

*

A.B. 115

ASSEMBLY BILL NO. 115—ASSEMBLYMEN GUSTAVSON, ANGLE, SHERER, ANDONOV, ATKINSON, BEERS, BROWN, CARPENTER, CHRISTENSEN, CLABORN, CONKLIN, GIBBONS, GRIFFIN, HARDY, HETTRICK, KNECHT, MABEY, MANENDO, MARVEL, MORTENSON, OHRENSCHALL, PARKS, WEBER AND WILLIAMS

FEBRUARY 13, 2003

JOINT SPONSORS: SENATORS AMODEI, CEGAUSKE, MCGINNESS, NEAL, NOLAN, RHOADS, SHAFFER AND WASHINGTON

Referred to Committee on Transportation

SUMMARY—Provides for issuance of special license plates indicating support for rights guaranteed pursuant to Second Amendment to United States Constitution. (BDR 43-52)

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

~

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 pursuant to the Second Amendment to the United States Constitution; imposing a fee for the issuance or renewal of such license plates; and providing other matters properly relating thereto.

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 this subsection, the*
4 *Department, in cooperation with the organizations in this state*
5 *which conduct courses at schools regarding the safe handling and*



* A B 1 1 5 *

1 use of firearms, shall design, prepare and issue license plates
2 indicating support for the rights guaranteed pursuant to the
3 Second Amendment to the United States Constitution, using any
4 colors that the Department deems appropriate. The Department
5 shall not design, prepare or issue the license plates unless it
6 receives at least 1,000 applications for the issuance of those plates.

7 2. If the Department receives at least 1,000 applications for
8 the issuance of license plates indicating support for the rights
9 guaranteed pursuant to the Second Amendment to the United
10 States Constitution, the Department shall issue those plates for a
11 passenger car or light commercial vehicle upon application by a
12 person who is entitled to license plates pursuant to NRS 482.265
13 and who otherwise complies with the requirements for registration
14 and licensing pursuant to this chapter. A person may request that
15 personalized prestige license plates issued pursuant to NRS
16 482.3667 be combined with license plates indicating support for
17 the rights guaranteed pursuant to the Second Amendment to
18 the United States Constitution if that person pays the fees for the
19 personalized prestige license plates in addition to the fees for the
20 license plates indicating support for the rights guaranteed
21 pursuant to the Second Amendment to the United States
22 Constitution pursuant to subsections 3 and 4.

23 3. The fee for license plates indicating support for the rights
24 guaranteed pursuant to the Second Amendment to the United
25 States Constitution is \$35, in addition to all other applicable
26 registration and license fees and governmental services taxes. The
27 license plates are renewable upon the payment of \$10.

28 4. In addition to all fees for the license, registration and
29 governmental services taxes, a person who requests a set of license
30 plates indicating support for the rights guaranteed pursuant to the
31 Second Amendment to the United States Constitution must pay for
32 the initial issuance of the plates an additional fee of \$25 and for
33 each renewal of the plates an additional fee of \$20, to be
34 distributed in accordance with subsection 5.

35 5. The Department shall deposit the fees collected pursuant to
36 subsection 4 with the State Treasurer for credit to the Account for
37 License Plates Indicating Support for the Rights Guaranteed
38 Pursuant to the Second Amendment to the United States
39 Constitution created pursuant to section 4 of this act.

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

43 (a) Retain the plates and affix them to another vehicle that
44 meets the requirements of this section if the holder pays the fee for



1 *the transfer of the registration and any registration fee or*
2 *governmental services tax due pursuant to NRS 482.399; or*
3 *(b) Within 30 days after removing the plates from the vehicle,*
4 *return them to the Department.*

