



NEVADA LEGISLATURE
COMMISSION ON SPECIAL LICENSE PLATES
(*Nevada Revised Statutes [NRS] 482.367004*)

SUMMARY MINUTES AND ACTION REPORT

The third meeting of the Nevada Legislature's Commission on Special License Plates was held on January 15, 2009, at 2 p.m. in Room 3137 of the Legislative Building in Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building in Las Vegas, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at www.leg.state.nv.us/74th/Interim. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMISSION MEMBERS PRESENT IN CARSON CITY:

Assemblyman Kelvin D. Atkinson, Chair
Senator Dennis Nolan, Vice Chair
Senator Maggie Carlton
Assemblyman Chad Christensen
Assemblyman Mark A. Manendo

COMMISSION MEMBERS ABSENT:

Michael E. Fischer, D.D.S., Director, Department of Cultural Affairs (nonvoting member)
Jerry Hafen, Director, Department of Public Safety (nonvoting member)
Edgar J. Roberts, Director, Department of Motor Vehicles (nonvoting member)

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Marjorie Paslov Thomas, Principal Research Analyst, Research Division
M. Scott McKenna, Senior Principal Deputy Legislative Counsel, Legal Division
Paul V. Townsend, Legislative Auditor, Audit Division
Rocky J. Cooper, Audit Supervisor, Audit Division
Dennis Klenczar, Deputy Legislative Auditor, Audit Division
Anne Vorderbruggen, Senior Research Secretary, Research Division

OPENING REMARKS

Assemblyman Kelvin D. Atkinson, Chair, welcomed Commission members, presenters, and the public to the third meeting of the Nevada Legislature's Commission on Special License Plates. He announced that the nonvoting members of the Commission were unable to attend because Governor Jim Gibbons had called for a meeting of his staff at 2 p.m. Chair Atkinson stated that he would like to recognize and welcome Edgar J. Roberts, the newly appointed Director of the Department of Motor Vehicles, as a new nonvoting member of the Commission.

- Lieutenant William Bainter, Nevada Highway Patrol, Department of Public Safety (DPS), stated that he was present in the audience to represent the DPS.
- Chair Atkinson noted that at the Commission's April 14, 2008, meeting, the members discussed whether Nevada Ducks Unlimited, Inc. was in compliance with the filing requirements for special license plates outlined in *Nevada Revised Statutes* (NRS) 482.38277. The Commission determined that the organization was not in compliance with the procedures outlined in the NRS and voted to withhold revenue collected by the Department of Motor Vehicles (DMV) for renewal of Nevada Ducks Unlimited, Inc. special license plates until the group was in compliance with the statutes.

Chair Atkinson stated he was pleased to report that in a letter dated October 1, 2008, the Legislative Auditor notified Nevada Ducks Unlimited, Inc. and the Commission that Nevada Ducks Unlimited, Inc. was in compliance with the application filing requirements. (Please see [Exhibit B](#).) On October 10, 2008, the Commission sent a letter to the DMV ([Exhibit C](#)) advising them that Nevada Ducks Unlimited, Inc. was in compliance and requesting that the DMV release the suspended fees and distribute the revenue generated by the renewal of their special license plate.

Continuing, Chair Atkinson announced that at today's hearing the Commission will hear from the Audit Division of the Legislative Counsel Bureau (LCB) regarding their findings with respect to the financial information submitted by the organizations that receive revenue from the special license plates; staff will provide an overview of the active plate count, revenue generated by the plates, and consideration of plates not yet produced; and the Commission will discuss pending applications for special license plates.

REPORT BY THE LEGISLATIVE AUDITOR CONCERNING CHARITABLE ORGANIZATIONS RECEIVING REVENUE FROM SPECIAL LICENSE PLATES (AS REQUIRED BY NRS 482.38278)

- Rocky J. Cooper, Audit Supervisor, Audit Division, LCB, presented the Legislative Auditor's report dated September 30, 2008, concerning the charitable organizations receiving revenue from special license plates. (Please see [Exhibit D](#).)

Mr. Cooper noted that the organizations receiving revenue from the issuance of special license plates are required to provide information to the Commission by September 1 of each fiscal year. The Audit Division reviews the information and submits a report to the Commission, which covers the following subjects:

- Adequacy of forms and records;
- Practices of financial administration;
- Methods and procedures; and
- Additional information that included Nevada Ducks, Unlimited, is now in compliance with filing requirements.

