

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON TRANSPORTATION**

**Seventy-Seventh Session  
May 23, 2013**

The Committee on Transportation was called to order by Chairman Richard Carrillo at 2:30 p.m. on Thursday, May 23, 2013, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [nelis.leg.state.nv.us/77th2013](http://nelis.leg.state.nv.us/77th2013). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Richard Carrillo, Chairman  
Assemblyman Joseph M. Hogan, Vice Chairman  
Assemblyman Paul Anderson  
Assemblyman David P. Bobzien  
Assemblywoman Maggie Carlton  
Assemblywoman Lucy Flores  
Assemblyman Crescent Hardy  
Assemblyman James W. Healey  
Assemblywoman Heidi Swank  
Assemblyman Jim Wheeler  
Assemblywoman Melissa Woodbury

**COMMITTEE MEMBERS ABSENT:**

Assemblyman John Hambrick (excused)  
Assemblywoman Ellen B. Spiegel (excused)  
Assemblyman Michael Sprinkle (excused)

**GUEST LEGISLATORS PRESENT:**

Senator Moises "Mo" Denis, Clark County Senatorial District No. 2  
Senator Ruben J. Kihuen, Clark County Senatorial District No. 10

Minutes ID: 1256



Assemblywoman Olivia Diaz, Clark County Assembly District No. 11  
Assemblywoman Irene Bustamante Adams, Clark County Assembly  
District No. 42

**STAFF MEMBERS PRESENT:**

Vance Hughey, Committee Policy Analyst  
Sean McCoy, Committee Policy Analyst  
Scott McKenna, Committee Counsel  
Cynthia Zermeno, Committee Manager  
Jacque Lethbridge, Committee Secretary  
Olivia Lloyd, Committee Assistant

**OTHERS PRESENT:**

Senator Curtis S. Bramble, Senatorial District No. 16, Utah  
Leo Murrieta, Nevada State Director, Mi Familia Vota  
Marvin S. Otzoy, Secretary, Coalicion Nacional de  
Inmigrantes Guatemaltecos, Reno, Nevada  
Ivon Padilla-Rodriguez, Private Citizen, Reno, Nevada  
Evan Louie, Private Citizen, Las Vegas, Nevada  
Rafael Lopez, DREAM Big Vegas, Las Vegas, Nevada  
Rosemary Flores, Private Citizen, Las Vegas, Nevada  
Luis Melagar, Private Citizen, Carson City, Nevada  
Frank Perez, President, Latino Student Club, Western Nevada College  
Carla Castedo, representing Mi Familia Vota  
Vicenta Montoya, Vice Chair, Latino Democratic Caucus,  
Las Vegas, Nevada  
Maria Castillo, Private Citizen, Las Vegas, Nevada  
Jessica Padron, Nevada Youth Coalition, Las Vegas, Nevada  
Mario DelaRosa, Private Citizen, Reno, Nevada  
Laura Martinez, Northern Nevada Coordinator, Mi Familia Vota  
Marisol Montoya, State Coordinator Mi Familia Vota  
Blanca Gamez, DREAM Big Vegas, Las Vegas, Nevada  
Astrid Silva, representing Progressive Leadership Alliance of Nevada  
Marco Rauda, Private Citizen, Las Vegas, Nevada  
Eric Spratley, representing Washoe County Sheriff's Office  
Maritsa Rodriguez, Mi Familia Vota, Carson City, Nevada  
Barbara Silva, Private Citizen, Las Vegas, Nevada  
Felicitas Rojas, Private Citizen, Las Vegas, Nevada  
Rodolfo Zamora, Private Citizen, Las Vegas, Nevada

Vanessa Spinazola, representing American Civil Liberties Union of Nevada  
Troy L. Dillard, Director, Department of Motor Vehicles  
Salvador Lopez, Private Citizen, Las Vegas, Nevada

**Chairman Carrillo:**

[Roll was taken. Committee protocol and rules were explained.] We have a number of people signed in to speak and I would like to give everybody an opportunity to speak. Please make sure when you are testifying regarding Senate Bill 303 (2nd Reprint) that your testimony is relevant to the bill. If we are not able to get to you today, we will accept written testimony until 5 p.m., Friday, May 24, 2013. We are on a tight schedule. We are trying to get bills passed and every bill is important. We want to make sure we have a fair hearing. To give everybody the opportunity to testify, we are going to try to keep testimony down to two minutes. We will open the hearing on S.B. 303 (R2).

**Senate Bill 303 (2nd Reprint): Provides for the issuance of driver authorization cards. (BDR 43-596)**

**Senator Moises "Mo" Denis, Clark County Senatorial District No. 2:**

Senate Bill 303 (2nd Reprint) is a bill about public safety. The bottom line is that it will increase the number of tested and insured drivers on our roads and highways. [Continued to read from written testimony ([Exhibit C](#)).]

