

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GROWTH AND INFRASTRUCTURE**

**Eighty-Second Session
May 11, 2023**

The Committee on Growth and Infrastructure was called to order by Chair Howard Watts at 1:39 p.m. on Thursday, May 11, 2023, 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 www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblyman Howard Watts, Chair
Assemblywoman Tracy Brown-May, Vice Chair
Assemblyman Max Carter
Assemblywoman Jill Dickman
Assemblyman Bert Gurr
Assemblywoman Heidi Kasama
Assemblywoman Elaine Marzola
Assemblywoman Brittney Miller
Assemblyman Cameron (C.H.) Miller
Assemblywoman Sarah Peters
Assemblywoman Shondra Summers-Armstrong

COMMITTEE MEMBERS ABSENT:

Assemblywoman Danielle Gallant (excused)

GUEST LEGISLATORS PRESENT:

Senator Dallas Harris, Senate District No. 11

STAFF MEMBERS PRESENT:

Jessica Dummer, Committee Counsel
Jennifer Ruedy, Committee Policy Analyst
Connie Barlow, Committee Manager
Dylan Small, Committee Secretary
Cheryl Williams, Committee Assistant

Minutes ID: 1080



OTHERS PRESENT:

Brady Phillips, Game Warden Captain, Training and Operations, Division of Law Enforcement, Department of Wildlife
Kristy Knight, Game Warden Chief, Division of Law Enforcement, Department of Wildlife
Kailey Musso, Legislative Liaison, Director's Office, Department of Wildlife
David Bandbaz, Private Citizen, Las Vegas, Nevada
Amy E. Davey, Administrator, Office of Traffic Safety, Department of Public Safety
Sean Sever, Deputy Administrator, Research and Project Management, Department of Motor Vehicles
Ronald "Ronnie" Young, Membership Development Representative, International Brotherhood of Electrical Workers Local 357
Hunter Stern, Assistant Business Manager, International Brotherhood of Electrical Workers Local 1245
Todd Ingalsbee, President, Professional Fire Fighters of Nevada
Will Adler, representing International Brotherhood of Electrical Workers Local 1245
Ryan Bellows, Vice President, Government and External Relations, NV Energy
Ernest E. Adler, representing International Brotherhood of Electrical Workers Local 1245
Sarah Collins, representing National Electrical Contractors Association of Northern Nevada
Wendi Newman, Assistant Chapter Manager, National Electrical Contractors Association, Southern Nevada Chapter
Leslie L. Mujica, Executive Director and Chief Marketing Officer, Las Vegas Power Professionals
Kyle Davis, representing Interwest Energy Alliance
Jessica Ferrato, representing Solar Energy Industries Association
Gabriela Olmedo, Associate, Advanced Energy United

Chair Watts:

[Roll was called. Committee rules and protocol were explained.] We have three bills on our agenda for work session. We will do the work session first, then we have three bills we will be hearing. We will definitely hear Senate Bill 59 (1st Reprint) first, and then we will take it from there. I will open the work session for Senate Bill 27 (1st Reprint).

Senate Bill 27 (1st Reprint): Revises provisions relating to excavations in areas containing subsurface installations. (BDR 40-224)

Jennifer Ruedy, Committee Policy Analyst:

[Read from [Exhibit C.](#)] Senate Bill 27 (1st Reprint) expands the definition of "excavation" to include the movement or removal of earth, rock, or other material in or on the ground using nonmechanical equipment operated by a contractor or any person if the movement or removal of earth, rock, or other material in or on the ground occurs more than 12 inches below the surface of the original groundline.

Additionally, the bill revises the definition of "emergency" to provide that the types of immediate action that may be required by an emergency include the use of nonmechanical equipment to determine the severity or spread of an underground leak or, in situations where an excavation is imminent and a subsurface installation is unable to be located, to locate the subsurface installation.

There is also a definition of "nonmechanical equipment" in section 3, and it makes various conforming changes throughout the bill to replace the word "hand tools" with the term "nonmechanical equipment." There were no amendments presented in the Assembly.

Chair Watts:

Are there any questions on the bill from members? [There were none.] I will accept a motion to do pass Senate Bill 27 (1st Reprint).

ASSEMBLYWOMAN BROWN-MAY MADE A MOTION TO DO PASS
SENATE BILL 27 (1ST REPRINT).

ASSEMBLYMAN GURR SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN GALLANT WAS
ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman Gurr. The next bill on work session is Senate Bill 66 (1st Reprint).

Senate Bill 66 (1st Reprint): Revises provisions relating to public safety. (BDR 43-256)

Jennifer Ruedy, Committee Policy Analyst:

[Read from [Exhibit D](#).] Senate Bill 66 (1st Reprint) disqualifies an individual from operating a commercial motor vehicle for a period of time if the person is convicted of certain offenses, including a lifetime disqualification if the person is convicted of using a motor vehicle or commercial motor vehicle in the commission of certain offenses. The bill revises the acts that constitute certain crimes related to holding a person in involuntary servitude.

The bill also revises provisions governing the behavior of commercial motor vehicles near railroad grade crossings and other provisions related to commercial driver's licenses to comply with federal laws and to conform with federal definitions. The bill prohibits an employer from allowing, requiring, permitting, or authorizing a person to operate a commercial motor vehicle under certain circumstances.

Finally, the bill revises the circumstances in which the Department of Motor Vehicles will furnish information regarding a person's driving record to certain other jurisdictions. There were no amendments presented.

Chair Watts:

Are there any questions on the bill from members? [There were none.] I will accept a motion to do pass Senate Bill 66 (1st Reprint).

ASSEMBLYWOMAN DICKMAN MADE A MOTION TO DO PASS
SENATE BILL 66 (1ST REPRINT).

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN GALLANT WAS
ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Peters. The next bill on work session is Senate Bill 422 (1st Reprint).

Senate Bill 422 (1st Reprint): Revises provisions relating to public safety. (BDR 43-663)

Jennifer Ruedy, Committee Policy Analyst:

[Read from [Exhibit E](#).] Senate Bill 422 (1st Reprint) establishes requirements governing the operation of a personal delivery device operated autonomously, semiautonomously, or remotely and is intended to transport cargo on pedestrian walkways and in designated areas, including Nevada System of Higher Education (NSHE) campuses, offices, and associated facilities. In addition, the bill authorizes a city or county to enact ordinances that regulate the time, place, and manner of operation of personal delivery devices.

There is a proposed amendment on this bill from Misty Grimmer on behalf of the Nevada Resort Association [page 2, [Exhibit E](#)]. The amendment limits the scope of the bill so the personal delivery devices may only be operated at an institution within NSHE and that it may utilize directly adjacent sidewalks or crosswalks while servicing an institution within NSHE.

Chair Watts:

Are there any questions on this measure from members?

Assemblywoman Dickman:

I actually liked this bill before the amendment, but I still support it because I think it is a good start.

Chair Watts:

Are there any additional questions? [There were none.] I will accept a motion to amend and do pass Senate Bill 422 (1st Reprint).

