

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

**Seventy-Seventh Session  
April 11, 2013**

The Committee on Transportation was called to order by Chairman Richard Carrillo at 2:03 p.m. on Thursday, April 11, 2013, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 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 John Hambrick  
Assemblyman Crescent Hardy  
Assemblyman James W. Healey  
Assemblywoman Ellen B. Spiegel  
Assemblyman Michael Sprinkle  
Assemblywoman Heidi Swank  
Assemblyman Jim Wheeler  
Assemblywoman Melissa Woodbury

**COMMITTEE MEMBERS ABSENT:**

None



**GUEST LEGISLATORS PRESENT:**

Assemblyman Skip Daly, Washoe County Assembly District No. 31

**STAFF MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

James L. Wadhams, representing the Nevada Independent Insurance Agents and the American Insurance Association  
Robert L. Compan, representing the Farmers Group, Inc.  
Terri L. Carter, C.P.M., Administrator, Management Services and Programs Division, Department of Motor Vehicles  
Ernie Adler, representing the Northern Nevada Confederation of Clubs  
Rhonda Bavaro, Deputy Director, Department of Motor Vehicles  
Troy L. Dillard, Director, Department of Motor Vehicles  
Mike Draper, representing R&R Partners  
Joshua Hicks, representing DealerTrack Processing Solutions, Inc.

**Chairman Carrillo:**

We have 1 bill to hear and 11 in the work session. We will probably go into a short recess after the bill is heard due to other committee commitments. We will open the hearing on Assembly Bill 453.

**Assembly Bill 453: Excludes certain fleet vehicles from the insurance verification system. (BDR 43-1199)**

**James L. Wadhams, representing the Nevada Independent Insurance Agents and the American Insurance Association:**

This issue has been around for a bit. Everyone is aware of the insurance verification system, the little cards we keep with our registration. For us they work very well because they typically identify the vehicle identification number (VIN) on the windshield of our car that is connected to the insurance policy. The Department of Motor Vehicles (DMV) has a very sophisticated program called Nevada LIVE (Liability Insurance Validation Electronically) where they can verify the policy is in existence. Where we have had struggles has been with commercial or fleet vehicle policies. The uniqueness of this is for businesses

with fleets of vehicles where the insurance policy is not vehicle specific. The insuring clause says they will cover all vehicles of the company. Because those vehicles turn over, even in the course of a policy year, the company may have two or three new vehicles. The VIN system that works for private passenger automobiles does not work for commercial vehicles.

We worked with DMV for a number of years. The issue for them has been programming. Fortunately, Troy Dillard has been working with us to find a way to solve this problem. The amendment is one that we and Mr. Dillard have agreed on that will allow his current programming to solve the problem for the commercial vehicle owner ([Exhibit C](#)). When the policy is registered by the registered owner's name, DMV can verify the policy is in existence. That covers all of the vehicles that may be registered under that owner. I want to compliment Mr. Dillard and DMV for helping us solve this problem. Out of the 2 million vehicles in the system, approximately 80,000 experience this problem. In discussions with Mr. Dillard we found not only was the insurance industry spending an inordinate amount of time trying to verify insurance, so was DMV. We hope this facilitates their operation. It makes the system easier to operate, but also will allow some of those fleets that are registered in other states to come back to Nevada.

**Chairman Carrillo:**

Are there any questions from Committee members? [There were none.]

**James Wadhams:**

This does not change the requirement to have auto insurance. It accommodates the unique nature of commercial policies and the multiple vehicles they have. This will allow DMV to verify insurance for the fleet vehicles similar to what they do for individuals. This is a processing issue.

**Robert L. Compan, representing the Farmers Group, Inc.:**

I want to echo the commitment of the Committee and DMV to working with us on this issue. It has been going on since Nevada LIVE began. Prior to that we worked with an antiquated eight-track system to verify insurance. Nevada LIVE is a real time insurance program that eventually will be linked to law enforcement. However, fleet has always been a concern. The Insurance Industry Committee on Motor Vehicle Administration, which is a trade organization that works with DMVs around the country to recommend model language, is also in agreement that there is an issue.

**Chairman Carrillo:**

Members of the Committee are reading the amendment on the Nevada Electronic Legislative Information System (NELIS).

**James Wadhams:**

We can leave the desk and stay in the room. If the Committee wants to call us back, we will be here.

**Assemblywoman Carlton:**

Will these vehicles still be insured in Nevada? This will not impact the premium tax they are currently paying.

**James Wadhams:**

Yes, all vehicles are required to be insured. The premium tax will not be diminished. There is no exemption from the requirement to have insurance. This bill facilitates the processing of verification of that insurance by DMV. Fleet policies are not written on a vehicle specific basis. The insurance may be sold to a company with six or seven vehicles and when the company buys a new vehicle, their card may not identify the VIN number as it would for our cars. If they are going to verify the insurance for fleet vehicles, they cannot do it by VIN. If they do it, as this bill proposes, by the registered owner and policy number, DMV can verify the insurance.

**Assemblywoman Carlton:**

Did Senator Settelmeyer have something similar to this? Or was it part of the discussion when we were talking about Nevada LIVE and the fleet registration?