This legislation is based on the Utah model, which has been operating successfully in that state for eight years. I have a letter from Senator Luz Robles, Utah Senatorial District No. 1 ([Exhibit D](#)). Senator Robles was able to come to the Senate side when the bill was presented but was not able to join us today. [Continued to read from written testimony ([Exhibit C](#)).]

The application process is the same as the process for getting a driver's license, with the exception of which documents are needed ([Exhibit E](#)). [Continued to read from written testimony ([Exhibit C](#)).]

We have projected that approximately 60,000 driver authorization cards would be applied for. That is what the budgeting and fiscal notes are based on.

**Senator Ruben J. Kihuen, Clark County Senatorial District No. 10:**

I want to thank Senator Denis for bringing this bill forward. We have been working on a similar piece of legislation for the past two legislative sessions, but we felt this was the right time to bring it forth. I also want to thank Senator Bramble for his diligent work and for coming from Utah to present his point of view in the Nevada Assembly. Senate Bill 303 (2nd Reprint) would

provide driver authorization cards to residents of Nevada and make our roads safe. I serve as the Chairman of the Senate Revenue Committee, the committee tasked with raising the revenue needed to properly fund our state's needs. [Continued to read from written testimony ([Exhibit F](#)).] This is not only going to be a public safety factor and a way to bring down our insurance rates, but also an economic stimulus for Nevada. This bill is not about immigration; it is about public safety. [Continued to read from written testimony ([Exhibit F](#)).]

**Senator Curtis S. Bramble, Senatorial District No. 16, Utah:**

This proposal is not an immigration bill. Immigration law is in the purview of the federal government and they have failed miserably. The reality is that undocumented individuals are driving on your roads and highways, whether you give them this authorization card or not. When they are driving, they are doing the same things the general population does in terms of traffic violations, driving under the influence (DUI), and a number of things. When we introduced this legislation in Utah, it was highly controversial because there was a lot of misinformation and a lot of paranoia on both sides of the political aisle. The conservatives thought Utah would become a magnet, gateway, or mecca for undocumented individuals and we would be drawing them into our state. The folks on the left were concerned about racial profiling. None of those have come to fruition.

In 2005, I and the representative who is now speaker of the Utah State House of Representatives, Becky Lockhart, looked at this as a practical proposition. We do not have the ability, as state legislators, to address the presence of undocumented individuals within our state. That is up to the federal government. Given that, how do you deal with the public safety concern? We implemented legislation that did three things. First, it puts undocumented individuals into a law enforcement database the same as every one of us here that has a driver's license. When there is a traffic incident, it is documented as to who the individual is. Second, in Utah there is a requirement that individuals have insurance. Third, they have to pass a driving test. In Utah we made that driving test in English, and both a written and road test.

Utah law enforcement has indicated this is one of the most effective law enforcement tools they have when they are out on the road. My purpose in being here is to be a resource to respond to any questions members of the Committee may have, because we do have an eight-year track record. We started in 2005-2006 with about 40,000 driving privilege cards (DPC). I applaud the sponsor; I would not call it a driving privilege card today because we, as legislators, were not giving that privilege, individuals were already driving. It gave the perception that we were providing a benefit for

undocumented individuals that they may not be entitled to, ignoring the fact that they were already driving whether we did it or not.

From about 40,000 in the 2005-2006 time frame, we are at about 36,000 today and it has been virtually flat. Our driving privilege card renews annually. About 80 percent of all Utah driver license holders can be identified as having a current automobile policy in force with that driver's license. There is about 20 percent of the population that does not own a vehicle, so would not have an insurance policy. We have done a couple of legislative audits and follow-ups on the driving privilege card. Insurance with the driving privilege card population in Utah is statistically the same, within the margin of error, as that with the regular driver's license.

**Assemblyman Wheeler:**

Thank you, Senator Bramble, for coming from over in Utah, and, Senators, thank you for being here today.

**Senator Bramble:**

Let the record reflect that I was in Las Vegas yesterday at a conference.

**Assemblyman Wheeler:**

You said that it was up to the federal government to address the immigration problem. Yet, in section 1, subsection 10, it says, "The Director shall not release any information relating to legal presence or any other information relating to or describing immigration status, nationality or citizenship from a file or record. . . ." In other words, we cannot give any information to the federal government. Since it is up to the federal government to address the immigration problem, how would we expect them to do their job if we cannot give them any information? Is that not in direct contravention to federal law?

**Senator Bramble:**

The answer to the second part is, no, it is not. The federal law that would be applicable here would be the Real ID. In Utah, we are compliant with Real ID. I had the privilege of meeting with John Morton, Director, U.S. Immigration and Customs Enforcement (ICE). He has, on several occasions, indicated that the federal government will never touch more than about 4 percent of the undocumented population in the United States. They do not have the resources and they do not have the direction. My reference to immigration is in a broader context of the question of what the federal government will do. It is a debate in Congress right now, with the proposal that has been before the U.S. Senate and is coming before the House of Representatives. The issue at the state level is that we do not have the authority to deport. All we can do at the state level, if you identify someone who is undocumented, is to detain them, call the federal

government, and turn them over to ICE. When you do, unless they commit a felony, they will be released. That is true whether it is Utah, Nevada, or anywhere else. The question of immigration being a federal issue is in a much broader context.