5 **Sec. 2.** NRS 482.216 is hereby amended to read as follows:
6 482.216 1. Upon the request of a new vehicle dealer, the
7 Department may authorize the new vehicle dealer to:
8 (a) Accept applications for the registration of the new motor
9 vehicles he sells and the related fees and taxes;
10 (b) Issue certificates of registration to applicants who satisfy the
11 requirements of this chapter; and
12 (c) Accept applications for the transfer of registration pursuant
13 to NRS 482.399 if the applicant purchased from the new vehicle
14 dealer a new vehicle to which the registration is to be transferred.
15 2. A new vehicle dealer who is authorized to issue certificates
16 of registration pursuant to subsection 1 shall:
17 (a) Transmit the applications he receives to the Department
18 within the period prescribed by the Department;
19 (b) Transmit the fees he collects from the applicants and
20 properly account for them within the period prescribed by the
21 Department;
22 (c) Comply with the regulations adopted pursuant to subsection
23 4; and
24 (d) Bear any cost of equipment which is necessary to issue
25 certificates of registration, including any computer hardware or
26 software.
27 3. A new vehicle dealer who is authorized to issue certificates
28 of registration pursuant to subsection 1 shall not:
29 (a) Charge any additional fee for the performance of those
30 services;
31 (b) Receive compensation from the Department for the
32 performance of those services;
33 (c) Accept applications for the renewal of registration of a motor
34 vehicle; or
35 (d) Accept an application for the registration of a motor vehicle
36 if the applicant wishes to:
37 (1) Obtain special license plates pursuant to NRS 482.3667
38 to 482.3825, inclusive ~~§~~, *and section 1 of this act*; or
39 (2) Claim the exemption from the governmental services tax
40 provided pursuant to NRS 361.1565 to veterans and their relations.
41 4. The Director shall adopt such regulations as are necessary to
42 carry out the provisions of this section. The regulations adopted
43 pursuant to this subsection must provide for:
44 (a) The expedient and secure issuance of license plates and
45 decals by the Department; and



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

4 **Sec. 3.** NRS 482.500 is hereby amended to read as follows:

5 482.500 1. Except as otherwise provided in subsection 2 or 3,
6 whenever upon application any duplicate or substitute certificate of
7 registration, decal or number plate is issued, the following fees must
8 be paid:
9

- 10 For a certificate of registration \$5.00
- 11 For every substitute number plate or set of plates..... 5.00
- 12 For every duplicate number plate or set of plates 10.00
- 13 For every decal displaying a county name50
- 14 For every other decal, license plate sticker or tab 5.00
- 15

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

18 (a) For any special plate issued pursuant to NRS 482.3667,
19 482.3672, 482.3675, 482.370 to 482.376, inclusive, or 482.379 to
20 482.3816, inclusive, *and section 1 of this act*, a fee of \$10.

21 (b) For any special plate issued pursuant to NRS 482.368,
22 482.3765, 482.377 or 482.378, a fee of \$5.

23 (c) Except as otherwise provided in NRS 482.37937 and
24 482.37945, for any souvenir license plate issued pursuant to NRS
25 482.3825 or sample license plate issued pursuant to NRS 482.2703,
26 a fee equal to that established by the Director for the issuance of
27 those plates.

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

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

35 5. As used in this section:

36 (a) "Duplicate number plate" means a license plate or a set of
37 license plates issued to a registered owner which repeat the code of
38 a plate or set of plates previously issued to the owner to maintain his
39 registration using the same code.

40 (b) "Substitute number plate" means a license plate or a set of
41 license plates issued in place of a previously issued and unexpired
42 plate or set of plates. The plate or set of plates does not repeat the
43 code of the previously issued plate or set.



1 **Sec. 4.** Chapter 387 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 **1. *The Account for License Plates Indicating Support for the***
4 ***Rights Guaranteed Pursuant to the Second Amendment to the***
5 ***United States Constitution is hereby created in the State General***
6 ***Fund. The Superintendent of Public Instruction shall administer***
7 ***the Account.***

8 **2. *The money in the Account does not lapse to the State***
9 ***General Fund at the end of a fiscal year. The interest and income***
10 ***earned on the money in the Account, after deducting any***
11 ***applicable charges, must be credited to the Account.***

12 **3. *The money in the Account must be used only to pay for***
13 ***courses at schools regarding the safe handling and use of firearms***
14 ***and must not be used to replace or supplant money available from***
15 ***other sources. The Superintendent of Public Instruction may***
16 ***provide grants from the Account to other public agencies or***
17 ***private nonprofit organizations to carry out the provisions of this***
18 ***section.***

19 **Sec. 5.** On or before October 1, 2005, the Department of
20 Motor Vehicles shall determine and publicly declare the number of
21 applications it has received for the issuance of license plates
22 pursuant to section 1 of this act.

23 **Sec. 6.** The amendatory provisions of this act expire by
24 limitation on October 1, 2005, if on that date the Department of
25 Motor Vehicles has received fewer than 1,000 applications for the
26 issuance of license plates pursuant to section 1 of this act.