**James Wadhams:**

This issue has been going on since Nevada LIVE was created. Nevada LIVE was designed by DMV to deal with the private passenger auto, where insurance is specifically tied to the VIN number. The insurance industry produces a different type of insurance policy for fleet vehicles. It is called a commercial auto policy. It covers every vehicle the owner has. This has come up in the past, but the problem is that DMV was not able to work their program to avoid the use of the VIN. You may recall discussions in Nevada's Senate about how VINs have to match. That is a little bit of a separate issue. This one is based upon a particular type of policy and multiple vehicles under one policy. The Department was doing some reprogramming so this particular element did not add additional cost.

**Chairman Carrillo:**

Are there any other questions from Committee members? [There were none.] Is there anyone who wishes to testify in support of A.B. 453? [There was no one.] Is there anyone who wishes to testify in opposition to A.B. 453? [There was no one.] Is there anyone who wishes to testify neutral on A.B. 453?

**Terri L. Carter, C.P.M., Administrator, Management Services and Programs  
Division, Department of Motor Vehicles:**

As written with the proposed amendment, DMV has a neutral position on A.B. 453. Based on introductory language outlined within A.B. 453, the Department had concerns with how the bill was written and submitted a fiscal note. [Continues to read from written testimony prepared by Sean McDonald ([Exhibit D](#)).]

**Assemblywoman Carlton:**

What section deleted the fiscal note?

**Terri Carter:**

I am not familiar with this bill. I will get that information to you.

**Chairman Carrillo:**

Are there any other questions from Committee members? [There were none.] We will close the hearing on A.B. 453. [The Committee recessed at 2:30 p.m.] [The committee reconvened at 3:15 p.m.] We will go into our work session.

**Assembly Bill 166: Revises requirements for the registration of a vehicle that is driven in Nevada by a nonresident who works in Nevada. (BDR 43-707)**

**Sean McCoy, Committee Policy Analyst:**

Assembly Bill 166 revises requirements for the registration of a vehicle that is driven by a nonresident in Nevada. Two amendments were proposed for this bill. The first one proposed by Chairman Carrillo is included in the work session document. [Continued to read from work session document ([Exhibit E](#)).] Assemblyman Paul Anderson has also proposed that the revised registration provisions of A.B. 166 be limited to those nonresidents working within a distance of ten miles from the Nevada border.

**Assemblyman Sprinkle:**

How does the sponsor feel about the second amendment?

**Assemblyman Paul Anderson:**

I feel pretty good about the amendment. The bill was to focus on those cities that are on the borders of Nevada. Folks that live across the state line, coming to work in Nevada, utilizing our services, earning a paycheck, and then taking that paycheck outside the state. My concern was it might be far-reaching if we include Las Vegas and Grandma comes to town for two weeks. Some of these things may make it difficult to determine where the person is, versus in the border towns where it might be a lot easier to enforce. The idea was to wrap

our circle around Nevada and focus the enforcement and the intent of the bill on those areas.

**Assemblywoman Spiegel:**

Is the distance of ten miles from the border by road or air? There are people who live in Arizona and work in Henderson who may be ten miles as the crow flies, but not necessarily by road.

**Assemblyman Paul Anderson:**

That question was brought up and we are going to leave that to Legal to determine the best way to define. I am not sure enforcement can determine "as the crow flies" versus the marker on the street.

**Assemblywoman Carlton:**

I think about people in areas in California, Arizona, and Utah, who drive into Nevada. How did you figure the ten miles? People commute 25 or 30 miles to work. We would only impact people who live within ten miles of the border, so the person 20 miles away driving in would not have to get the indicator?

**Assemblyman Paul Anderson:**

It does not matter how far they are commuting. It is ten miles in from our border. We looked at a map and figured all of the border cities are within ten miles of the Nevada border. You could live three hundred miles away, but as soon as you hit the Nevada border, that is where the ten-mile mark begins. If you work in Mesquite, but live in Cedar City, Utah, it does not matter where you started from.

**Assemblywoman Carlton:**

There is something in here that is just not working. I am looking at a map and see how it lays out. I do not think ten miles is enough. They are getting a paycheck in this state and taking it home to their state of residence. It does not matter if they are getting their check in Ely or North Las Vegas, they are working in our state, not registering their cars, and driving back home.

**Chairman Carrillo:**

When I had the discussion with Assemblyman Paul Anderson, the concept was if you put a ring around the state, ten miles in, anybody that worked in that area would fall under this daily commuter worker. Anybody that wanted to commute and drove past the ten miles, would not be affected. This is looking at the border towns.

**Assemblywoman Carlton:**

If I lived in Bullhead City, Arizona, and worked in North Las Vegas, because it is not within the ten miles, I would not have to have the indicator. However, I am still taking my paycheck back to Arizona. If I worked in Henderson, I would have to get the indicator.

**Chairman Carrillo:**

If they are driving 90 miles into Nevada, they are probably going to have to put gasoline into their car. Anyone who is traveling that far will probably stop at Costco, Wal-Mart, et cetera. They will be stimulating our economy in some way. If they live in Bullhead City, they might fill up their tank there and drive to work every day to Laughlin. They would not be adding to our infrastructure.

