the issuance
9 becomes effective, it receives at least 250 applications for the issuance of that plate.

10 5. The provisions of subsection 4 do not apply to NRS 482.37901.

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

12 482.2703 1. The Director may order the preparation of sample license plates
13 which must be of the same design and size as regular license plates or license plates
14 issued pursuant to NRS 482.384. The Director shall ensure that:

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

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

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

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

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

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

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

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

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

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

42 482.274 1. The Director shall order the preparation of vehicle license plates
43 for trailers in the same manner provided for motor vehicles in NRS 482.270, except
44 that a vehicle license plate prepared for a full trailer or semitrailer that is registered
45 pursuant to subsection 3 of NRS 482.483 is not required to have displayed upon it
46 the month and year the registration expires.

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

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

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

5. Any license plates issued for a trailer before January 1, 1982, are not subject to reissue pursuant to subsection 2 of NRS 482.265.

6. 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 ~~[]~~, and *section 1 of this act*.

Sec. 6. NRS 482.37901 is hereby amended to read as follows:

482.37901 1. ~~[Except as otherwise provided in subsection 6, a person who, on or before October 31, 2016, was issued by the]~~ *The* Department *shall issue* license plates which commemorate the 150th anniversary of Nevada's admission into the Union for a passenger car or light commercial vehicle, *to any 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. ~~[may renew the commemorative license plates upon payment of all applicable registration and license fees and governmental services taxes, payment of the fee for the renewal of the commemorative license plates pursuant to subsection 2 and, if applicable, for a:]~~ *A person may request that:*

(a) Special legislative license ~~[plate]~~ *plates* issued *to a legislator* pursuant to NRS 482.374 ~~[]~~ *be combined with the commemorative license plates if that person:*

(1) Qualifies for special legislative license plates issued pursuant to NRS 482.374; and

(2) Pays the fees for the special legislative license plates [] in addition to the fees for the commemorative license plates pursuant to subsections 2 and 3; or

(b) Personalized prestige license ~~[plate]~~ *plates* issued pursuant to NRS 482.3667 ~~[]~~ *be combined with the commemorative license plates if that person pays the fees for the personalized prestige license plates [] in addition to the fees for the commemorative license plates pursuant to subsections 2 and 3.*

2. ~~[In addition to all other applicable fees prescribed in subsection 1, a person who wishes to renew a set of] The fee for the commemorative license plates [must pay a fee of \$20, to be distributed pursuant to subsection 3, —3—] is \$7.50, in addition to all other applicable registration and license fees and governmental services taxes. The Department shall deposit the fee collected pursuant to this subsection with the State Treasurer for credit to the Revolving Account for the Issuance of Special License Plates created pursuant to NRS 482.1805.~~

3. *In addition to all other applicable registration and license fees and governmental services taxes and the fees prescribed in subsection 2, a person who requests a set of the commemorative license plates must pay for the initial issuance of the plates an additional fee of \$25 and for each renewal of the plates a fee of \$20, to be distributed pursuant to subsection 4.*

4. The Department shall deposit the fees collected pursuant to subsection ~~[2]~~ *3* with the State Treasurer for credit to the State General Fund. The State Treasurer shall, on a quarterly basis, distribute one-half of the fees to the Division of Museums and History of the Department of Tourism and Cultural Affairs and one-half of the fees to the Division of State Parks of the State Department of Conservation and Natural Resources. The money must be used for:

(a) Educational projects and initiatives relating to the history of the State of Nevada, including, without limitation, historical markers, tours of historic sites and improvements to or restoration of historic buildings and structures; and

(b) Other projects relating to preserving, promoting and protecting the heritage of the State of Nevada, including, without limitation, projects relating to:

(1) The establishment of a new state park, state monument or recreational area pursuant to NRS 407.065; or

(2) Enhancements or modifications to a state park, state monument or recreational area designated pursuant to NRS 407.120.

~~[4.]~~ 5. On or before January 1 of each calendar year, the Division of Museums and History of the Department of Tourism and Cultural Affairs and the Division of State Parks of the State Department of Conservation and Natural Resources shall produce a report of:

(a) Revenues received from the renewal of the commemorative license plates issued pursuant to the provisions of this section; and

(b) Associated expenditures,

➤ and shall submit the report to the Director of the Legislative Counsel Bureau for transmission to the Legislature or the Legislative Commission, as appropriate.