This bill addresses how you deal with the practical reality of individuals driving on your roads. They cannot get insurance and they are not required to go through a driving test to demonstrate driving proficiency. That is why it was stated this is not an immigration bill. As to the issue of whether this database should be used for purposes of immigration enforcement, we crossed that bridge in Utah recognizing that the federal government, should they be motivated, can identify and enforce the federal immigration law. The reality is the federal government has been an abject, pathetic, dismal failure in that regard. States are still faced with the dilemma of how to deal within the limits of state authorization. How do you deal with this population that is on your roads today?

Take the example of a DUI. In Utah, your first DUI may be an infraction or it may be a misdemeanor. Your second or third DUI will likely be a felony violation. If there is not a way to track, with certainty, the individual who is being charged, how do you know that individual now has multiple offenses and is subject to criminal prosecution? If convicted of a felony, ICE will deport the individual. It is difficult, without something like this, to identify who those individuals are and have them in a database.

**Assemblyman Hardy:**

In order to have a registration for a vehicle, you have to have insurance in Nevada. You are supposed to maintain that insurance. I do not know if Utah had that same thing before they started the driving privilege card. If they are violating it now, how is this going to affect that?

**Senator Bramble:**

That is a great question. In Utah, we have an insurance verification program to identify uninsured vehicles. The insurance companies provide DMV with insurance information twice a month. The state sends a letter to the owner of record of vehicles that have a current registration that do not match up with an insurance policy. They are given a period of time to provide a copy of the policy. If they do not respond, the second notice gives them 15 days to respond or the registration is revoked. Then law enforcement, if they pull someone over whose registration has been revoked, does not have to make a decision on the spot about whether the individual did not have an insurance card in their car, the vehicle is potentially subject to being impounded. With our law, the driving privilege card would be revoked if the individual has a vehicle

that is registered and does not have insurance. With that verification program, we have an empirically derived, auditable uninsured motorist rate of under 3 percent.

**Assemblyman Hardy:**

How long is that card revoked?

**Senator Bramble:**

The driving privilege card is revoked. They would have to reapply for it. The only purpose for the driving privilege card in Utah was to have the folks that obtain them be in a database so law enforcement has documentation of who they are dealing with. They are required to have insurance and they are required to pass a driving test. All of the other things that you use a driver's license for, age verification to go into a casino or a bar, or to buy firearms is beyond the scope of what we have done. As to the issue of insurance, we have a very robust, proactive insurance verification program that has been effective. The driving privilege card and the requirement for insurance dovetails very nicely with our insurance verification program.

**Assemblywoman Swank:**

I noticed the card itself will be very similar to the driver's license, but there will be a few differences. I want to confirm that this is not going to set up a situation where someone with this card gets stopped and suddenly they are subject to a lot more searches or some further repercussions about their legal status.

**Senator Denis:**

Because of the Real ID Act, the card is required to have some type of distinguishing feature from a driver license. In this case, it will be a bar that goes across it that says, "Not to be used for ID purposes." It will be distinguishable in that respect. In talking to law enforcement, they want to use this as a way to be able to identify the individual and put their information into the database. If they get stopped multiple times, law enforcement can look the information up. Senator Bramble can talk about the experience they have had in Utah.

**Senator Bramble:**

In Utah, one of the concerns was the issue of racial profiling at the time of a stop. I think that goes to the heart of your question. Senator Robles, as indicated by Senator Denis, was on the other side of the issue in 2005. She represented the Hispanic community; she was a community activist at the time and she opposed the implementation of the card. We had a regular driver's license issued to individuals that did not have documentation. We had

anecdotal stories about individuals that were not citizens registering to vote, voting, and doing other things. We did a legislative audit and found there was some merit to those stories. That is what gave rise to repealing the driver's license and replacing it with the driving privilege card. At the time, the Hispanic community was protesting. My home was vandalized. I needed a security detail at the capital because of the threats, specifically those concerning profiling. Let me read a statement from Senator Robles, "Racial profiling has not been an issue with the DPC in our state. We are unaware of any complaint on racial profiling." I spoke with our commissioner of public safety yesterday to make certain my information was current for today's committee. The reality is, as I indicated to Assemblyman Wheeler, ICE does not have the resources. If law enforcement were to pick up an undocumented individual for further action, what is that further action? The only action is to detain the individual. This takes that law enforcement officer off duty while he takes the individual to the station to have them detained, calls ICE, and has ICE come to the station. If that individual has committed no other infractions and has no outstanding warrants, ICE will release the individual. They have been very vocal at the federal level that they will do that. It is not just a matter of rhetoric, there is a practical reason why there is a disincentive for that type of profiling. In eight years we have seen none of it and we have a state senator who was a community activist with those very concerns who is now very supportive of the program. The Hispanic community is very supportive of the program because it has worked as intended.