**Assemblywoman Spiegel:**

If someone lives in South Lake Tahoe, California, and works in Carson City, that is 30.55 miles. They are not required to get the indicator?

**Assemblyman Paul Anderson:**

As the bill is written, they are not required to get the indicator. Are they able to? I do not know the answer to that.

**Assemblywoman Spiegel:**

If someone gets ticketed, knows the indicator is available, but they were not eligible to get it because they are driving 30 miles to work. What is your intent in the amendment?

**Assemblyman Paul Anderson:**

My intent in the amendment was to make sure we did not have this wide swath, especially in Las Vegas where you have people who might come and stay a couple of weeks, work for a couple of weeks doing shows, and be obliged to buy this when they are just coming and leaving. The true intent of the bill was to impact those Bullhead City folks that are coming across the border, working, and taking all of their money to another state. To aid in enforcement, the thought was to put a barrier around the border towns versus trying to capture everything in between. I see your point on the thirty-mile range. We drew a circle around Nevada on those border towns that seemed to have the most daily commuters. I am not stuck on ten miles.

**Assemblywoman Spiegel:**

Would you be amenable to having the amendment specify that people beyond the ten miles be eligible to get the indicator if they wanted it?

**Assemblyman Paul Anderson:**

If they would like to donate to the cause, I would be happy to do so.

**Assemblywoman Carlton:**

Keeping in mind the drive from South Lake Tahoe to Carson City, how would you feel about changing the mileage to 30 miles?

**Assemblyman Paul Anderson:**

I would be amenable to that.

**Assemblywoman Carlton:**

That would eliminate some of my concerns. Why would you make somebody buy something they do not need?

**Assemblywoman Spiegel:**

It would be voluntary. I do not know how MapQuest determined the mileage to Carson City. If somebody works a few miles in, lived 35 miles away, and wanted to get an indicator, would they still be able to?

**Assemblywoman Carlton:**

This law does not apply to them, so they do not need to get an indicator.

**Assemblyman Paul Anderson:**

The 30 miles would be from the Nevada border, not from their home.

**Assemblywoman Spiegel:**

Okay, I am fine with 30 miles.

**Assemblywoman Woodbury:**

Is a city or town considered within 30 miles or do you mean the actual location of the building they are working in?

**Assemblyman Paul Anderson:**

I would have to refer to Legal on how to reference that.

**Scott McKenna, Committee Counsel:**

I would have to say in response to that, when it comes to how you want to set the measurement of distances, whether it would be to an exact place of employment or the city limits, I would view that as a policy choice, regarding which the law cannot provide a direct answer.



**Assemblyman Hardy:**

My suggestion would be 30 miles to the city limits. It would be easier to identify.

**Chairman Carrillo:**

What happens if an individual takes a job in another part of town? It clouds the mileage up even more. If we go with a city limit, it is easier. We are looking at modifying the amendment to say 30 miles from the state border.

**Assemblyman Paul Anderson:**

Perhaps we can get some help from Legal in how to reference that. Are you saying 30 miles to the city limits?

**Chairman Carrillo:**

Yes.

**Scott McKenna:**

A point of clarification, even if it is agreed it would be measured to the city limits, one might have to consider that we may not be talking about a city. It may be a town or an unincorporated area. If it is an unincorporated area, I could not speak at all to where the point of measurement would be.

**Assemblyman Hambrick:**

Whether we say 10 miles or 30 miles, somebody is going to hold our feet to the fire. We all know what the border cities are, so just use the name and not the distance.

**Chairman Carrillo:**

With what you just stated, there might be legal concerns about putting names of cities in statute. Can we look at something to the effect of if that 30 miles is within the borders of the city or town?

**Assemblyman Hambrick:**

It was just a thought. I did not mean to do it as an amendment. We know if something gets tagged for 29.9 miles, or 30.1 miles, they will hold our feet to the fire.

**Chairman Carrillo:**

We are going to go into recess while we do some brainstorming. [The Committee recessed at 3:38 p.m.] [The committee reconvened at 3:43 p.m.] Some people were concerned about having to legally register vehicles in Nevada if they commute to and from Nevada on a daily basis. Assembly Bill 166 becomes an option. Assemblywoman Spiegel added that if

the commuter wanted to voluntarily get the indicator that would be at their discretion. We want to give people who should be registering their vehicles in Nevada an option. We discussed changing the 10 miles in the amendment to 30 miles. I will hand that over to Assemblyman Paul Anderson. He is the author of the amendment and he did a very good job on it.

ASSEMBLYMAN ANDERSON MOVED TO AMEND AND DO PASS WITH A CHANGE ON THE AMENDMENT FROM 10 TO 30 MILES, AS WELL AS THE OTHER PROPOSED AMENDMENTS OUTLINED IN THE WORK SESSION ON ASSEMBLY BILL 166.

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

**Assemblyman Wheeler:**

I am going to vote yes, but I want to think about this before the floor session.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Carrillo:**

I will take the floor statement on A.B. 166.