ASSEMBLYWOMAN BROWN-MAY MADE A MOTION TO AMEND
AND DO PASS SENATE BILL 422 (1ST REPRINT).

ASSEMBLYWOMAN DICKMAN SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN GALLANT WAS
ABSENT FOR THE VOTE.)

I will take the floor statement. That concludes the work session. We will move on to the bill hearings we have scheduled for today. I will open the hearing on Senate Bill 59 (1st Reprint) and welcome the Department of Wildlife to the table.

Senate Bill 59 (1st Reprint): Revises provisions relating to vessels. (BDR 43-225)

Brady Phillips, Game Warden Captain, Training and Operations, Division of Law Enforcement, Department of Wildlife:

I am currently the interim boating law administrator for the state, so I will be presenting today, but I will allow my partners to introduce themselves.

Kristy Knight, Game Warden Chief, Division of Law Enforcement, Department of Wildlife:

I am Game Warden Kristy Knight, chief of law enforcement out of Reno.

Kailey Musso, Legislative Liaison, Director's Office, Department of Wildlife:

I am Kailey Musso, and I am the legislative liaison.

Brady Phillips:

We have a PowerPoint on the screen [[Exhibit F](#)] for you to look at as we go through the bill. We will just hit the highlights of Senate Bill 59 (1st Reprint). The main overarching of this is to catch up on some federal regulations and definitions we need to change so we are on board with U.S. Coast Guard standards and some international standards as well [page 2]. Some of the big differences you will see are under the first bullet point, which are life jacket terminology and engine cut-off switch language. We are going away from "personal floatation devices" to "life jackets" because that is internationally changing in how they are labeling life jackets. The engine cut-off terminology is a standard the Coast Guard is sending out across the United States. We have already had an audit exception based on how our wording is. The wording in this bill has been drafted with the Coast Guard and our attorneys to make sure it fits the verbiage required on the federal side, especially with the grant we received with recreational boating safety.

The second bullet point is to update the definitions and types of vessels, such as motor-driven to power-driven, or from motor vessels to power-driven or sailing vessels, just to give a broader description of what they are and to set the federal mandate and federal standard for definitions.

The next bullet point is regarding abandoned vessels. This primarily affects us in Nevada on the Colorado River, but it could be effective anywhere in the state. The language in the bill clears up some issues we have had removing vessels from the water, especially on the river where wind or storm events blow them off docks along the river. Owners are no longer in the area because they actually live in Los Angeles or other places. We need the ability to remove vessels from the waterway. This clears up some of that language to allow us to do so in cases like that. On public land, there is a lot of BLM [Bureau of Land Management, U.S. Department of the Interior] land and a lot of state parks land. Technically, we have to let the vessel sit for a while to allow the owner to claim it. It would be easier to remove it from the waterway so it is not a hazard to anyone.

The fourth bullet point is to remove the mandate regarding flashing blue lights. This is a two-part aspect that has changed. The first part is right now there is "we shall" remove any flashing blue lights from vessels on the water because they are supposed to identify law enforcement vessels. We are changing that to "may" to reduce that requirement that our officers do so, especially with today's technology with LED lights. They can flip a button and it changes the color that may be legal or just turn them off, so we do not have to rip lights off of vessels anymore.

The second part is to help our officers. Currently, it says we can enact our blue lights only for law enforcement purposes. It is adding verbiage for public safety events, such as river closures, fireworks events, or things of that nature. It helps our protection in doing so.

The next bullet point [page 3, [Exhibit F](#)] refers to our operation under the influence (OUI) language. We have similar language to driving under the influence language in *Nevada Revised Statutes* Chapter 484. What is being added into this section is the "underway" clause. When someone is operating a vehicle, they can be on the water, not at anchor, adrift, and can be intoxicated. With no one who can actually drive that vessel, it technically does not fit the definition of how OUI is defined right now. Adding those words, if they are underway where the wind can blow them in or they could start operating the vessel and crash into someone, we can still effect an arrest and deal with that issue. If they were at anchor, beached on the shore, or in a slip or dock, it does not change anything because they are not physically in control or underway at that point.

The next bullet point refers to two new types of vessels being added into the bill, which are hydrofoils and surfboards. Those are being added because they are new technologies that have come on the market that our laws do not address. We are starting to see them on the lakes across the state in both a gas-powered and electrical format. This law will allow both of those to take place. The other side is the Coast Guard has put out a directive on how this is and a lot of the verbiage used is based on the Coast Guard's directive.

We already discussed the blue lights added for protection, so we will skip over that bullet point.

The final bullet point has been removed in the amendment, so it is no longer part of the bill. It was just missed in this presentation.

That is all I have for this bill. I will answer any questions you may have.

Chair Watts:

Are there any questions from the members? [There were none.] We will move to support testimony. Is there anyone wishing to provide support testimony on S.B. 59 (R1) in Carson City, Las Vegas, or on the phone? [There was no one.] We will move to opposition testimony. Is there anyone wishing to provide opposition testimony in Carson City, Las Vegas, or over the phone? [There was no one.]

[\[Exhibit G\]](#) was submitted but not discussed and is included as an exhibit of the hearing.]

We will move to neutral testimony. Is there anyone wishing to provide neutral testimony in Carson City, Las Vegas, or over the phone? [There was no one.] Are there any final remarks? [There were none.] I will close the hearing on S.B. 59 (R1).

I believe we have Senator Harris on the way, so we will stand in a brief recess.

[The meeting was recessed at 1:47 p.m. The meeting was reconvened at 1:49 p.m.]

Chair Watts:

I will open the hearing for Senate Bill 423 (2nd Reprint) and welcome Senator Harris to the table.

Senate Bill 423 (2nd Reprint): Revises provisions relating to motorcycles. (BDR 43-662)

Senator Dallas Harris, Senate District No. 11:

Thank you for taking the time to hear Senate Bill 423 (2nd Reprint). I have with me today David Bandbaz, a recent—as in last week—graduate from the Kirk Kerkorian School of Medicine at the University of Nevada, Las Vegas (UNLV). He reached out to me with an idea a few months before session started. He had noticed that a lot of his friends were riding motorcycles, not always in the most cautious fashion and often without taking the time to get a motorcycle Class M driver's license (M endorsement). He decided he was going to study how prolific this problem is and how likely someone is to be in a fatal accident without having the M endorsement.

As you can all imagine, when working with the Department of Motor Vehicles (DMV), he ran into a couple of roadblocks in getting some of the data he needed. However, he did not stop and kept digging. He talked to me; he talked to any safety committee he could think

of; he talked to the DMV; and we talked to the state police. After months and months of diligent research, discussions, and feedback, we have the bill you see before you today, S.B. 423 (R2).

The bill consists of two parts. First, folks are not getting their M endorsement, so how can we make that happen? The first part of the bill is, if folks get caught riding their bike without an M endorsement, we are going to tell them if they take the Motorcycle Safety Foundation (MSF) course and get the M endorsement, points on their record will be gone. That is the carrot. There is no stick, but that is the carrot.

