

ASSEMBLY BILL NO. 103—ASSEMBLYMAN OSCARSON

PREFILED JANUARY 31, 2015

JOINT SPONSOR: SENATOR GOICOECHEA

Referred to Committee on Transportation

SUMMARY—Provides for the issuance of special license plates for veterans who are awarded the Silver Star or Bronze Star Medal. (BDR 43-22)

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; requiring the Department of Motor Vehicles to design, prepare and issue special license plates honoring veterans of the Armed Forces of the United States who have received the Silver Star or Bronze Star Metal, as applicable; exempting the special license plates from certain provisions otherwise applicable to special license plates; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Sections 1 and 7** of this bill authorize qualified persons to apply for the
2 issuance of license plates specially designed by the Department of Motor Vehicles,
3 in cooperation with interested parties, to honor veterans of the Armed Forces of the
4 United States who have been awarded the Silver Star or Bronze Star Medal. Unless
5 the special license plates are lost, stolen or mutilated, in which case a \$5
6 replacement fee applies, no fee in addition to the ordinarily applicable registration
7 and license fees and governmental services taxes may be charged for the issuance
8 or renewal of a set of the special license plates.

9 **Section 3** of this bill provides that, if the Director of the Department orders a
10 redesign of license plates, the Department is prohibited from issuing redesigned
11 license plates to the holder of a set of plates honoring recipients of the Silver Star or
12 Bronze Star Medal without the approval of the holder.

13 Under existing law, most special license plates: (1) must be approved by the
14 Department, based on a recommendation from the Commission on Special License
15 Plates; (2) are subject to a limitation on the number of separate designs of special
16 license plates which the Department may issue at any one time; and (3) may not be



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17 designed, prepared or issued by the Department unless a certain minimum number
18 of applications for the plates are received. (NRS 482.367004, 482.367008,
19 482.36705) **Sections 4-6** of this bill exempt the special plates honoring recipients of
20 the Silver Star or Bronze Star Medal from all three of the preceding requirements.

21 Finally, under existing law, a new vehicle dealer who is authorized to issue
22 certificates of registration for any new motor vehicle he or she sells is prohibited
23 from accepting an application for the registration of a motor vehicle if the applicant
24 wishes to obtain special license plates. (NRS 482.216) Despite the broad
25 exemptions provided in **sections 4-6, section 2** of this bill prohibits a new vehicle
26 dealer from accepting an application for the registration of a motor vehicle if the
27 applicant wishes to obtain the special plates honoring recipients of the Silver Star or
28 Bronze Star Medal.

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. The Department shall design, prepare and issue license
4 plates honoring veterans of the Armed Forces of the United States
5 who have been awarded, as applicable, the:*

- 6 *(a) Silver Star; or*
7 *(b) Bronze Star Medal.*

8 *2. Each person who qualifies for special license plates
9 pursuant to this section may apply for not more than two sets of
10 plates. If the person applies for a second set of plates for an
11 additional vehicle, the second set of plates must have a different
12 number than the first set of plates issued to the same applicant.
13 Special license plates issued pursuant to this section may only be
14 used on a private passenger vehicle, a noncommercial truck or a
15 motor home.*

16 *3. The Department shall issue specially designed license
17 plates for any person qualified pursuant to this section who
18 submits an application on a form prescribed by the Department
19 and evidence of his or her status as a recipient of the Silver Star or
20 Bronze Star Medal, as applicable, as required by the Department.
21 The Department may designate any appropriate colors for the
22 special plates.*

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

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



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

3 ***5. Except as otherwise provided in this subsection, no fee in***
4 ***addition to the applicable registration and license fees and***
5 ***governmental services taxes may be charged for the issuance or***
6 ***renewal of a set of special license plates pursuant to this section. If***
7 ***the special license plates issued pursuant to this section are lost,***
8 ***stolen or mutilated, the owner of the vehicle may secure a set of***
9 ***replacement license plates from the Department for a fee of \$5.***

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

11 482.216 1. Upon the request of a new vehicle dealer, the
12 Department may authorize the new vehicle dealer to:

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

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

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

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

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

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

26 (c) Comply with the regulations adopted pursuant to subsection
27 4; and

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

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

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

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

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

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

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

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



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

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

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

9 **Sec. 3.** NRS 482.270 is hereby amended to read as follows:

10 482.270 1. Except as otherwise provided in this section or by
11 specific statute, the Director shall order the redesign and preparation
12 of motor vehicle license plates.