**Assembly Bill 167: Revises requirements for the registration of certain vehicles that are driven in Nevada and owned by a nonresident business. (BDR 43-708)**

**Sean McCoy, Committee Policy Analyst:**

Assembly Bill 167 is a companion bill to Assembly Bill 166 and is similar in scope. Assembly Bill 167 revises requirements for the registration of certain vehicles that are driven in Nevada and owned by a nonresident business ([Exhibit F](#)). Chairman Carrillo proposed an amendment to this bill. The elements of that amendment are as follows:

- Amend section 1, subsection 2, paragraph (d), to clarify that the fee to register the first vehicle is \$200 and the fee to register each additional vehicle is \$150;
- Amend section 1, subsection 3, to provide that an indicator of registration is nontransferable; and
- Amend section 1 to add a new subsection exempting a company that leases or rents a vehicle on a short-term basis from the registration requirements of this bill.

**Chairman Carrillo:**

Is there any discussion? [There was none.]

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 167.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Carrillo:**

I will take the floor assignment on A.B. 167.

**Assembly Bill 198: Revises provisions governing taxicabs in certain counties.  
(BDR 58-86)**

**Vance Hughey, Committee Policy Analyst:**

Assembly Bill 198 repeals provisions of existing law that require a vehicle that is acquired for use as a taxicab in counties other than Clark County to meet certain mileage standards upon acquisition and be retired from service after being in service for a certain length of time ([Exhibit G](#)). Testimony indicated that the effect of this bill would be to reinstate a "rural exemption" that existed prior to 2011 for all counties, other than Clark and Washoe Counties, without affecting current regulatory requirements of the Nevada Transportation Authority concerning financial reporting, liability insurance, vehicle inspections, and so on. No amendments have been proposed.

ASSEMBLYMAN HAMBRICK MOVED TO DO PASS  
ASSEMBLY BILL 198.

ASSEMBLYMAN WHEELER SECONDED THE MOTION.

**Assemblywoman Carlton:**

I have some concerns about the top end mileage and not retiring these vehicles for safety factors. I will support the bill now, but I am going to do a little more research. We have worked on this issue off and on for the last decade. I reserve my right to change my vote on the floor if I find something that gives me pause on the safety side.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Carrillo:**

I will give the floor statement to the bill sponsor, Assemblyman John Ellison.

**Assembly Bill 236: Makes changes to the rules of the road regarding motorcycles. (BDR 43-659)**

**Vance Hughey, Committee Policy Analyst:**

Assembly Bill 236 allows lane splitting under certain circumstances. Assemblyman Skip Daly proposed an amendment, which is included in your work session document ([Exhibit H](#)). The amendment makes several changes to the bill:

- First, mopeds would not be allowed to lane split;
- Second, wording in section 3, subsection 3, of the bill that currently requires a person to drive in a "cautious and prudent manner" is changed to provide that a person who is lane splitting must drive in a manner that is "reasonable and proper, having due regard for the traffic, surface and width of the highway, the weather, and other highway conditions." This wording is based on the basic speed rule in *Nevada Revised Statutes* 484B.600.
- Third, instead of simply limiting the speed of a motorcycle driver who is lane splitting to not more than 30 miles per hour, the amendment allows lane splitting provided that the motorcycle, while driving between vehicles:
  - Does not travel at a speed that is more than ten miles per hour faster than the speed of those other vehicles; and
  - Does not exceed a maximum speed of 30 miles per hour.

In effect, if the traffic is stopped, the motorcycle could go up to ten miles per hour. If the speed of the traffic is 25 miles per hour they could go no faster than 30 miles per hour. Theoretically, if the traffic was going 30 miles per hour, they would have no need to lane split.

- The effective date of the bill is changed from October 1, 2013, to January 1, 2014.

**Assemblyman Wheeler:**

I thought we had discussed something about Street Vibrations and we would limit this to no more than two or three motorcycles at a time. I would like to add that as an amendment if the author is amenable to it.

**Assemblyman Skip Daly, Washoe County Assembly District No. 31:**

My understanding is the amendment follows all of the protocols established by the California Highway Patrol for lane splitting. Those are the things California established as best practices, which is what we wanted to try to follow.

**Ernie Adler, representing the Northern Nevada Confederation of Clubs:**

I do not know how you would enforce that because you would also have a distance requirement. Is it one or two motorcycles within 50 feet of each other or 1 mile of each other? They have to maintain a reasonable space.

**Assemblyman Wheeler:**

What I am trying to avoid is Highway 395 where people are driving 20 or 25 miles per hour through town, as motorcycles are heading to Reno in packs and shooting down the line between cars. I can see that being a regular cluster.

**Ernie Adler:**

I think limiting the speed to 10 miles above the flow of traffic and limiting the overall speed to 30 miles per hour is going to take care of that. That is a fairly cautious speed. I understand your concern, the concern there would be someone going 50 or 60 miles per hour and lane splitting. Given the low speeds designated in the current amendment, I do not think that would be a problem. The top speed of 30 miles per hour is actually 9 miles per hour below the recommended speed by the California Highway Patrol. It is more conservative than what is recommended by the California Highway Patrol.