The second piece of the bill is related to something he noticed in the data. That is, there are a lot of older people riding motorcycles who are not necessarily more dangerous in their riding, but for some reason are still representing a larger portion of fatalities. It turns out, it is exactly what you would expect. Assemblyman Carter gets his M endorsement in his 20s, kicks the kids out in his 50s, and then jumps right back on that bike. Unfortunately, maybe he cannot navigate those turns the same way he could in his 20s. We are seeing a lot of older folks who are, unfortunately, getting into accidents basically because they are a little rusty.

The second piece of the bill is designed to ensure folks go back and get a refresher course every now and again about judgment and safety and can get back on the bike. We do not do this with cars because most of us drive our car every day. That is not necessarily the case with a motorcycle.

I think this young man has come up with an ingenious way to make sure Nevada, instead of being on the top of the list of fatalities for motorcycle riders as a percentage of all vehicle fatalities, moves down to the bottom of the list where our citizens deserve to be. I am going to turn it over to Mr. Bandbaz to talk a bit about his motivation and about the bill. I will then discuss the amendment [[Exhibit H](#)] and then stand for questions.

David Bandbaz, Private Citizen, Las Vegas, Nevada:

I am a recent graduate from the Kirk Kerkorian School of Medicine at UNLV. I also went to UNLV for undergrad. There is an old joke that UNLV means "you never leave Vegas," but I am leaving for the University of Utah for general surgery residency in July.

I got into this motorcycle issue by happenstance. I was 22 and received a military bonus because I signed on to the HPSP [Health Professions Scholarship Program] with the U.S. Air Force to be a military doctor. The first thing I wanted to do was buy a motorcycle. Six months later I broke my hand. I think it was mostly related to skill. I got my license through the MSF course. I knew other riders who did not get their license. They told me if they got pulled over, it would be a slap on the wrist.

When it came to my doing a research project at the medical school, they asked me what I would like to look into. I saw attendees who had different projects, but I wanted to look into this. The research showed me no one was looking into it. There is a lot of data on helmets, weather, bike size, but no one is actually looking into licensing and how to change that.

The MSF course is related to reducing fatalities. In fact, 36 percent of motorcycle fatalities across the country, at least in 2020, were unlicensed riders. Last year in Nevada, it was 44 percent, which is not good.

People like to think with motorcycle riders, it must be someone else's fault or it must have been the weather, but no one ever looks at the rider's skill level. Ninety-seven percent of motorcycle fatalities happen in clear, not cloudy, weather. One-fourth of motorcyclists who died hitting something, hit a fixed object. This made me think maybe these riders are losing their skills. At 55 and up, that age group has been increasing in fatalities by 37 percent over the last ten years. If you get a forklift license, OSHA [Occupational Safety and Health Administration] will make you retest every three years to show you can still operate a forklift—but not for motorcycles.

I talked with DMV, the Nevada Highway Patrol, every committee for safety I could talk to, and different trauma surgeons. My question was, how do we incentivize these riders to get a training course? The solution is not draconian where we take the bike and ticket them because if the punishment is increased, the worry is these riders will drift off faster. Nevada has a no-chase rule at 100 miles per hour. If we make it easier for them instead of paying a fine, they may think, Oh, I will just take the class—it is only two days—and get the license. Maybe this will increase the licensing amount, especially by younger people. Hopefully, this is a step in the right direction to decrease the 44 percent motorcycle fatality rate for unlicensed riders.

Chair Watts:

Thank you, Mr. Bandbaz, for your presentation and for your commitment in utilizing your experience and your educational program to bring forward policies to try to improve public safety and public health in our state. Please come back to Nevada after you finish your general surgery residency. Senator Harris, would you like to address the amendment [[Exhibit H](#)] and make any additional remarks?

Senator Harris:

I wanted to present the bill in its original form because that is what Mr. Bandbaz deserves. He has done a lot of hard work. If you have done your research, you may notice this bill came out of our body along party lines. It is my belief that was largely because of the retest requirement. I want to ensure Mr. Bandbaz gets a bill passed because he has worked so hard on it. Not just get it passed, but get it signed. Unfortunately, we submitted an amendment to remove the retesting requirement at this time in hopes it will make it more palatable for this body and for the ultimate signer of this bill. That is what you have before you. It is not that we think the retesting is not a good idea or that it is not needed.

There is a weird thing about motorcycle endorsements never expiring, even if you may not have been on a bike for 30, 40, or 50 years. Mr. Bandbaz and this body have my commitment that we will come back and try to readdress that portion of the bill. However, I think the first piece will be extremely crucial to incentivizing people who are currently not licensed to go ahead and get that license, not just by demonstrating their skill at the DMV,

but by actually taking the safety course. Hopefully, over time we will collect the data needed to convince the folks we need to convince to join us in looking again at this idea of how often we require an online course or some type of retraining for those folks who have M endorsements.

We will stand for questions from the Committee.

Chair Watts:

We do have some questions. We will start with Assemblywoman Brittney Miller.

Assemblywoman Brittney Miller:

Mr. Bandbaz, please come back to Nevada. You can choose anywhere in Nevada you like, but just make sure it is in Nevada. I know the amendment was submitted to remove the retesting. It was interesting what you said about the age of when we start to see more of a decline resulting in more accidents. I am saying this in a sensitive way because there are many people in this room, and I would say collectively as a society, 55 is not what it was. The Golden Girls were 55 and they in no way would be the standard of 55 today. I am wondering if the data surrounding that is aggregated. When we say 55 or over, again, 50 years ago 55 and older was only a few more years. Today, 55 and over could be another 40 or 50 years easily. Is there somewhere we can see where the decline actually kicks in or starts to increase? What is the difference between 55 and 65, or 65 and 75, or 75 and over? Do we have those numbers?

David Bandbaz:

I submitted some paperwork from the National Highway Traffic Safety Administration, "Traffic Safety Facts, 2020 Data" [[Exhibit I](#)]. In that report, it does stratify them by age group for at least 2020. There is an increase that starts around age 35. In fact, included is another study [[Exhibit I](#)] saying under the age of 30, it tends to be more inexperienced behavior, and over 30, there appears to be the decline you were talking about. Actually, ages 45 to 50 and 50 to 54 constitute the peak. After age 55, it starts to go down and there are a lot fewer drivers. The thought is this is where a lot of people do get back into riding. The first six months tends to be the most dangerous.

In fact, another study I submitted [[Exhibit I](#)] shows the fatality rate upon getting back into riding is similar to the graph for a brand-new rider riding. It shows a rapid deterioration in skills. If you make it to over a year, they typically plateau. It shows how much skill is related to the fatalities. I can pull up the papers and give you the exact numbers.

Senator Harris:

If the Committee does not have that data, I will make sure we follow up and get it all to you.

Chair Watts:

We do have that information.