**Assemblywoman Carlton:**

I read an article about the different color of the license. They were bright pink and when an individual took it out of their wallet, everyone would know and folks got a little uncomfortable with that. I was wondering how we are going to address that?

**Senator Denis:**

Mr. Dillard is here from the Department of Motor Vehicles (DMV) and he can also speak to that. For the Real ID, there has to be a distinguishing feature. One of the things we made clear was that it will not be bright pink. It will look like the driver license, except it will have a bar on it that says, "Not to be used for ID purposes." That will be the only distinguishing feature. Originally, we were also going to have a little globe similar to the heart that you do for organ donations, but we have been told that is no longer necessary.

**Assemblyman Paul Anderson:**

Can you talk a little about the differences between this bill and the current Utah law that is in effect, if there are any differences. You have a track record and



have seen some experience with that. Are we concerned we are lowering the threshold in order to get one of these driver authorization cards? Will people possibly be able to get multiple cards under different names?

**Senator Denis:**

Mr. Dillard can address that because he can talk about the process they go through. However, in the previous hearings we have had that discussion, and as far as being able to get multiple cards, there are some safeguards they put in their system.

The differences between the Utah and Nevada bill, we patterned this after the Utah driver authorization card. In any areas where we thought it needed to be stricter, we did that. For the most part, it is very similar, other than some nuances in their law versus ours.

**Senator Bramble:**

With the original version of this bill, my testimony to the Senate Committee will reflect that I indicated that if I were presented with the original version of Senator Denis's bill, I would vote against it because there were significant differences. Given the experience we have had in Utah, those differences would have created serious deficiencies or challenges. The bill was amended on all of the material points, and now I believe it is a fair representation to say that it follows the Utah model. You would expect to have the same outcome we have had in Utah.

**Senator Kihuen:**

The card name in Utah was driving privilege card. One of the things that was brought up was if Senator Bramble could go back and change something about the bill, it would be to change the name of the card to driver authorization card.

**Assemblyman Hardy:**

With the appropriations of this bill and upon approval, is there a possibility of putting in a tracking mechanism to see how well it works?

**Senator Denis:**

There is a positive fiscal note of approximately \$500,000 in the first year and \$1.1 million in the second year. Typically it will be \$500,000 per year. We can ask DMV when they come up how that is tracked. In Utah, they did an audit to see if things were working. They looked at the issue of fraud and those kinds of things. They looked into insurance, too. I anticipate in the future we will have some of that also.

**Assemblywoman Olivia Diaz, Clark County Assembly District No. 11:**

I am here in support of S.B. 303 (R2). It is something that my constituency has encouraged us to bring forward in the Legislature. It is needed. Between my colleagues and me, we have dubbed this the "Nevada highway safety act." We think it will allow individuals that are currently on our highways and roadways to do it in a law-abiding fashion. I also think it is a consumer-friendly piece for all of us that currently carry insurance, because we know our prices drop as the uninsured motorists on our roads drop. I encourage you to keep an open mind and support S.B. 303 (R2).

**Assemblywoman Irene Bustamante Adams, Clark County Assembly District No. 42:**

I also represent the Nevada Hispanic Legislative Caucus as their chairperson. We are a membership of eight individuals within the Assembly and the Senate. Before this legislation came to this Committee, within our own group and the community, we thought it was thoroughly vetted and well rounded. We appreciate the leadership in Utah helping us craft this piece of legislation. We believe it is a public safety issue and protection for Nevada and urge your support.

**Chairman Carrillo:**

Are there any questions from Committee members? [There were none.] Is there anyone in Carson City or Las Vegas wishing to testify in opposition to S.B. 303 (R2)? [There was no one.] Is there anyone in Carson City wishing to testify in support of S.B. 303 (R2)?

**Leo Murrieta, Nevada State Director, Mi Familia Vota:**

Mi Familia Vota is a member of the Latino Leadership Coalition. It is a large group in southern Nevada and statewide who came last month for Latino Lobby Day in support of this legislation. It is an issue that will make our roads safer. It is a bill that will provide security, stability, and safety for our communities. Our partners in the communities held multiple hearings to discuss this legislation. The community supports it, the community wants it, and the community is asking for your support. We are here with members of the community asking for your support of S.B. 303 (R2).