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

18 3. The Department shall not issue redesigned motor vehicle
19 license plates pursuant to this section to a person who was issued
20 motor vehicle license plates before January 1, 1982, or pursuant to
21 NRS 482.3747, 482.3763, 482.3775, 482.378, 482.379 or
22 482.37901, *or section 1 of this act*, without the approval of the
23 person.

24 4. The Director may determine and vary the size, shape and
25 form and the material of which license plates are made, but each
26 license plate must be of sufficient size to be plainly readable from a
27 distance of 100 feet during daylight. All license plates must be
28 treated to reflect light and to be at least 100 times brighter than
29 conventional painted number plates. When properly mounted on an
30 unlighted vehicle, the license plates, when viewed from a vehicle
31 equipped with standard headlights, must be visible for a distance of
32 not less than 1,500 feet and readable for a distance of not less than
33 110 feet.

34 5. Every license plate must have displayed upon it:

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

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

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

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

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

44 (a) The left-hand one-third of the plate is the only part of the
45 plate on which is displayed any design or other insignia that is



1 suggested pursuant to paragraph (f) of subsection 2 of that section;
2 and

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

5 **Sec. 4.** NRS 482.367004 is hereby amended to read as
6 follows:

7 482.367004 1. There is hereby created the Commission on
8 Special License Plates. The Commission is advisory to the
9 Department and consists of five Legislators and three nonvoting
10 members as follows:

11 (a) Five Legislators appointed by the Legislative Commission:

12 (1) One of whom is the Legislator who served as the Chair of
13 the Assembly Standing Committee on Transportation during the
14 most recent legislative session. That Legislator may designate an
15 alternate to serve in place of the Legislator when absent. The
16 alternate must be another Legislator who also served on the
17 Assembly Standing Committee on Transportation during the most
18 recent legislative session.

19 (2) One of whom is the Legislator who served as the Chair of
20 the Senate Standing Committee on Transportation during the most
21 recent legislative session. That Legislator may designate an alternate
22 to serve in place of the Legislator when absent. The alternate must
23 be another Legislator who also served on the Senate Standing
24 Committee on Transportation during the most recent legislative
25 session.

26 (b) Three nonvoting members consisting of:

27 (1) The Director of the Department of Motor Vehicles, or a
28 designee of the Director.

29 (2) The Director of the Department of Public Safety, or a
30 designee of the Director.

31 (3) The Director of the Department of Tourism and Cultural
32 Affairs, or a designee of the Director.

33 2. Each member of the Commission appointed pursuant to
34 paragraph (a) of subsection 1 serves a term of 2 years, commencing
35 on July 1 of each odd-numbered year. A vacancy on the
36 Commission must be filled in the same manner as the original
37 appointment.

38 3. Members of the Commission serve without salary or
39 compensation for their travel or per diem expenses.

40 4. The Director of the Legislative Counsel Bureau shall
41 provide administrative support to the Commission.

42 5. The Commission shall recommend to the Department that
43 the Department approve or disapprove:



1 (a) Applications for the design, preparation and issuance of
2 special license plates that are submitted to the Department pursuant
3 to subsection 1 of NRS 482.367002;

4 (b) The issuance by the Department of special license plates that
5 have been designed and prepared pursuant to NRS 482.367002; and

6 (c) Except as otherwise provided in subsection 7, applications
7 for the design, preparation and issuance of special license plates that
8 have been authorized by an act of the Legislature after January 1,
9 2007.

10 ➤ In determining whether to recommend to the Department the
11 approval of such an application or issuance, the Commission shall
12 consider, without limitation, whether it would be appropriate and
13 feasible for the Department to, as applicable, design, prepare or
14 issue the particular special license plate. For the purpose of making
15 recommendations to the Department, the Commission shall consider
16 each application in the chronological order in which the application
17 was received by the Department.

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

30 7. The provisions of paragraph (c) of subsection 5 do not apply
31 with regard to special license plates that are issued pursuant to NRS
32 482.3757, 482.3785, 482.3787 or 482.37901 **H** *or section 1 of this*
33 *act.*

34 8. The Commission shall:

35 (a) Recommend to the Department that the Department approve
36 or disapprove any proposed change in the distribution of money
37 received in the form of additional fees. As used in this paragraph,
38 “additional fees” means the fees that are charged in connection with
39 the issuance or renewal of a special license plate for the benefit of a
40 particular cause, fund or charitable organization. The term does not
41 include registration and license fees or governmental services taxes.

42 (b) If it recommends a proposed change pursuant to paragraph
43 (a) and determines that legislation is required to carry out the
44 change, recommend to the Department that the Department request



1 the assistance of the Legislative Counsel in the preparation of a bill
2 draft to carry out the change.