David Bandbaz:

If you find the graph, it should be by age and fatality rate.

Assemblywoman Brittney Miller:

Basically, according to that data, we are looking at two different things. It is not just the age and the increase. I will look at it because I want to know the percentage of increase between age brackets. You are also saying the skill issue comes to those people who pull themselves out of riding a bike and then get back to riding 20 or 30 years later. That is also a higher percentage.

David Bandbaz:

Yes, it is both. Under the age of 30 was overrepresented at least two decades ago. In the last two decades, it has slowly been increasing. Not only is the percentage of this group increasing in fatalities, but it is also from their return. At least that is what some of the studies show. This is me correlating the two studies.

Assemblyman Carter:

As I was listening to the presentation, I was remembering the MSF course, counter steering, and the need to have heels on so you do not slide off the pegs, and about how driving slowly is more important than anything else. And then—and this is a recurring theme of mine since day one in here—I get called out by my colleague, and I am wondering how much more data did DMV release to you about me?

Chair Watts:

You do not have to answer that question.

Senator Harris:

Assemblyman Carter, I hope this will make you feel better. The issue was not getting too much data from DMV.

Assemblywoman Kasama:

To get a bigger picture—since I do not drive motorcycles—you get your motorcycle permit and then take the safety courses required initially. Is that correct?

David Bandbaz:

There are two routes to getting a motorcycle endorsement on your license. You can get a permit and then take the skills test. I will paint that picture because that was the way I was going to get a license. I thought the permit would let me drive on daytime roads, or maybe get on a highway or practice in a parking lot by myself. I got the permit, went home, and read the laws, and it said you have to have someone who has had a motorcycle license for a specific time to follow you, you have to do it in a parking lot, and that person has to drive it to the parking lot. I thought this was very difficult for a 22-year-old who is just being impulsive. I practiced safely, but then discovered I could also get the MSF course. The Department of Transportation (NDOT) has oversight over these courses they determine to be adequate in training someone to get licensed. You do not have to get the permit. When you

take the course, the first night is a classroom and you take the permit test. The next two days are training. You can either get a permit followed by the skill tests at the DMV—which everyone has to have someone else drive their motorcycle there—or you can just go take the MSF course.

Senator Harris:

Assemblywoman Newby connected Mr. Bandbaz and me because she knows I drive a motorcycle. I hope there is no statute of limitations on this, but I will admit I got a permit, I did not have a licensed rider following me around as I practiced, and I rode my motorcycle to the DMV to take the motorcycle exam. I failed it. Then I took the MSF course to get the M endorsement. Of course, there was a period of time between that happening and when I was out riding. I know this is a common story. His experience rang true to me because it was extremely similar.

Assemblywoman Kasama:

You either have to have an experienced driver or you get the endorsement. Once you have that, currently there is no requirement to have that endorsement test again. What you are saying is if you get a violation, you can have the fees waived by taking the course. This is the carrot. Or, you are just encouraging people to take it regularly, but if they reach a certain age group, we need them to take the course every seven years.

Senator Harris:

What we were looking to do is to require everyone to get a refresher course every eight years so there was some kind of guarantee you had again looked at safety, judgment, and are familiar with the bike. Originally, Mr. Bandbaz's proposal did try to shift age brackets where at a younger age you would have to refresh a little more often, and at the older age you would need to refresh maybe every 8 or 16 years, whatever was most convenient. We wanted to do it in increments of 4 or 8 years in order to tie it to when your driver's license expires. We wanted to make it as simple as possible. However, I do not know if any of you have heard about the DMV's transformation efforts, so it became difficult to actually get this done where we could split age groups. The bill before you just says everyone every 8 years.

Assemblywoman Kasama:

There are a lot of effective dates in section 7 of the bill. How does all that tie into it?

Senator Harris:

Ms. Dummer worked on this bill with me. If I messed it up, I would have to kick it to her to correct me. Since we are getting rid of section 4, it is going to be a bit smoother. The goal of the effective dates would ensure this would not apply until at least eight years from now. It is not that if you have your current M endorsement and your license expires next year, you are going to have to now show proof. We were putting everyone on an eight-year cycle. It would be the next time your driver's license expired; you would then be on the eight-year cycle. The eight years would start then. Then we wanted to make sure we handled the folks who are getting new endorsements and how we would do that, so if you do not currently have your endorsement and received it after January 1, 2024, then you would go on the eight-year

cycle after your next license renewal date. There is some transition period, and we wanted to make sure DMV had time to program all this, as well as make sure the MSF course could be stood up and grown a little to accommodate what we would see; hopefully, more people taking this course than are currently taking it. If that was not confusing enough, just let me know.

David Bandbaz:

I did not want to punish riders with a ticket if they had been riding for 20 years. If the license expires and they are still riding, they have an out to take the course and not take any points on their license. Even without this retesting, I still think if a person around my age or older was caught without a license, this would incentivize them to get it. It does not seem that draconian that they would run if a cop were pulling them over and they did not have a license and their bike would be taken. It almost rewards them for taking the course.

Assemblywoman Summers-Armstrong:

You mentioned you broke your hand. Do you think you broke your hand because of the skills you had not acquired during the testing, or did you break your hand because it was just a simple event that happened?

David Bandbaz:

I am speaking only on my experience. About six months in—and to be very honest, it was a skills issue—I was at the point where riders get a little overly confident. Riding for six months, we think we are cool. I made a turn too hard. The course is for two days. That is not enough time to learn to ride a motorcycle in all settings. In fact, it is in a parking lot. You do not really get past second gear. I then bought a sports bike that can go significantly faster in second gear, third gear, and fourth gear. I think it was definitely about skill level, and that is why I ended up falling. That is also why I am hoping this is a step in the right direction so that the MSF and NDOT can start to grow these courses. If riders are going back for retesting, they are more likely to take an advanced course. The courses are not just MSF basic; there is an intermediate and an advanced. Right now, there are initiatives to taking it to racetracks. I do not think anyone is going to take the course until you incentivize them to actually get it, keep going, and retesting. That is the goal of this bill. The course is the bare minimum necessary, but there should still be more.

Assemblywoman Summers-Armstrong:

I am so impressed with you. You are so humbly mature and honest. Are you going to the University of Utah or Utah State?

David Bandbaz:

I am doing my general surgery residency at the University of Utah.

Assemblywoman Summers-Armstrong:

Well, they are all right. My kid graduated from Utah State. I do hope you come back. We need young people like you. I am grateful for this amazing bill.

Assemblywoman Dickman:

What is involved in getting the permit?

David Bandbaz:

I went to the DMV and took a written test and got the permit. I then rode the motorcycle. It is just like getting a driver's license permit. You go to the DMV computer and they ask basic questions that would be asked at the MSF course.

Assemblywoman Dickman:

You had to pass the written test to get your permit?

David Bandbaz:

Yes. It is just like when you got your permit at the DMV for a driver's license.

Assemblywoman Dickman:

All we are doing now with this bill is if someone gets stopped without the endorsement, they can then take the course and not be in trouble. Is that correct?