**Marvin S. Otzoy, Secretary, Coalición Nacional de Inmigrantes Guatemaltecos, Reno:**

I represent the National Coalition of Guatemalans living in the United States. I have been an insurance agent for 11 years. I support this bill because it is for safety issues and for economic reasons. It is not an immigration issue; it is just to know who is driving next to me, behind me, and in front of me. Law enforcement officers, insurance companies, or other private and public

agencies need to identify who is driving. If this bill is approved, people need to be educated about how to pass the written test and driving test. I believe that education is one of the keys to success.

**Ivon Padilla-Rodriguez, Private Citizen, Reno, Nevada:**

I am strongly in favor of the driving authorization card bill, S.B. 303 (R2). It is evident that there is a large presence of undocumented immigrants in the state of Nevada. [Continued to read from written testimony ([Exhibit G](#)).]

**Evan Louie, Private Citizen, Reno, Nevada:**

I am representing the Asian-American and Pacific Islander community and we would like to express our support of S.B. 303 (R2). There are 100,000 undocumented individuals in Nevada. This is not an immigration issue. I am very supportive of what Senator Ruben Kihuen said as far as the overall revenue impact to Nevada, and the increase in title registration fees, insurance, purchase of vehicles, and increase in consumerism. Another thing we have to look at is that southern Nevada and the City of Las Vegas are also the number one destination hub of the world. We have to ensure safety for our tourism sector and mitigate risks to tourists coming into our microeconomy. I would like to emphasize what Senator Bramble said about racial profiling. That is a concern and it is great it was successfully implemented in Utah. As a company, we actually raise money for schools, sports leagues and nonprofits. We are also partnered with the Las Vegas Metropolitan Police Department. We would like to emphasize that safety on roads and in our schools is of huge importance.

**Rafael Lopez, DREAM Big Vegas, Las Vegas, Nevada:**

I am here to support S.B. 303 (R2). Those who do not have permission to obtain a driver's license are held back from being helped to contribute to society to their maximum potential. I have close friends and family members who cannot obtain driver's licenses but do everything they can to survive to feed their families. Most of these folks are self-employed and business owners. They take frequent trips to other states to pick up merchandise to sell for their businesses here in Nevada. The problem is, when they are stopped, their vehicles are often towed, especially if they are from out of state. This causes expensive inconveniences, which often can discourage them from going out of state. They are just trying to invest in their businesses because they are trying to feed their families, pay their bills, and live the American dream. Rather than putting these barriers in front of business owners, we should issue authorization cards that encourage them to invest in their businesses.

**Rosemary Flores, Private Citizen, Las Vegas, Nevada:**

I am a community activist. I am in favor of the driver authorization card and am in support of S.B. 303 (R2). It is very important for our undocumented

community to receive the driver authorization card due to the safety of our community and our U.S. citizens as well. I agree with Senator Kihuen that it will also help our economy. Mothers and grandparents can drive their children to school and to their jobs. I believe this will also relieve some sort of a fear of driving in our community. It is common in our undocumented community for them to fear driving without a driver's card and being deported.

**Luis Melagar, Private Citizen, Carson City, Nevada:**

I have lived in Nevada for 22 years. I thank you for S.B. 303 (R2). I think it is the best thing, in my knowledge, for one simple reason, at this moment there are a lot of people driving without driver's licenses. If we give this privilege to these people, they will give you more economic things in Nevada. For four years I paid \$22 for my driver's license. These people are going to pay \$22 for one year. How much money is that going to be for Nevada? All of these people that are going to apply for this are going to be in the database and that is good for the safety of America. I think S.B. 303 (R2) is going to be good for Nevada.

**Frank Perez, President, Latino Student Club, Western Nevada College:**

The ultimate goal of the Latino Student Club is to make a healthier and more educated Latino community, as well as develop leaders and protect our community. Today I am asking you to support S.B. 303 (R2) that would provide a driver authorization card and insurance. I am asking you to protect your constituents and communities.

**Carla Castedo, representing Mi Familia Vota:**

This is a public safety issue. This bill has been modeled after the Utah bill, which has been working very well for over eight years. It will bring revenue to the state. It is only for driving. I have had the pleasure to talk with police officers about this bill and the only thing they want to do is be able to identify a person and make sure they have taken the same tests all of us take in order to drive. They do not want to serve as ICE officers. I urge your support of S.B. 303 (R2).

**Vicenta Montoya, Vice Chair, Latino Democratic Caucus, Las Vegas, Nevada:**

I am speaking in support of S.B. 303 (R2) and I wish to congratulate the leadership in the Senate for coming forward. This is an issue that I have been championing for many years. The issue has always been one of safety and consumer protection for the citizens of Nevada. That is exactly what is encompassed in the bill. Those individuals who would qualify, would be tested, and be able to go on the roads knowing the rules of the road. They would be required to have insurance for their vehicles. This is a major issue because we know that insurance in Nevada is high. Part of that reason is because we have

such a high number of people who are uninsured. In those states that have had similar measures, insurance rates have dropped considerably. We, as Nevadans who presently have insurance, will likely see our insurance lowered.