**Chairman Carrillo:**

As stated in the proposed amendment, "a person who is lane splitting must drive in a manner that is reasonable and proper, having due regard for the traffic, surface and width of the highway." The people you are referring to, Assemblyman Wheeler, will get pulled over. This is not a free-for-all. I believe that is what Mr. Adler is trying to get to. If it is done, it is going to be done in a safe manner. If it is not, you will get cited for it.

**Assemblywoman Woodbury:**

I have some concerns about the safety of this. I like the amendment a lot. I will vote yes, but I am going to reserve my right to change my vote on the floor.

**Assemblywoman Carlton:**

I cannot get comfortable with this. I see lane splitting as dangerous. I know the police do it, but they are very well trained on motorcycles. I see an 18-year-old blowing down the highway, 3 p.m., the kid sticks his arm out the window, the motorcyclist is going by and we now have another wreck and an injured kid. I do not care what parameters you put on it, I just do not see lane splitting as safe, unless the cars are sitting absolutely still and you are weaving through to get past. If everybody is moving, it is ripe for folks to get hit. I cannot support the bill.

**Assemblyman Paul Anderson:**

I have similar concerns as Assemblywoman Carlton. Having lived in southern California, I left a few mirrors behind on the freeways. It was not at 39 miles per hour. I think there is a safety concern. I understand the other side of the argument of the safety concern of sitting in traffic as well. I think there is a larger safety concern with the lane splitting and abuse of the policy. If they are all obeying the law, I do not think it would be an issue. I think once we open that door we open it up to abuse. There is not enough enforcement to curb that. For that reason I will be voting no.

**Chairman Carrillo:**

I do ride. There has been many a time when I cringe because I see somebody coming up fast on me and I wonder if they are going to stop or will I have a Chevrolet emblem on my forehead when they decide to squish me between their car and the vehicle that is stopped. Sometimes it is a little unnerving. I understand the concerns of Committee members who have spoken, but at the end of the day I want to know that I am coming home and not becoming a part of the pavement or the back of somebody's truck or car. I think this sets a precedent for people that do ride. Yes, we will knock a mirror or two once in a while. Shame on those that want to blow by, they might not see their nineteenth birthday. I appreciate the fact this bill is being brought forth.

**Assemblyman Sprinkle:**

I believe the true safety factor here is a motorcycle being pancaked between two larger vehicles, one of which could be moving relatively fast. Getting them out of that situation is important. I believe that is the larger safety issue here.

**Assemblywoman Carlton:**

I support the instance you just cited. I do not want to see someone with a Chevrolet emblem on their forehead either. This bill allows lane splitting with all moving traffic. If the other traffic is stopped and the motorcycle needs to go through for safety reasons, or for whatever reason, I would be fine with that. The concern I have is everybody is moving. They could all be moving at

30 miles per hour. I see that part as dangerous. I do not want people driving up the center lanes because they want to get there faster than somebody else.

**Chairman Carrillo:**

I do appreciate your level of concern. Being on two wheels, with the wind blowing by you, and to be between two cars is almost a daredevil act. That is not what riding a motorcycle is all about. You want to go home at the end of the day. In the process, you are going to have those daredevils. That is not what this bill intends. It is to preserve the rider so he can make it home every night.

ASSEMBLYWOMAN FLORES MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 236.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN ANDERSON AND  
CARLTON VOTED NO.)

**Chairman Carrillo:**

The floor assignment will go to Assemblyman Skip Daly.

**Assembly Bill 243: Revises provisions governing designs of special license plates. (BDR 43-76)**

**Vance Hughey, Committee Policy Analyst:**

Assembly Bill 243 was introduced on behalf of the Commission on Special License Plates ([Exhibit I](#)). The bill requires all special license plates designed, prepared, and issued after July 1, 2013, to have a uniform design and background color.

Chairman Carrillo proposed that the bill be amended to change the effective date of the bill from July 1, 2013, to October 1, 2013. He also proposed amending section 2 of the bill to provide that the amendatory provisions of the bill do not apply to a special license plate designed, prepared, or issued by the Department of Motor Vehicles before the effective date of the bill.

ASSEMBLYMAN HAMBRICK MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 243.

ASSEMBLYWOMAN FLORES SECONDED THE MOTION.

**Assemblywoman Spiegel:**

I like the license plates having a variation. I think that makes it a key selling point. For those reasons I am going to vote no.

**Chairman Carrillo:**

Do we have someone from the Department of Motor Vehicles who could talk about the better practice of having uniformity?

**Rhonda Bavaro, Deputy Director, Department of Motor Vehicles:**

As far as the design of the plates, it is not a big impact on us.

**Assemblyman Wheeler:**

I think the lack of uniformity is what sells the plates. That is what makes them different. Having a uniform plate does not make sense to me. I think you are going to sell a lot less of them. For that reason I am going to vote no.

**Assemblyman Hambrick:**

The state currently has territorial emblems on plates. Will we still maintain those?

**Rhonda Bavaro:**

Are you talking about the stickers that you can purchase for the different counties?

**Assemblyman Hambrick:**

No, they are on the actual plate.

**Rhonda Bavaro:**

We have several plates for Las Vegas, those plates will remain. We would not change the existing plates.