David Bandbaz:

Yes. They would take this course in lieu of attaining any fine or any points on their license.

Assemblywoman Dickman:

I think it is great. I also think it would be horrible to break your hand when you are going to be a surgeon.

David Bandbaz:

My hand is fine, I promise.

Chair Watts:

Are there any additional questions? [There were none.] Thank you for your presentation. Well done. We will move to support testimony. If there is anyone in Carson City or Las Vegas wishing to provide support testimony, please come forward. [There was no one.] Is there anyone wishing to provide support testimony on the phone? [There was no one.] We will move to opposition testimony. Is there anyone in Carson City, Las Vegas, or on the phone wishing to provide opposition testimony? [There was no one.]

[\[Exhibit J\]](#) was submitted but not discussed and is included as an exhibit of the hearing.]

We will move to neutral testimony. Is there anyone wishing to provide neutral testimony in Carson City or Las Vegas?

Amy E. Davey, Administrator, Office of Traffic Safety, Department of Public Safety:

The Office of Traffic Safety, Department of Public Safety, oversees the Motorcycle Safety Foundation (MSF) course training classes that we have been talking about this afternoon.

We appreciate being able to work with Senator Harris and Mr. Bandbaz on this bill. We have had a lot of discussions. As you have all noted, his motivations and intentions are very good. We are very pleased with anything that brings additional safety to our roadways.

One piece of information I think the Committee will find interesting is—because we have a lot of statistics about how this plays out in Nevada—about 2.6 percent of all vehicle registrations in Nevada are motorcycles. That 2.6 percent accounts for 21 percent of fatalities in Nevada. There is a disproportion there, obviously, because motorcycle riders are in a very vulnerable state and are subject to their own actions and the actions of others on the road.

We are happy to answer any questions about the motorcycle training program if anyone has any. We currently see about 2,500 to 3,000 people a year go through those classes. Most of them are through community colleges. We would like to see that increase.

Chair Watts:

Hopefully, we can continue conversations about this topic in the interim and explore potential additional solutions to improve motorcyclist training to lead to better outcomes in terms of safety.

Sean Sever, Deputy Administrator, Research and Project Management, Department of Motor Vehicles:

We are, of course, neutral on S.B. 423 (R2) and greatly appreciate working with the bill sponsor on this bill. We did have a fiscal note on the original bill, but that would now be zero with the amendment that removed the fee changes. Thank you for your time, and we did not share any of Assemblyman Carter's personal information.

Chair Watts:

Thank you for that extremely important clarification. Seeing no one else wishing to provide neutral testimony, is there anyone waiting on the phone? [There was no one.] Are there any closing remarks?

Senator Harris:

I want to thank you all for your time and interest in the bill. I am equally impressed with Mr. Bandbaz. It has been my pleasure working with him throughout this process. I hope we can get this young man a bill signed and into law. I look forward to continuing to find ways to address this problem.

David Bandbaz:

I would like to thank Senator Harris and everyone who has helped me. Thank you, Committee, for listening to me. It is very important to me. I want to continue the research. When I go to the University of Utah, I will continue looking into this issue. I do plan to practice in Las Vegas one day.

Chair Watts:

We are very glad you put that on the record. It will be in the meeting minutes, so we look forward to your return. Again, I truly applaud your commitment to trying to improve the health and safety of others here in our community. We look forward not only to considering this measure, but considering additional policies and looking at that research you submitted [[Exhibit I](#)] to figure out how we can make improvements. I will close the hearing on [Senate Bill 423 \(2nd Reprint\)](#).

I will open the hearing on [Senate Bill 314 \(1st Reprint\)](#) and welcome the presenters to the table.

[Senate Bill 314 \(1st Reprint\)](#): Revises provisions relating to energy storage systems. (BDR 58-60)

Ronald "Ronnie" Young, Membership Development Representative, International Brotherhood of Electrical Workers Local 357:

With your permission, I would like to read prepared remarks from Senator Lange. We will start with background information and then go into the bill summary:

Good afternoon, Chair Watts and members of the Assembly Committee on Growth and Infrastructure. My name is Roberta Lange, and I represent Senate District 7 in Clark County. I am pleased to be here today to present [Senate Bill 314 \(1st Reprint\)](#), which revises provisions relating to energy storage systems. I will be presenting with Mr. Young and Mr. Stern from the International Brotherhood of Electrical Workers.

For background, energy storage is becoming increasingly important in today's world as we transition toward cleaner, more sustainable energy sources. In Nevada, developing energy storage systems can provide a number of benefits, including greater grid stability, reducing reliance on fossil fuels, and the ability to capture renewable energy so it is available for later use. Furthermore, Nevada's unique geography and climate make it an ideal location for energy storage installations. The state has an abundance of solar and wind resources, but these sources of energy are intermittent and cannot be relied upon 24/7.

By installing electromechanical energy storage systems, excess energy can be stored during times of low demand and released during peak usage periods, helping to stabilize the grid and ensure a more reliable energy supply for businesses and residents alike. However, it is crucial that any installations of electromechanical energy storage systems in Nevada are done safely and correctly. This means adhering to strict safety protocols to prevent fires and other accidents as well as ensuring the systems are properly maintained

and regularly inspected. Furthermore, proper training and licensure are essential to ensure electromechanical energy storage systems are installed safely, correctly, and to high standards.

In conclusion, the development of energy storage systems in Nevada is critical for creating a more sustainable energy future. With proper planning and implementation, electromechanical energy storage systems can help Nevada achieve its energy goals while benefiting residents and businesses.

Senate Bill 314 (1st Reprint), as amended in the Senate, requires the Public Utilities Commission of Nevada (PUCN) to establish biennial targets for the procurement of energy storage systems delivering the greatest benefit to the consumers, customers, and relation to cost instead of just progressively larger targets as previously established. The bill also repeals the obsolete provision that requires the PUCN to determine whether to adopt regulations to establish biennial targets by a specific date, as these regulations have already been adopted.

In addition, the bill prohibits unauthorized installations of electromechanical energy storage systems unless the installer holds a valid license and, except for certain circumstances, has completed the Energy Storage and Microgrid Training and Certification program (ESAMTAC). This program is subject to review by the Joint Interim Standing Committee on Growth and Infrastructure, who can recommend authorizing certified individuals to perform or supervise installations under certain circumstances. Violations of the provisions can result in disciplinary action by the State Contractors' Board. Finally, the bill revises the definition of "facility for the storage of energy from renewable generation."

For those of you who do not know me, my name is Ronnie Young; I represent International Brotherhood of Electrical Workers (IBEW) Local 357 in southern Nevada. We represent over 4,000 members, and our scope of work covers a vast scope of industrial and commercial work from small retail space on the Strip to large-scale utility renewable energy projects.