Mr. Cooper stated that, as reported on page 2 of the Legislative Auditor's report ([Exhibit D](#)), Hot August Nights did not provide adequate methods and procedures with respect to the financial information it submitted. However, after the required information was requested from Bruce Walter, Executive Director of Hot August Nights, in a letter dated October 1, 2008, ([Exhibit E](#)), those issues have been resolved and Hot August Nights is now in compliance with the filing requirements. (Please see [Exhibit F](#).)

- Senator Carlton asked when Hot August Nights provided the needed information.
- Mr. Cooper answered that Hot August Nights did not respond to a verbal request but noted that after a letter was sent to the Director on October 1, 2008, ([Exhibit E](#)) a response was received. Mr. Cooper explained that the Commission received a letter from the Legislative Auditor in November informing the members that Hot August Nights was in compliance with the requirements. (Please see [Exhibit F](#).)
- Senator Carlton summarized that the paperwork was due in September, it was requested in October, and received in November, and Mr. Cooper replied that was correct.

OVERVIEW OF ACTIVE PLATE COUNTS, REVENUE GENERATED, AND CONSIDERATION OF PLATES NOT YET PRODUCED

- Marjorie Paslov Thomas, Principal Research Analyst, Research Division, LCB, referred to a table titled "Department of Motor Vehicles, Special Plate Funds," provided by the DMV ([Exhibit G](#)). She noted there are currently almost 200,000 active registrations for special license plates, including both current plates and those that are no longer in production but still being renewed, and that approximately \$22 million has been generated from Fiscal Year (FY) 1998 through FY 2008. .

Continuing, Ms. Thomas reported there are ten pending applications for special license plates. (Please see [Exhibit H](#).) She further noted that in 2007, Assembly Bill 54 (Chapter 282, *Statutes of Nevada*) was passed, which requires organizations applying for special license plates to obtain a surety bond and removes the requirement for signatures of 1,000 persons.

DISCUSSION OF PENDING APPLICATIONS FOR SPECIAL LICENSE PLATES

- Chair Atkinson reminded the Commission that there is a statutory requirement that only 25 special license plates be in circulation at any one time and, under the provisions of NRS 482.367008, on October 1 of each year the DMV must determine if the total number of valid registered motor vehicles for each specialty plate is being met. If a specialty license plate is not meeting the minimum required number of valid registrations, the DMV must notify the organization.

Chair Atkinson further noted that if, on December 31, the total number of registered vehicles does not meet the minimum required number for a particular design of special license plate, the DMV will no longer issue that special license plate. This year, the Commission was notified by the DMV that all special license plates met this criteria, which meant they all were in compliance. Therefore, the Commission will not have the opportunity at this meeting to consider any new applications for special license plates. Chair Atkinson stated that, although the Commission will not approve a plate at this meeting, he thought it was important for the members to have a list of the pending applications. (Please see [Exhibit H.](#))

- Senator Carlton noted that in the table titled “Special License Plates, Department of Motor Vehicles Statistics, Fiscal Year Ended June 30, 2008” (Attachment A of [Exhibit D](#)), Douglas County Search and Rescue has a zero after its name and she asked how long that number is allowed to remain at zero.
- Martha Barnes, Administrator, Central Services and Records Division, DMV, responded that the Douglas County Search and Rescue license plate was issued after October 1, 2007. The DMV is required to assess the number of active registered plates each October 1. A special license plate must be in circulation for 12 continuous months before it is included in the assessment. Since the Douglas County Search and Rescue license plate was issued after October 1, it will not be reviewed until October 1, 2009, which is a period of almost two years.

PUBLIC COMMENT

- James T. Braswell, representing Nevada Airports Association, Sparks, noted that a year ago their specialty aviation license plate fell short of the 1,000 plates necessary to ensure it would remain available for purchase. The Nevada Airports Association has provided the necessary surety bond and is on the list to be reinstated when the number of specialty plates issued falls below 25. Mr. Braswell provided a letter dated January 9, 2009, addressed to the Commission from Joni Eastley, President of the Nevada Airports Association. (Please see [Exhibit I.](#))

Mr. Braswell continued that this is the only source of revenue for the Aviation Trust Fund. He requested that the Commission consider the possibility of suspending the rule that there be only 25 special license plates and allow the immediate reinstatement of all discontinued special license plates, looking at it from the point of view of the revenue that could be generated.