It is not to be used for identification. I want to stress that this goes beyond the undocumented. I have had many instances of assisting people who have been in domestic violence situations where all their documentation has been destroyed or stolen. It is extremely difficult when you have your documentation stolen to try and get new documents. This would alleviate those problems for people who are citizens, but would have difficulty getting that documentation in a timely fashion. It would allow them to again be able to drive lawfully. This is a revenue source. We are hurting in Nevada for money, and I think it is a sane measure that should have your full consideration and your vote.

**Maria Castillo, Private Citizen, Las Vegas, Nevada:**

I am here in support of S.B. 303 (R2). As a citizen of Nevada, I feel that this bill is benefiting many of the undocumented, but it is also benefiting the citizens of Nevada because it will bring down the rate of accidents, as well as make sure that every person that is on the road has insurance. As a mother of five, I am very concerned about drivers that are uninsured, as well as for the safety of my children. I think if this bill is passed into law it will ensure that the people that should have insurance, will have the opportunity to do so. I hope you will give this a yes.

**Jessica Padron, Nevada Youth Coalition, Las Vegas, Nevada:**

I am here to echo support for S.B. 303 (R2) because of the multiple benefits of this legislation. I urge you to support this bill for your constituents, not just Latinos, but also for others of the multiple communities of immigrants in Nevada, for the safety of everyone. Growing up, several of my friends had to miss out on opportunities to participate and join in sports because their parents were too afraid to drive them to and from these events. They were law abiding citizens. Their only crime was to come here for a better life for their children. As I grew older, they could not even get a license and have that independence like I could to drive my first car and purchase my own vehicle. The main reason I encourage you to support this legislation, however, is in the interest of safety. As a young driver, the roads can be a dangerous place. As a responsible citizen who pays my car insurance, I believe this bill would ensure accountability so that everybody has documentation and can safely drive on these roads. I would like to point out the fiscal impact is significant. The revenue can benefit Nevada. In summation, I urge you to support Senators Kihuen and Denis's legislation.

**Mario DelaRosa, Private Citizen, Reno, Nevada:**

I am a small business owner and I am an immigrant. For the same reasons just mentioned, I support this bill. Something that cannot be quantified is the feeling of welcome in Nevada. That is why this bill is very important; we have a large immigrant population that is very productive. They need to go to work, to pick up their children, and do other things, and not be afraid of being detained by a police officer. This same bill was passed in the Senate with a 20 to 1 vote, so the support for this is overwhelming.

**Laura Martinez, Northern Nevada Coordinator, Mi Familia Vota:**

I am here in support of S.B. 303 (R2). I encounter a lot of undocumented youth who want to get involved and participate in extracurricular activities. They really want to move this country forward in whatever small way they can. Sometimes they are limited because they cannot drive to an event or have no one to pick them up after school. They have no choice but to go home. I urge you to support this bill because of them. They are the people who are moving our country forward. I would feel more comfortable driving on a road where I know everyone has taken the same test and they know our laws.

**Marisol Montoya, State Coordinator, Mi Familia Vota:**

I am also a member of the Latino Leadership Council. I am here to speak in support of S.B. 303 (R2). I am speaking for the safety and protection for all Nevadans, to know that all Nevadans on the road can drive legally, in full compliance with the law, have taken the same test, can purchase insurance, and can legally own their own vehicle.

**Blanca Gamez, DREAM Big Vegas, Las Vegas, Nevada:**

I am here to support S.B. 303 (R2). I want to share my recent experience with DMV. For my entire life I had no Social Security number and received it last Saturday. On Monday I went to the DMV, not to accompany someone, but for myself. People dread going to the DMV, but I found the experience like going to the happiest place on earth. For two weeks prior I had been carrying the driver skills test handbook in my purse, studying it at any moment I could because that is how much I wanted to pass. As I stood in line, I pulled out the handbook, studying it again right before I took the test. Once I went inside, took the exam, and passed, as I walked out of the room I finally took a sigh of relief because I felt like everyone else. Everyone that is able and qualified to do so should learn the rules of the road for the safety of their community, because now I am one of those drivers.

**Astrid Silva, representing Progressive Leadership Alliance of Nevada:**

Restricting access to driver authorization cards will not fix our broken immigration system. Immigrants do not come to the United States to get a

driver's license and they do not leave because they cannot obtain one. Restricting access to driver authorization denies the reality that people need access to vehicles. They will do so with or without this card. Our goal is to have as many people as possible who are qualified to be driving able to do so. Authorizing all drivers makes Nevada's roads safer. Not only will they have to take classes, they will have to pass tests, be registered, and get insurance. They will be less likely to be involved in fatal accidents. They will be able to trust police and report crimes, which is something that a lot of undocumented people fear doing. This will save Nevadans money because statistics show that when undocumented people are allowed to obtain a form of driver authorization, both premium rates and rates of uninsured drivers drop significantly. I urge the Committee to pass this so that we can take a vote on it on the Assembly floor. We support this bill.