I am here to speak to the training respective of ESAMTAC that we will talk about today. Energy Storage and Microgrid Training and Certification is a national certification that was created by the emergence of battery storage technology within the industry. This certification was created to address dangers that come with battery storage due to the volatile nature of lithium battery malfunctions. For those of you who do not know, lithium batteries can explode, producing hot shrapnel, toxic fumes, and electrical fires that come from what we call thermal runaway, where the electrical fire continues to burn for extremely long periods of time, and they are very difficult to put out.

One example of this type of incident was a neighborhood apartment fire in New York last year. It took almost 200 firefighters to put it out. Those very same firefighters then testified to the news of how difficult it was to put these fires out. All the damage to the apartment complex was caused by an electric scooter that malfunctioned.

Another example was in California at the Moss Landing substation. A 182-megawatt Tesla megapack battery energy storage system, known as the Elkhorn Battery system, experienced a battery pack fire. That resulted in the energy storage catching on fire on that project also. In Surprise, Arizona, there was a catastrophic thermal runaway event with a battery storage site that ended up putting first responders in the hospital. We feel we need to do what we can to prevent such instances happening here in Nevada.

Energy Storage and Microgrid Training and Certification is about creating a safety standard across the board to ensure proper installation and maintenance, as systems like this are becoming more and more common. In regard to renewable energy, battery storage is one of the technologies we are seeing to address the gap in energy production when arrays can no longer produce the power required. We have already installed some battery storage on some of these utility site solar arrays in southern Nevada, and we are seeing the integration of these systems in incoming projects.

The IBEW has recognized the importance of this in the industry, and we have already started doing training, not just in the apprenticeship itself, but we have electricians who are performing with this certification already. The training is relatively inexpensive. The cost is around \$35. It is a two-day course and something we have readily available with accessibility. We have trained over 30 teachers at the moment.

I would like to talk about some of the concerns we have heard. We have heard this is an IBEW bill and will benefit us by profiting on classes, and the union contractors are trying to monopolize work in our favor. The classes are currently being taught by the IBEW because we recognize the importance of safe and good-quality installation in our work. However, we are legally not allowed to profit from classes. We offer classes at cost, and we also offer train-the-trainer courses that would allow anyone in the industry to become an instructor for ESAMTAC, and then they can train their own workforce with no further integration of our teachers.

This bill has no binding language that would make nonunion shops become signatory to the union in any way, and it is open for anyone to take—union or nonunion. This would make it impossible for the bill to monopolize work for pretty much anyone. We have also heard there is no accessibility to the class or the work that is already being done regardless of the certification. This class originated from Penn State University. It came off of a grant from the U.S. National Science Foundation. Through this study, they found this was going to be an emerging issue going forward and they created ESAMTAC. It is currently being taught in over 20 states in various locations. As I said before, monetarily speaking, this training is very inexpensive.

We are currently meeting the demand we have seen in the industry so far, but that is without any standards put in place. We have already trained 250 students throughout the state and over 30 train-the-trainers for this class as of today. We are looking to increase the demand and meet the demand this bill will create. The reality is, without safety guardrails put in place, not every electrician is trained the same. We are trying to create that bar we feel all the installations should be set to.

We also hear this will circumvent private companies from creating their own safety programs within their own business models. There is nothing in this bill that would prevent a company to apply their own safety programs in conjunction with the ESAMTAC safety training standards. During multiple collaborations with stakeholders, we have added the amendment that would allow the state to adopt a safety standard that meets or exceeds ESAMTAC if a valid program becomes available at a later time.

I will pass it off to Mr. Stern but, in closing, this bill is about the standard of installation. With these emerging technologies, we are seeing more and more, not just on utility solar, but we are going to probably start seeing this on commercial installations and residential situations. This is a safety bill through and through. I will let Mr. Stern continue.

Hunter Stern, Assistant Business Manager, International Brotherhood of Electrical Workers Local 1245:

Our members at IBEW work for utilities, specifically NV Energy here in Nevada. They are also contractors hired by the utilities and others to perform that work. We also have a sister local, Local 396 in Las Vegas, that represents those same workers in the southern part of the state. Our members work for the old Sierra Pacific Power Company utility and Local 396 works for Nevada Power.

As Mr. Young spoke about, we are most interested in safety here, particularly for utility workers. I will put it in this order because it is from my perspective: utility workers, firefighters, and the public at large, your constituents. We want to make sure we can make these systems as safe and reliable as possible. I also want to emphasize that IBEW supports battery storage. It is a key to achieving our goals, as Mr. Young spoke about. I will add that NV Energy has been requiring ESAMTAC on its battery storage projects or the battery storage portion of its projects since 2018, so it is not a new system.

I do want to add that ESAMTAC is a national system; it is not a Nevada system, it is not an IBEW system at all. It was developed—and I am going to read this because I do not want to get it wrong: in cooperation to meet national training and certification programs in standards and codes by the National Fire Protection Association, the National Electrical Installation Standards Board, the National Electrical Code, American National Standards Institute, and the Electric Power Research Institute. The Electric Power Research Institute has to do with electric utilities. These are all entities that look at training and certification programs on a national basis. These are the people who helped develop ESAMTAC.

I do want to add our concern about systems that go bad. Once you attach a battery storage system, wherever it is on the grid, and that includes behind the meter of a business or a residence, but specifically businesses based on the bill, it is attached to the grid. It is part of the grid. It is a living entity on the grid. If there is some kind of failure and power comes back out onto the grid, it could injure or kill my members. If there is some kind of failure and there is a fire, whatever the source of the fire, the firefighters are responding and are confronted, as Mr. Young explained, with a very difficult fire. That obviously extends to your constituents—the people who might be harmed by something going wrong. The idea of this bill is to limit the likelihood of any kind of problem by creating a certification for qualified electrical workers and electrical contractors to perform this work. That is the key for us, and it remains the key for us.

The last thing I will cover, because I think we have been talking long enough, is there are some concerns people have raised and we are responsive to those concerns. If there is another national program, as Mr. Young identified, we are happy to ensure that is given a place. There is no reason or goal or benefit to limit to any one program. I do want to caution about what that standard is. An individual manufacturer or an individual employer cannot create a certification that is going to meet the national needs and national standards without input from the kinds of groups and entities I cited earlier. That is the way to put together a good and reliable program.

Secondly, there has been a proposal recently about using the contractor's licensing board as a certification agency or entity. They made it very clear to us when we went through this bill last session, they will not do that. I appreciate that position. In other words, they will administer and ensure the contractors and the certification programs that are passed meet that standard, but they do not want to develop a program themselves. I do not blame them. It does take work and it does take expertise in areas that the contract licensing board could not possibly be required to understand. This is evolving technology. I remember the Governor, not so long ago, was talking about the advantages of battery storage and energy storage. We could be faced with an avalanche of these products and this equipment. Again, this will help us. We want to make sure it is safely done and it keeps us all safe.

Chair Watts:

I will open it up to questions from the members.

Assemblywoman Dickman:

Is the ESAMTAC training through the IBEW the only place individuals can get this certification?