- Chair Atkinson noted that Mr. Braswell's request would require a change in legislation to increase the number of specialty license plates allowed and questioned at what number they should stop.
- Mr. Braswell responded that he did not have an answer for where they should stop. He noted that the specialty license plate helps fund airports in the State that cannot get matching funds. In response to a question from Chair Atkinson about whether he was advocating only for the aviation plate, Mr. Braswell said he supported reinstating all discontinued special license plates.
- Vice Chair Nolan stated that the Legislature created the Commission to consider pending specialty license plates. Special license plates provide a reasonable fundraising effort for a wide variety of worthwhile causes. The number of specialty plates is limited to 25, which was determined to be a reasonable number. However, if those 25 organizations are now set in perpetuity and are the only organizations to benefit from the revenue generated by specialty plates, other organizations are excluded from that opportunity. Vice Chair Nolan suggested that the Commission may want to consider establishing a time frame that special license plates may be in circulation so other organizations have an opportunity to benefit from the issuance of specialty license plates.
- Chair Atkinson concurred with Vice Chair Nolan. He noted that when the specialty plate program first started, many organizations were removed from the list because they were not able to meet the minimum number of active registered plates, but the list has now stabilized and the current license plates have been on the list for a long time.
- Kelly Clark, Conservation Education Chief, Nevada's Department of Wildlife (NDOW), stated that she was present to discuss their pending special license plate application, "Conserve Wildlife." Ms. Clark described the proposed license plate and stated that the funds from the sale of the specialty plate would be used to support their wildlife education programs and the volunteer programs at the NDOW. She requested that the pending license plates be considered by the Commission in the order they were received. (Please see Ms. Clark's prepared remarks, [Exhibit J](#)).

ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 2:34 p.m.

Respectfully submitted,

Anne Vorderbruggen
Senior Research Secretary

Marjorie Paslov Thomas
Principal Research Analyst

APPROVED BY:

Assemblyman Kelvin D. Atkinson, Chair

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Marjorie Paslov Thomas, Principal Research Analyst, Research Division, Legislative Counsel Bureau (LCB)

[Exhibit B](#) is a letter to Bob Lawson, Treasurer, Nevada Ducks Unlimited, from Paul V. Townsend, CPA, Legislative Auditor, LCB, dated October 1, 2008, advising that Nevada Ducks Unlimited, Inc. is in compliance with the filing requirements of *Nevada Revised Statutes* (NRS) 482.38277.

[Exhibit C](#) is a letter to Virginia Lewis, Director of the Department of Motor Vehicles (DMV), from Kelvin D. Atkinson, Chair of the Commission on Special License Plates, dated October 10, 2008, requesting that the DMV release the suspended fees generated by the renewal of the special license plate collected on behalf of Nevada Ducks Unlimited, Inc.

[Exhibit D](#) is a letter to members of the Commission on Special License Plates from Paul V. Townsend, CPA, Legislative Auditor, LCB, dated September 30, 2008, reporting on the organizations receiving revenue from the issuance of special license plates pursuant to NRS 482.38277.

[Exhibit E](#) is a letter to Bruce Walter, Executive Director of Hot August Nights, from Paul V. Townsend, CPA, Legislative Auditor, LCB, dated October 1, 2008, regarding deficiencies in information provided by Hot August Nights to the Commission on Special License Plates.

[Exhibit F](#) is a letter to Members of the Commission on Special License Plates from Paul V. Townsend, CPA, Legislative Auditor, LCB, dated November 4, 2008, informing the Commission that Hot August Nights is in compliance with NRS 482.38277.

[Exhibit G](#) is a chart titled “Department of Motor Vehicles, Special Plate Funds,” submitted by Marjorie Paslov Thomas, Principal Research Analyst, Research Division, LCB, dated January 7, 2009.

[Exhibit H](#) is a table titled “Pending Applications for Consideration, Commission on Special License Plates,” provided by Marjorie Paslov Thomas, Principal Research Analyst, Research Division, LCB, dated January 13, 2009.

[Exhibit I](#) is a letter to Assemblyman Kelvin Atkinson from Joni Eastley, President of the Nevada Airports Association, dated January 9, 2009, regarding reinstatement of the Nevada Aviation specialty license plate, provided by James T. Braswell.

[Exhibit J](#) is the prepared testimony of Kelly Clark, Conservation Education Chief, Nevada’s Department of Wildlife.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.