~~[5.]~~ 6. If, during a registration year, the holder of the commemorative license plates issued by the Department disposes of the vehicle to which the plates are affixed, the holder shall:

(a) Retain the commemorative license 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 commemorative license plates from the vehicle, return them to the Department.

~~[6. The Director shall not issue:~~

~~— (a) The commemorative license plates after October 31, 2016.~~

~~— (b) Replacement number plates or duplicate number plates for those commemorative license plates after October 31, 2021.~~

~~— 7. License plates issued pursuant to this section are not subject to reissue pursuant to subsection 2 of NRS 482.265.]~~

Sec. 7. NRS 482.399 is hereby amended to read as follows:

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

2. Except as otherwise provided in NRS 482.2155 and subsection 3 of NRS 482.483, the holder of the original registration may transfer the registration to another vehicle to be registered by the holder and use the same regular license plate or plates or special license plate or 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

1 basis against the tax due on the vehicle to which the registration is transferred or on
2 any other vehicle of which the person is the registered owner. The certificates of
3 registration and unused license plates of the vehicles from which a person transfers
4 ownership or interest must be submitted before credit is given against the tax due
5 on the vehicle to which the registration is transferred or on any other vehicle of
6 which the person is the registered owner.

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

12 5. If the amount owed on the registration fee or governmental services tax on
13 the vehicle to which registration is transferred is less than the credit on the total
14 registration fee or governmental services tax paid on all vehicles from which a
15 person transfers ownership or interest, the person may apply the unused portion of
16 the credit to the registration of any other vehicle owned by the person. Any unused
17 portion of such a credit expires on the date the registration of the vehicle from
18 which the person transferred the registration was due to expire.

19 6. If the license plate or plates are not appropriate for the second vehicle, the
20 plate or plates must be surrendered to the Department or registered dealer and an
21 appropriate plate or plates must be issued by the Department. The Department shall
22 not reissue the surrendered plate or plates until the next succeeding licensing
23 period.

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

28 8. Except as otherwise provided in subsection 2 of NRS 371.040, NRS
29 482.2155, subsections 7 and 8 of NRS 482.260 and subsection 3 of NRS 482.483, if
30 a person cancels his or her registration and surrenders to the Department the license
31 plates for a vehicle, the Department shall:

32 (a) In accordance with the provisions of subsection 9, issue to the person a
33 refund of the portion of the registration fee and governmental services tax paid on
34 the vehicle attributable to the remainder of the current calendar year or registration
35 period on a pro rata basis; or

36 (b) If the person does not qualify for a refund in accordance with the provisions
37 of subsection 9, issue to the person a credit in the amount of the portion of the
38 registration fee and governmental services tax paid on the vehicle attributable to the
39 remainder of the current calendar year or registration period on a pro rata basis.
40 Such a credit may be applied by the person to the registration of any other vehicle
41 owned by the person. Any unused portion of the credit expires on the date the
42 registration of the vehicle from which the person obtained a refund was due to
43 expire.

44 9. The Department shall issue a refund pursuant to subsection 8 only if the
45 request for a refund is made at the time the registration is cancelled and the license
46 plates are surrendered, the person requesting the refund is a resident of Nevada, the
47 amount eligible for refund exceeds \$100, and evidence satisfactory to the
48 Department is submitted that reasonably proves the existence of extenuating
49 circumstances. For the purposes of this subsection, the term "extenuating
50 circumstances" means circumstances wherein:

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

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

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

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

Sec. 8. NRS 482.500 is hereby amended to read as follows:

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

For a certificate of registration \$5.00

For every substitute number plate or set of plates 5.00

For every duplicate number plate or set of plates 10.00

For every decal displaying a county name50

For every other indicator, decal, license plate sticker or tab 5.00

2. The following fees must be paid for any replacement number 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 482.3755, inclusive, 482.376 or 482.379 to 482.3818, inclusive, **and section 1 of this act**, 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 replacement number plates, 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 replacing or duplicating the plates and manufacturing the decals.

Sec. 9. This act becomes effective on ~~July 1, 2019.~~ **January 1, 2020.**