Ronnie Young:

No, it is not currently IBEW exclusively. Here in Nevada, IBEW is teaching those classes right now, but we are hoping that changes. We are hoping as the standards are put in place, it will grow with demand so other entities will become trainers for their own companies and then train their own workforce.

Assemblywoman Dickman:

What about vocational schools?

Ronnie Young:

Penn State University was the original founder of this course. It is taught in universities throughout the states. It is taught in over 20 different states at the moment in various locations. As long as someone has the training certification to teach the course, we do not think that would be limited by this bill.

Assemblywoman Dickman:

How do you get the certification? Who gives the certification since the State Contractors' Board does not want to do it?

Ronnie Young:

We had some of our personal members go to train-the-trainer courses out of state. They became certified to become trainers for ESAMTAC. They came back and started training our members. I believe they went to a university to get this certification, came back, and started training our members. That is how the ripple effect works.

Assemblywoman Dickman:

So, they can offer the certification after someone takes the class?

Ronnie Young:

Yes. What would happen is if someone wanted to become a trainer, we could teach that individual and they could go from there.

Chair Watts:

I know we will have some questions about the program. I know there have been questions about it in the past. One thing I will ask is, if you could provide a little bit of follow-up information, to the best of your knowledge, about the program and particularly the trainings you have done. I know you referenced some of those figures in your testimony, but just provide a little background on the scope of things as they stand currently in terms of how many have been trained and how many trainers have been trained. I think that would be beneficial for our members. The next question is from Assemblywoman Kasama.

Assemblywoman Kasama:

I think my question might have been answered. Right now, IBEW is the only one training in our state, but in other states there are people training besides the electrical unions, such as universities. Is that correct?

Ronnie Young:

Right now, we are the ones doing the training because we recognize it as a good idea, but it is being taught in multiple states by multiple entities—schools and whatnot.

Hunter Stern:

As a clarification, it is the training facility that is IBEW. Anyone can come in and get the training. If they are certified through the train-the-trainer process, they too can give the training as a trainer. It is the IBEW training facility that is being used. I think there is a little confusion about that. There is no limitation to an IBEW facility or any other facility.

Assemblywoman Brown-May:

I do not know if this is a question for staff or not. On page 5, section 3, subsection 3, if the training program is not ESAMTAC, it may request the Joint Interim Standing Committee on Growth and Infrastructure to actually review what a training program looks like. I am confused between the "may" and the "shall" in that paragraph. I am wondering if we could get clarification from staff. I would be happy to take that offline and get into the meat of this, but I am confused in that section.

Chair Watts:

I believe that does sound like a question for the Legal Division. Could you point to the specific lines?

Assemblywoman Brown-May:

There is a "may" on page 5, line 6, and a "shall" on line 10. It looks like they may go to the interim committee and the interim committee then has a responsibility to include a report.

Jessica Dummer, Committee Counsel:

There is an authorization for a person who provides a training program to approach the Joint Interim Standing Committee on Growth and Infrastructure to request the committee, as part of their work during the interim, to review the program to see if it would meet certain requirements. The Joint Interim Standing Committee is required to prepare a report on their activities during the interim. If the Joint Interim Standing Committee on Growth and Infrastructure is approached for this and they do that review, they would include in the report they are required to create if they have a recommendation that this is something that should be included in the statute in the future, if it should be a source of featured bills.

Assemblyman Gurr:

I think most of my questions have been answered, but I am still concerned about IBEW training in Nevada and IBEW certifying the people they train.

Ronnie Young:

We are currently certified to teach this class. To reiterate, we are hoping with this standard put into place, other entities are going to want to be certified to teach this class. We would certify them to do such a thing for their own respective companies. We are not monopolizing it. It is open to anyone within the industry to become trainers or certified in ESAMTAC.

Assemblyman Gurr:

The ESAMTAC curriculum was generated by whom?

Ronnie Young:

The National Science Foundation provided grant money to Penn State University. Penn State University, with the grant money, did a study to find out what good safety procedures should be for this type of emerging technology and developed ESAMTAC. It is something IBEW thought was a good safety standard to implement in our training. We felt so strongly about it, we felt it should be a safety standard across the board.

Assemblyman Gurr:

I appreciate that because safety is paramount on these issues. It is just hard for me to believe the people doing the training also do the certifying. In my business, we have trainers, we have teachers, we still have to take a course the state certifies. Does no one in the state want to certify that these people are able to go out and do that work?

Hunter Stern:

The easiest way to explain this is if you had gone through the certification program at Penn State, you are now certified to teach the program to anyone. If you come back here and begin teaching it, they will be certified. That is the key element. The IBEW training center and the individuals teaching this certification program are not doing the certifying themselves. If you are a trained electrician or an electrical contractor in Nevada and you pass this test, you are certified irrespective of union membership. In fact, contractors are not themselves members, or almost never members. They hire people who either are or are not. If you are a trained and experienced electrician, you can go through the training.

Ronnie Young:

To follow up on that, keeping in mind Penn State University, an actual education institution, is the one that developed and started the training program that allows entities of education, if someone wanted to become certified in a school to teach this program, to have that authority. You do not necessarily have to be a tradesperson for this to become certified or teach this class. If a company had a safety person who wanted to get certified to teach this, that individual would be able to teach that class.

Assemblyman Gurr:

I think I am getting a better picture. The trainers can train me and I am certified the minute I walk out the door, but who oversees the curriculum and the changes in curriculum, how often is it going to change, and who are the people who understand it enough in order to keep it updated? Do you have to keep updating your permit, your license, and your certification? How long does this go on?

Hunter Stern:

I think Chair Watts wisely asked for that information, and we will provide it in writing. You have hit the key question. How did this program come about and how is it maintained? There is a standing board that was convened and continues to operate at Penn State today to update. We will put it in writing and make sure you see it.

Assemblyman Gurr:

I think that answered my questions, thank you.

Chair Watts:

Are there any additional questions? [There were none.] I have a question and a concern. I want to start by saying, personally I am in agreement that updating our targets for energy storage is important, the deployment of this technology is critical, and we have some training standards in place. As these technologies continue to grow throughout our community, throughout the grid, having some training requirements put into place is absolutely necessary.

Following up on the question brought up by Assemblywoman Brown-May, and it may sound strange to be speaking ill about our own body, but I am unsure. Obviously, we are considering this bill with a full hearing and getting additional background, but I am unsure about having the Joint Interim Standing Committee on Growth and Infrastructure essentially be the body. I understand what you have laid out. For example, the State Contractors' Board is not interested, and I do not know what other entities where this could possibly be. I know there might be fiscal costs if they were tasked with doing that. I am well aware of some of the issues of tasking another agency with determining what other types of training might also meet the benchmarks to be accepted as credentials for folks doing these projects. I really like the general idea, which is there is a process in place for other things to be added as training options if they meet certain standards. Again, I do not know if the Joint Interim Standing Committee on Growth and Infrastructure is necessarily the best entity to do that. That is my statement, and if you would like to respond as to how you came up with that proposal, feel free to do so.