**Marco Rauda, Private Citizen, Las Vegas, Nevada:**

I am a longtime activist in the community. Like Mr. DelaRosa said earlier, this bill passed in the Senate 20 to 1. Not only does it have large support, but it has immense bipartisan support, which is great. The individuals who will receive these licenses are going to be paying four times the amount of anybody else, therefore they are going to be creating more revenue than any other drivers in Nevada. As I have been talking to the community about this issue, not only are the individuals who can receive these licenses not worried about paying that extra fee, they are also willing to give up their other rights such as getting on a plane and other privileges regular drivers have, just so they can take their kids to school, shopping, and be able to drive on our roads safely with insurance.

**Eric Spratley, representing Washoe County Sheriff's Office:**

I am here to express our support of S.B. 303 (R2) and thank the Senators for their work on this bill and for bringing it forward. I did want to get on the record that for traffic stops, we do not make stops of cars because of race, gender, ethnicity, hairstyle, car color, clothing, language, earrings, or anything like that. It is always because of violations, not because of discriminating factors. In those stops, we take the minimum amount of enforcement action necessary for the violation. With proper identification, the minimum enforcement action can simply be a citation or written warning. Without it, under *Nevada Revised Statutes* (NRS) 171.1771 we are required to take them before a magistrate, so we have to make an arrest. It is the same with insurance; we are required to arrest for no insurance. This is a good bill and we do support it.

**Maritsa Rodriguez, Mi Familia Vota, Carson City, Nevada:**

I support S.B. 303 (R2). We appreciate your help. Please vote.

**Barbara Silva, Private Citizen, Las Vegas, Nevada:**

I support S.B. 303 (R2). I do not have a car right now because I am afraid the police will stop me and I will be deported. I need for the school, I finish my GED and I work hard to support the economy for this country. My kids are big now, but when they were little I struggled a lot for school and the doctor.

**Felicitas Rojas, Private Citizen, Las Vegas, Nevada:**

(Testimony translated by Ciria Sosa, Research Analyst, Constituent Services Unit, Research Division.) I wish you would approve this privilege to be able to drive, especially for those who work, and mothers and fathers who drive. It would benefit the economy a great deal. This way mothers will be able to drive their kids to school and to doctor appointments, and would be able to go out and have fun with their children, which at this moment we are not able to do. I thank you and please vote for this bill.

**Rodolfo Zamora, Private Citizen, Las Vegas, Nevada:**

I am here to support S.B. 303 (R2). Some of my friends and family would benefit from this bill. I know the feeling of driving with fear. I was once undocumented and I was driving on the roads. I am here to tell you to support this bill because I do not want others to have this fear when they are on the road, especially parents when they are driving their children to school. Thank you.

**Chairman Carrillo:**

Are there any questions from Committee members? [There were none.] I do have someone in Carson City who wishes to testify in opposition to S.B. 303 (R2).

**Vanessa Spinazola, representing the American Civil Liberties Union of Nevada:**

I do want to say that the American Civil Liberties Union does support everything that has been said on the record. We strongly support the driver authorization card. We are here to note our opposition to Real ID. We have done that on a consistent basis throughout the country and we are doing that here. In section 5, subsections 2 and 5, there are references to Real ID. Both of these subsections call for these particular cards to be held in compliance with Real ID standards. Nevada is not a state where we have accepted Real ID. In 2007, the Nevada Legislature passed a resolution urging Congress to reject Real ID. The letter I submitted proposes some amendment language ([Exhibit H](#)). For example, in section 5, subsection 2, other sections of our driver's license laws say that DMV can have the right to reject any licenses they do not think comply with our laws. In section 5, subsection 5, we would submit there be some sort of clause stating that if and when the federal government says we need to come into compliance with Real ID, we would do so at that time.



**Chairman Carrillo:**

Are there any questions from Committee members? [There were none.]  
Is there anyone in Carson City wishing to testify in neutral to S.B. 303 (R2)?

**Troy L. Dillard, Director, Department of Motor Vehicles:**

The Department of Motor Vehicles (DMV) is in a neutral position on the policy on this bill. The Senators, as they explained the bill, did a very good job of explaining the policy issues. As the bill came out we did have significant issues regarding the procedure. Those have all been worked through with the majority leader and Senator Kihuen. We are comfortable with the procedural aspect of the bill as it is written.

There were three questions I wanted to touch on to provide some clarification. Is there some sort of tracking mechanism? We do intend to have specific account codes to track the revenue that is generated from this particular action, if it were to pass, so that we know how many individuals take advantage of the driver authorization card on an annual basis, how many driver tests are administered, how many retests are administered, and how many renewals take place. In Nevada there is no direct correlation between a driver's license and a vehicle registration. In Nevada you do not have to have a driver's license to be a registered owner of a vehicle. I believe that is different in Utah so there is a correlation. We cannot make that same correlation.