**Assemblywoman Carlton:**

For a long time I believe the Nevada Highway Patrol (NHP) and a lot of police officers have had issues with being able to identify plates from a long distance. If I remember, part of the discussion on this bill was that they will be uniform in background color, they will be Nevada specific, but on the side in the one-third area for the marker there will still be the emblem of the nonprofit. There would be one-third designated for the design and two-thirds designated to make it easily identifiable for the NHP and police. It was a compromise between the two, a little variation but basic uniformity so the plate can be picked out by law enforcement.



**Chairman Carrillo:**

While we still have Rhonda Bavaro up here, are there any other questions from Committee members? [There were none.]

THE MOTION PASSED. (ASSEMBLYMEN SPIEGEL AND WHEELER VOTED NO.)

**Chairman Carrillo:**

I will make the floor statement on A.B. 243.

**Assembly Bill 263: Revises provisions governing bidding on certain highway projects. (BDR 35-792)**

**Vance Hughey, Committee Policy Analyst:**

Assembly Bill 263 revises provisions governing bidding on certain highway projects (Exhibit J). Assemblywoman Dina Neal proposed an amendment that essentially does three things:

- First, it provides for the consideration of any other comparable experience a potential bidder may have in determining whether the Director of Nevada's Department of Transportation may furnish to that person the plans and specifications for advertised work on certain highway projects. This would be in place of current wording that refers to "experience in performing public work." With this change, private work could be considered comparable to experience in performing public work;
- Second, the amendment removes the amended language contained near the top of page 2 of the bill; and
- Third, the amendment provides that before furnishing a potential bidder with plans and specifications for work on a highway project where the estimated cost of the work is less than \$250,000, the Director shall require from the potential bidder a statement in the form of answers to questions, which must include basic information limited to the regions of the State the person is willing to perform the public work, the person's license type and classification, if any, and the person's State of Nevada business license including the expiration date of that license.

**Assemblyman Hardy:**

I had some concerns. I think this helps solve some of the challenges that Assemblywoman Neal is having and the intent of the law she is trying to work toward without impacting major statutes within *Nevada Revised Statute* (NRS) Chapter 338. With that I will be supporting this bill.

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 263.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Carrillo:**

I will give the floor statement to the bill sponsor, Assemblywoman Neal.

[Assembly Bill 293](#): Revises provisions relating to off-highway vehicles.  
(BDR 43-619)

**Vance Hughey, Committee Policy Analyst**

During the hearing on this bill on April 9, 2013, Assemblyman Ira Hansen proposed an amendment that is included in your work session document ([Exhibit K](#)). Additionally, during the hearing on the bill, Assemblyman Hansen suggested some additional changes to the original amendment. Unfortunately, staff was not able to compile all of those. We also have a proposed amendment from Assemblyman Bobzien ([Exhibit L](#)). It was distributed to the Committee members after the work session document was prepared.

**Assemblyman Bobzien:**

After the hearing we had some discussions, and the number one thing we heard, by way of concern, was the size of the sticker and the practicality of putting that size on the vehicles. For a program that has not been fully implemented because we have not gotten to the deadline whereby everyone has to get titled, to start making bigger changes to the program is just not appropriate at this time. Clearly, there is an overwhelming interest in addressing the size of the sticker. Section 7, subsection 2 says that the Off-Highway Vehicle Commission can make something smaller. I did not feel comfortable with that because I thought we needed to have some minimum size and specificity on the dimensions, so that we could ensure visibility of the numbers. Talking with Mr. Krueger and others, the idea developed that we can drop a couple of characters, go down to four characters, and the characters would remain the same size, but we would be decreasing the overall size of the sticker. It would be far easier to put on a vehicle.

The other part of the amendment that is not listed here, is to amend my name on it as a bill sponsor.

To be clear, essentially what happens is the entire bill goes away except for section 7 with this amended language ([Exhibit L](#)). The only thing we are doing is taking care of the size of the decal.

**Assemblywoman Carlton:**

Would this be the same effective date or would we need a new effective date because we are changing the sticker? That might be a printing issue.

**Assemblyman Bobzien:**

The implementation and how that would work might be a question for the Department of Motor Vehicles. My intent would be that as soon as they could make that change the better. I do not intend to push out the existing titling deadline with this legislation. I realize there are stickers out there.

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

That sticker is produced by a vendor. We would have to check with the vendor to see how long it would take to switch to the new one. This vendor is pretty responsive. I imagine if we went with the October 1, 2013, date, they would be able to make that.

**Assemblyman Bobzien:**

I would be comfortable with October 1, 2013, on the new sticker size, unless we get additional information, then we have to address it on the Senate side.

**Assemblywoman Carlton:**

Would you envision allowing folks to bring in a current sticker to trade for the smaller sticker? I am not sure what the renewal process is. Would that be at no charge?

**Troy Dillard:**

I believe there is a \$5 charge for a replacement sticker.

**Assemblyman Hambrick:**

Was the bill sponsor okay with this?

**Assemblyman Bobzien:**

I would be hesitant to characterize his reaction. I did tell him about my discomfort with other portions of the bill. I conceded to him this one core aspect of the bill, the size of the decal, was important.

