

**HEARING ON ASSEMBLY BILL 187
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR
MARCH 22, 2013**

PREPARED TESTIMONY OF T. CANDICE SMITH

Good afternoon Chairperson Bobzien and members of the Committee. My name is T. Candice Smith. I am appearing today as a concerned citizen not only for the public in general but because this affects me directly.

This bill affects me directly because I was required to have an electronic disablement device on my vehicle and I know the harms this device can inflict. Although at no time during my contract was I ever 30 days late, my vehicle was turned off repeatedly, about 4 or 5 times. I will just share with you a couple of examples

The first time my vehicle turned off I was on my way to work headed south on the I-15. I was to the far left because I was in the express lane. All of a sudden the steering wheel locked up and the car shut off. I was barely able to make it to the left shoulder. I was scared and shaking and had no idea what just happened. My boyfriend was with me and he was also freaking out trying to help me get to the shoulder. After the car came to a complete stop there was a chirping noise. I called the number for the electronic disablement device which I found in the glove compartment and got a code to restart the vehicle. The man said that the vehicle was not supposed to turn off while moving. I let him know that it turned off on me on the freeway. Even though I was able to get my vehicle started, the hassle and the process made me late to work.

Another time, even though all of my payments were made in full and on time, the vehicle turned off. I ended up sitting in the parking lot at Palace Station from 7 pm – 11 pm waiting for my vehicle to be restarted.

My vehicle was disabled in the beginning of April 2012, while I was getting the oil changed at Chapman Dodge, the dealership at which I purchased the vehicle. Because the vehicle was blocking the oil changing area and affecting Chapman Dodge's ability to service other vehicles, a Chapman Dodge mechanic removed the GPS device from the vehicle and re-started the vehicle.

Because of the disablement of the device the financing company sought a court order showing cause why the vehicle should not be returned to them. We went before the judge and she said that she needed more information and in the meantime I was able to keep my vehicle but had to get the device re-installed. I got the electronic disablement device re-installed on a Friday evening. As soon as the device was re-installed it began chirping. I asked the installer what was happening but he said I had to call the finance company, they were closed. The vehicle chirped all weekend. On Monday morning I called my attorney to tell her that the vehicle chirped all weekend. She told me that she would call the other attorney and get it to stop. I was on my way to work, driving down Industrial Ave., still on the phone with my attorney when the vehicle was shut off in the middle of the street. I was on my way to work, and not able to get to the shoulder. Since I was close to work I was able to get into the middle turning lane. I walked to the security

guard's station and asked if he could help me. He said yes. He pushed my vehicle from the street into the parking garage.

I called my attorney again to see if she had gotten a hold of the other attorney. She said that she had left message and sent e-mails and would let me know when she heard something. When she called me back she said that the other attorney called her back and that the lady who was handling my case was on vacation and that they had to try and find someone else to turn on my car. Not being able to do anything else I went to work. At the end of my shift I tried to turn on my car but it didn't work. I had to get a ride home from a friend. Later that night, because I was afraid that my car would be towed because I was no longer on shift, I got another ride back to my vehicle, where I found it again in working order.

It was shocking to me that they had the nerve to shut off my car when a judge said that I was allowed to keep it. I was making my payments on time and in full to my attorney as ordered by the judge and they had no reason or right to turn off my vehicle.

The judge finally said that the GPS device violated the Nevada One Document rule and that I was not required to have it on my vehicle.

The entire process made me feel like I had no rights. That someone else was in control of my vehicle, my ability to get to work, to a safe place such as my home, and my life. I felt like even though I made my payments and was never late under my contract, these people could do whatever they wanted and there was nothing I could do to stop them. This was reinforced when the car was turned off after the judge said I could keep it. It felt like they had no accountability.

In my opinion these devices are extremely dangerous. Not only to me as the driver of the vehicle, but to others on the road. My vehicle was shut off twice while in traffic so that I could no longer control my car. This means that it wasn't just dangerous to me, but anyone else on the road with me. While my payments were made and there was no reason for my vehicle to be shut off, even if they weren't it isn't fair for other people's lives to be put in danger just because someone else didn't make a car payment.