On the fiscal aspect of this, I know this will be heard in Ways and Means, it will take 15,895 individuals taking advantage of this in the first year to cover the expenses of implementation. That is the break-even point. After that, it does become revenue generation.

As to clarification of the design of the card, currently you have a blue banner across your driver's license and it says "Driver License." This card will say "Driver Authorization Card." In addition, there will be wording that says, "Not for Identification Purposes." Aside from the one year from issuance date to expiration date, those are the only differences you will see on the physical card itself.

**Assemblyman Paul Anderson:**

Initially I had a question about getting multiple ID cards. Can you talk to the provisions that would prevent that?

**Troy Dillard:**

The requirements for documentation are easier for a driver authorization card than they are for an official driver's license. One of the things they will still be subjected to is the facial recognition software that we use in Nevada.

The facial recognition software is a tool to help us insure one driver, one record in the state of Nevada. If an individual is attempting to obtain multiple identities, that tool is very effective in identifying and helping to stop that.

**Chairman Carrillo:**

Are there any other questions from Committee members? [There were none.]  
Would the Senators like to make closing remarks?

**Senator Denis:**

I appreciate all of the work on this bill. I think it is good public policy. I think it is good for safety. I appreciate the ability to bring this forward and the support we have received. I would urge your support.

**Senator Kihuen:**

Thank you for allowing us to present this bill today. We have been working on this bill for over a year. Today is a very important day for us and, more importantly, for the community. As you can see, a lot of these folks took time off from work and school to be here. I am grateful to them and to you for this opportunity.

**Senator Bramble:**

This is a challenge for states to deal with the aspects of public safety that are addressed in this bill. You need to know that you are not alone. Across the country there are several states that are looking at a practical solution for a problem that has been challenging. From our experience, as a neighboring state, our commissioner of public safety and the superintendent of our highway patrol have reinforced the notion that this has been one of the most effective tools they have for public safety. That is where the focus needs to be. We cannot solve the immigration challenges of this country at the state level. We can deal with certain aspects that deal with how to best serve our constituencies.

**Chairman Carrillo:**

Thank you for your testimony and closing statements. We will close the hearing on S.B. 303 (R2). We have someone in Las Vegas who wishes to testify in support of S.B. 303 (R2). We are going to reopen the hearing on S.B. 303 (R2) to get this testimony on the record.

**Salvador Lopez, Private Citizen, Las Vegas, Nevada:**

I am the pastor of a local church in Las Vegas. As a pastor of the church I am extremely happy about this situation. I know that from my perspective, from the point of view as a Latino pastor, it is going to be a great help, not just for us, but for the economy. We are people who work hard, this will help us in

many ways. It will help our families, families that stay together have a better life. I am a firm believer that as a community, if we had the opportunity to have a driver's license, we would be able to have better jobs. We can contribute to the economy a lot more. As Christians we believe it is biblical, and we pray as Latino churches that this passes. It is going to be a huge blessing for us. In my case, in our church, there are many families that have jobs, they do not have a driver's license and it is really hard for them. I ask you to help us out in that way. We are going to continue to pray for this and you guys as well. I believe God will put this in your heart, the decision you need to make.

**Chairman Carrillo:**

Are there any questions from Committee members? [There were none.] We will close the hearing on S.B. 303 (R2). Thank you Senators. Is there any public comment? [There was none.]

The meeting was recessed to the call of the Chairman [at 3:58 p.m.].

[The meeting was reconvened behind the bar of the Assembly on Saturday, May 25, 2013, at 12:13 p.m. and recessed at 12:14 p.m.]

RESPECTFULLY SUBMITTED:

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Jacque Lethbridge  
Committee Secretary

APPROVED BY:

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Assemblyman Richard Carrillo, Chairman

DATE: \_\_\_\_\_

**EXHIBITS**

**Committee Name: Committee on Transportation**

**Date: May 23, 2013**

**Time of Meeting: 2:30 p.m.**

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
S.B. 303 (R2)	C	Senator Moises "Mo" Denis, Clark County Senatorial District No. 2	Written testimony
S.B. 303 (R2)	D	Senator Moises "Mo" Denis, Clark County Senatorial District No. 2	Letter from Senator Luz Robles, Utah State Senate
S.B. 303 (R2)	E	Senator Moises "Mo" Denis, Clark County Senatorial District No. 2	Driver's Authorization Card documents
S.B. 303 (R2)	F	Senator Ruben J. Kihuen, Clark County Senatorial District No. 10	Written testimony
S.B. 303 (R2)	G	Ivon Padilla-Rodriguez, Private Citizen, Reno, Nevada	Written testimony
SB. 303 (R2)	H	Vanessa Spinazola, representing American Civil Liberties Union of Nevada	Letter in opposition