**Assemblyman Hambrick:**

In essence you are saying, yes, he is in agreement with the amendment?

**Assemblyman Bobzien:**

I cannot characterize it that way. I did tell him I was going to pursue this amendment.

**Assemblyman Hambrick:**

We have a bill pending with two amendments. Will we deal with each amendment separately? We have an amendment by the bill sponsor in the work session document. We have the proposed amendment by Assemblyman Bobzien.

**Vance Hughey:**

The document in your work session packet is the original amendment that was proposed and discussed at the hearing. However, during the hearing, Assemblyman Hansen made some further statements about possible changes to that. Unfortunately, we were not able to put that together. As a body you could go into more detail on those changes and consider those in addition to Assemblyman Bobzien's amendment.

ASSEMBLYMAN SPRINKLE MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 293 WITH ASSEMBLYMAN BOBZIEN'S  
AMENDMENT, ADDING ASSEMBLYMAN BOBZIEN AS A  
CO-SPONSOR AND CHANGING THE EFFECTIVE DATE TO  
OCTOBER 1, 2013.

ASSEMBLYWOMAN FLORES SECONDED THE MOTION.

**Assemblyman Hambrick:**

I will be voting yes on this, but reserve my right to change.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Carrillo:**

I will give the floor statement to the bill sponsor, Assemblyman Hansen. Assemblyman Bobzien will be the backup.

**Assembly Bill 309: Requires the Department of Motor Vehicles to contract for certain electronic services. (BDR 43-947)**

**Vance Hughey, Committee Policy Analyst:**

Assembly Bill 309 requires the Department of Motor Vehicles (DMV) to establish and implement a system to process security interests electronically ([Exhibit M](#)). Assemblywoman Flores proposed an amendment. We had included a version of that in the work session document. However, after the document had been prepared and we got to Committee, there is another version that I understand is essentially the same in terms of the wording and the changes that are proposed. But, the structure of the title and stuff is a little different.

**Assemblywoman Flores:**

If you will allow, I have a clarification to one of the amendments.

**Chairman Carrillo:**

There was a lot of work put into this bill. I thank all of the stakeholders for coming to the table and making an effort to make this happen.

**Mike Draper, representing R&R Partners:**

We appreciate working with this Committee, the time and effort that both yourself and Assemblywoman Flores have put in on this, and the opportunity to work with Mr. Hicks and his client. We have reached an amicable agreement. Both of our clients agree this is an important concept to bring to Nevada. It was a matter of fine-tuning how that concept would work.

**Joshua Hicks, representing DealerTrack Processing Solutions, Inc.:**

I want to thank Mr. Draper and Assemblywoman Flores. We have spent a lot of time over the last 24 hours trying to work something out. You should have in front of you the amendment that says "Proposed Amendment 8109 to Assembly Bill 309" ([Exhibit M](#)). In that proposal, section 0.5, subsection 1, says "The Department shall contract with one or more qualified contractors pursuant to this." We also added the language "and operate" on line 4. Language has been added to section 0.5, subsection 5, paragraph (b), that states "A service provider shall not be required to provide confidential or proprietary information to any other service provider."

**Chairman Carrillo:**

I would like some clarification of electronic lien and title (ELT) access, service provider, contractor.

**Joshua Hicks:**

Electronic lien and title access, which is used here twice, does need to change slightly because ELT is not defined. I think it could be changed to "access to an electronic lien system" or verbiage to that effect. Electronic lien system is a defined term under the amendment.

**Mike Draper:**

An ELT service provider is defined as someone that provides lienholders with software to manage their electronic lien and title data. A contractor is someone who develops, implements, operates, and supports the ELT system on behalf of Nevada.

**Joshua Hicks:**

The existing amendment had language that the DMV would set up qualifications for service providers and contractors.

**Assemblyman Paul Anderson:**

I know there was some conflict when this bill originally came out. I had questions about the competitive or uncompetitive nature of parts of it. I appreciate the stakeholders and Assemblywoman Flores participating in the effort to make the bill an option by which Nevada can benefit. I am in support.

ASSEMBLYMAN HAMBRICK MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 309.

ASSEMBLYMAN PAUL ANDERSON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Carrillo:**

I will assign the floor statement to Assemblywoman Flores.

**Assembly Bill 336: Provides for an extended term of vehicle registration for certain trailers. (BDR 43-240)**

**Vance Hughey, Committee Policy Analyst:**

Assembly Bill 336 provides for an extended term of vehicle registration for certain trailers. Assemblyman James Healey proposed an amendment, which is included in the work session document as a Research Division mock-up ([Exhibit N](#)). The proposed amendment makes several changes to the bill:

- First, it provides for an optional 3-year registration period for certain trailers, other than semitrailers and full trailers. A person

who registers a trailer for a 3-year period must pay, upon registration, all fees and taxes that would be due during that 3-year period as if he or she registered the trailer for 1 year and renewed that registration for 2 consecutive years immediately thereafter;

- Second, it provides that a semitrailer or full trailer may register with a semipermanent plate after paying a onetime flat nontransferable and nonrefundable registration fee of \$110. The fee includes \$24 to be distributed to the State Highway Fund for registration and \$86 to be distributed to the county in which the vehicle is domiciled to cover the basic governmental services tax; and
- Finally, it changes the effective date of the bill from July 1, 2013, to January 1, 2015.