3 **Sec. 5.** NRS 482.367008 is hereby amended to read as
4 follows:

5 482.367008 1. As used in this section, "special license plate"
6 means:

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

10 (b) A license plate approved by the Legislature that the
11 Department has designed and prepared pursuant to NRS 482.3747,
12 482.37903, 482.37905, 482.37917, 482.379175, 482.37918,
13 482.37919, 482.3792, 482.3793, 482.37933, 482.37934, 482.37935,
14 482.379355, 482.379365, 482.37937, 482.379375, 482.37938 or
15 482.37945; and

16 (c) Except for a license plate that is issued pursuant to NRS
17 482.3757, 482.3785, 482.3787 or 482.37901, *or section 1 of this*
18 *act*, a license plate that is approved by the Legislature after July 1,
19 2005.

20 2. Notwithstanding any other provision of law to the contrary,
21 and except as otherwise provided in subsection 3, the Department
22 shall not, at any one time, issue more than 30 separate designs of
23 special license plates. Whenever the total number of separate
24 designs of special license plates issued by the Department at any one
25 time is less than 30, the Department shall issue a number of
26 additional designs of special license plates that have been authorized
27 by an act of the Legislature or the application for which has been
28 recommended by the Commission on Special License Plates to be
29 approved by the Department pursuant to subsection 5 of NRS
30 482.367004, not to exceed a total of 30 designs issued by the
31 Department at any one time. Such additional designs must be issued
32 by the Department in accordance with the chronological order of
33 their authorization or approval by the Department.

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

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

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



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

4 (2) Pursuant to the assessment of the viability of the design
5 of the special license plates that is conducted pursuant to this
6 section, it is determined that at least 3,000 special license plates
7 have been issued.

8 4. Except as otherwise provided in this subsection, on
9 October 1 of each year the Department shall assess the viability of
10 each separate design of special license plate that the Department is
11 currently issuing by determining the total number of validly
12 registered motor vehicles to which that design of special license
13 plate is affixed. The Department shall not determine the total
14 number of validly registered motor vehicles to which a particular
15 design of special license plate is affixed if:

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

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

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

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

25 (b) In the case of special license plates described in subsection
26 3, less than 3,000,

27 ↪ the Director shall provide notice of that fact in the manner
28 described in subsection 6.

29 6. The notice required pursuant to subsection 5 must be
30 provided:

31 (a) If the special license plate generates financial support for a
32 cause or charitable organization, to that cause or charitable
33 organization.

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

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

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

44 (b) In the case of special license plates described in subsection
45 3, less than 3,000,



1 ↪ the Director shall, notwithstanding any other provision of law to
2 the contrary, issue an order providing that the Department will no
3 longer issue that particular design of special license plate. Such an
4 order does not require existing holders of that particular design of
5 special license plate to surrender their plates to the Department and
6 does not prohibit those holders from renewing those plates.

7 **Sec. 6.** NRS 482.36705 is hereby amended to read as follows:
8 482.36705 1. Except as otherwise provided in subsection 2:

9 (a) If a new special license plate is authorized by an act of the
10 Legislature after January 1, 2003, other than a special license plate
11 that is authorized pursuant to NRS 482.379375, the Legislature will
12 direct that the license plate not be designed, prepared or issued by
13 the Department unless the Department receives at least 1,000
14 applications for the issuance of that plate within 2 years after the
15 effective date of the act of the Legislature that authorized the plate.

16 (b) In addition to the requirements set forth in paragraph (a), if a
17 new special license plate is authorized by an act of the Legislature
18 after July 1, 2005, the Legislature will direct that the license plate
19 not be issued by the Department unless its issuance complies with
20 subsection 2 of NRS 482.367008.

21 (c) In addition to the requirements set forth in paragraphs (a) and
22 (b), if a new special license plate is authorized by an act of the
23 Legislature after January 1, 2007, the Legislature will direct that the
24 license plate not be designed, prepared or issued by the Department
25 unless the Commission on Special License Plates recommends to
26 the Department that the Department approve the application for the
27 authorized plate pursuant to NRS 482.367004.

28 2. The provisions of subsection 1 do not apply with regard to
29 special license plates that are issued pursuant to NRS 482.3757,
30 482.3785, 482.3787 or 482.37901 **†** *or section 1 of this act.*

31 **Sec. 7.** As soon as practicable after July 1, 2015, the
32 Department of Motor Vehicles shall design the special license plates
33 described in section 1 of this act in cooperation with interested
34 parties.

35 **Sec. 8.** This act becomes effective on July 1, 2015.