ASSEMBLYMAN WHEELER MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 336.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Carrillo:**

I will assign the floor statement to Assemblyman Healey.

**Assembly Bill 405: Revises provisions concerning the identification of and registration of the motor vehicles of seasonal residents. (BDR 43-414)**

**Sean McCoy, Committee Policy Analyst:**

Assembly Bill 405 was heard on April 9, 2013. It provides for the registration of motor vehicles operated by seasonal residents ([Exhibit O](#)). The work session document indicates three amendments. There was a last minute amendment as well. The first three amendments are:

- Assemblywoman Ellen Spiegel proposed amending the bill to allow full-time, out-of-state students to participate in the registration process if they are enrolled at an accredited institution of higher learning in Nevada.
- The Department of Motor Vehicles (DMV) proposed deleting section 3, subsection 1, paragraph (c). This section of the bill

would require compliance with certain vehicle emission standards for registration. The DMV also proposed amending section 3, subsection 4, by reducing the duration of registration from two years to one year.

- The DMV also proposed amending *Nevada Revised Statutes* 483.850 to exclude seasonal residents from having to surrender an out-of-state driver's license or identification card when applying for a seasonal resident identification card.
- The last amendment is simply to change the effective date to January 1, 2014.

ASSEMBLYWOMAN SPIEGEL MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 405.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Carrillo:**

I will take the floor assignment.

**Assembly Bill 454: Requires that certain information be transmitted electronically to the Department of Motor Vehicles. (BDR 43-1161)**

**Vance Hughey, Committee Policy Analyst:**

[Mr. Hughey read from the work session document ([Exhibit P](#)).]

Assembly Bill 454 requires sellers of new vehicles, long-term lessors of new vehicles, sellers of used or rebuilt vehicles, and long-term lessors of used or rebuilt vehicles to furnish certain information, such as a dealer's report of sale or a lessor's report of lease, to the Department of Motor Vehicles (DMV) by way of electronic transmission. This bill also provides that failure of a seller or lessor to submit the original seller's report of sale or lessor's report of lease to the DMV within a certain time period is no longer a crime. No amendments to this bill have been proposed.

ASSEMBLYWOMAN CARLTON MOVED TO DO PASS  
ASSEMBLY BILL 454.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.



**Chairman Carrillo:**

I will take the floor assignment. We have one more bill that is not on the work session agenda that we heard earlier today, Assembly Bill 453.

**Assembly Bill 453: Excludes certain fleet vehicles from the insurance verification system. (BDR 43-1199)**

ASSEMBLYMAN WHEELER MOVED TO DO PASS  
ASSEMBLY BILL 453.

**Assemblywoman Carlton:**

I did get my questions answered. I believe a change in the effective date would be appropriate in this case to allow for this to be accomplished with those programming hours involved. Would that require an amendment on the effective date? Assemblyman Wheeler, if we need to change the effective date, would you mind rescinding your do pass so we can make it an amend and do pass.

**Assemblyman Wheeler:**

No, I do not mind.

**Assemblywoman Carlton:**

With the agreement of the maker of the motion to make this an amend and do pass, I would be happy to be the second with the effective date of October 1, 2013.

ASSEMBLYMAN WHEELER RESCINDED HIS DO PASS MOTION ON  
ASSEMBLY BILL 453.

ASSEMBLYMAN WHEELER MOVED TO AMEND AND DO PASS  
WITH A CHANGE OF THE EFFECTIVE DATE TO  
OCTOBER 1, 2013, ON ASSEMBLY BILL 453.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairman Carrillo:**

I will take the floor statement. Is there any public comment? [There was none.]

The committee recessed upon the call of the Chairman [at 4:43 p.m.].

The Committee reconvened behind the bar of the Assembly on April 12, 2013  
[at 11:47 a.m.].

The Committee adjourned behind the bar of the Assembly [at 11:48 a.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: April 11, 2013**

**Time of Meeting: 2:03 p.m.**

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
A.B. 453	C	James L. Wadhams, rep. NV Independent Ins. Agents and the American Ins. Assn.	Proposed amendment
A.B. 453	D	Terri L. Carter, Dept. of Motor Vehicles	Sean McDonald memorandum
A.B. 166	E	Sean McCoy, Committee Policy Analyst	Work session document
A.B. 167	F	Sean McCoy	Work session document
A.B. 198	G	Vance Hughey, Committee Policy Analyst	Work session document
A.B. 236	H	Vance Hughey	Work session document
A.B. 243	I	Vance Hughey	Work session document
A.B. 263	J	Vance Hughey	Work session document
A.B. 293	K	Vance Hughey	Work session document
A.B. 293	L	Assemblyman David P. Bobzien, Washoe Assembly District No. 24	Amendment
A.B. 309	M	Vance Hughey	Work session document
A.B. 336	N	Vance Hughey	Work session document
A.B. 405	O	Sean McCoy	Work session document
A.B. 454	P	Vance Hughey	Work session document