Ronnie Young:

It came in the amendment. There were stakeholders concerned there was not an outlet if someone wanted to develop their own training program to have it either supersede or be equal to. It came from that amendment. It was a series of back and forth.

Chair Watts:

I appreciate that. As we get some of this follow-up information, we will continue that conversation. I understand some of the logistical difficulties in figuring that out and appreciate the concept behind that. I think there may be some additional conversation on figuring out what the best process looks like to achieve that outcome.

Are there any additional questions? [There were none.] We will move on to support testimony for S.B. 314 (R1).

Todd Ingalsbee, President, Professional Fire Fighters of Nevada:

We support this bill and its intent to establish standards. Electrical fires, especially when we are dealing with large voltage, are very dangerous. We learn in training to respond to these based on the standards that are in place, so when we arrive on a scene to mitigate it, we know how to handle it, we know how to control the power, we know shut-offs, et cetera. Without a consistent regulation or uniformity, it puts not only my members' lives in danger, obviously

our brothers and sisters at IBEW, but also those people who are working and residing in those buildings. Therefore, we support the regulation and standardization to keep people safe.

Will Adler, representing International Brotherhood of Electrical Workers Local 1245:

I want to state that S.B. 314 (R1) is taking that first step Nevada does need to take to incentivize and level the bar on safety installation of energy storage devices. Nevada is quickly becoming the lithium state and battery state around the nation. We have seen these interactions, especially around the Tahoe-Reno Industrial Center, where they have had several large lithium fires to date around the new installation and new technology being brought into these areas. Having some measure of standardization on the books would be good, just so everyone knows everything is being done the same way. Anyone going to any job site, any house, or any residence knows it has been done correctly and done under this standard to make sure all Nevadans are safe and all energy storage is done correctly going forward. Please support this bill.

Ryan Bellows, Vice President, Government and External Relations, NV Energy:

I am here today in support of S.B. 314 (R1). For years, NV Energy has been a leader in bringing on energy storage. We have several large-scale battery storage projects that are being constructed now that will bring over 1,000 megawatts of battery storage online by the end of next year. One of these projects in particular in southern Nevada, the Gemini solar project, is a 690-megawatt solar project with a 380-megawatt battery attached to it, which is one of the country's largest storage developments. We are using ESAMTAC certification for the folks who are installing that infrastructure.

We know that as more of our renewable projects come online, and certainly with the advent of the Inflation Reduction Act and even more renewable energy projects being built and constructed in the state, battery storage is going to be a critical element to bridge the gap and be a solution to be able to have available power when these renewable projects are not running.

We fully support this bill. We require the ESAMTAC training, and we know the folks who receive that training are uniquely qualified to build and construct these projects. We urge your support of this bill.

Ernest E. Adler, representing International Brotherhood of Electrical Workers Local 1245:

I recently received an amendment talking about the idea of doing an accreditation and certification of these programs through the manufacturer, which sounds harmless until you realize China manufactures most of these systems. I would urge you to be very cautious about adopting that as an alternative standard. I think we need to have one standard which is used throughout the United States and Nevada, not something that might inadvertently come through China because they are the manufacturer of the system.

Sarah Collins, representing National Electrical Contractors Association of Northern Nevada:

We see this bill as a training standard for public safety. We urge your support for this bill.

Chair Watts:

Seeing no one else in Carson City, we will go down to Las Vegas.

Wendi Newman, Assistant Chapter Manager, National Electrical Contractors Association, Southern Nevada Chapter:

As the representative for the electrical contractors who will be required to meet this standard and train our employees, we support this bill. We would like to thank Senator Lange for her leadership on this very important matter, and we ask the Committee to support S.B. 314 (R1).

Leslie L. Mujica, Executive Director and Chief Marketing Officer, Las Vegas Power Professionals:

I am here on behalf of the International Brotherhood of Electrical Workers and the National Electrical Contractors Association Labor Management Cooperation Committee. I am here in support of S.B. 314 (R1) because both labor and management believe it is paramount to build a safe, skilled workforce as technology, process, and systems evolve. This bill will accomplish that. I echo all the statements made by everyone in support of this bill and thank Senator Lange for bringing this forward. We ask the Committee to support S.B. 314 (R1).

Chair Watts:

If there is anyone else in Las Vegas wishing to provide support testimony, please come forward. In the meantime, is there anyone waiting on the phone wishing to testify in support of S.B. 314 (R1)? [There was no one.]

[Assemblywoman Brown-May assumed the Chair.]

Vice Chair Brown-May:

We will move into opposition testimony at this time. Is there anyone in Carson City or Las Vegas wishing to provide opposition testimony?

Kyle Davis, representing Interwest Energy Alliance:

We are in opposition to S.B. 314 (R1). Interwest Energy Alliance is a trade association made up of about 40 of the largest wind, solar storage, geothermal, and transmission companies in the world doing business here in Nevada and five other western states. We would like to thank Senator Lange and the bill proponents for meeting with us and listening to our concerns with the bill. We appreciate her intentions with this legislation, and Interwest shares her goal here: to build more energy storage resources here in Nevada and to build it as safely as possible.

Senate Bill 314 (1st Reprint) seeks to require that anyone installing a battery storage system in Nevada is certified in the ESAMTAC training. We agree installers should be well trained, but installers already are well trained via manufacturer and vendor certifications that comply

with national standards. There are a variety of possibilities for additional training. Our concern with requiring ESAMTAC exclusively is that the training is relatively new and not easy to access. By relying on only one private sector training program, we could create a situation where we do not have enough ESAMTAC-trained installers to construct these projects. I think a lot of these concerns are brought out in the questions you heard in the testimony here today.

We have provided multiple amendments to Senator Lange and the bill proponents to this effect to try to get at this issue. Unfortunately, those amendments have not been accepted. We welcome the opportunity to continue to work with the bill proponents to reach a compromise that will allow for multiple training protocols to be accepted by the state. Unfortunately, today we are still in opposition.

Jessica Ferrato, representing Solar Energy Industries Association:

Solar Energy Industries Association is the trade association for over 1,000 member companies across the United States. I would like to echo the comments of my colleague to my left [Kyle Davis] and also highlight a few other items.

Safety is of the utmost importance to the industry. We currently provide training to all installers on all products that are installed. We support training programs for our storage and solar and are comfortable with the ESAMTAC program being in statute, but would like to see some other options as well. To the point of my colleague to my left, I would like to bring up that this is not required anywhere in the country. Many states are looking at the program and investing dollars into building them out, but we do not want to see limited activity for our installers because Nevada has decided it is a clean state, that it is looking to install a lot of solar and a lot of storage. That is a goal of the utility as well. We do not want to slow down these projects or create bottlenecks so we cannot get these projects into the ground.

We would recommend the state look at another option that would allow for other training programs to be certified, and we have no issues with these certifications being done at the state level. We want to thank Senator Lange for the work she has done with us, but we still remain concerned based on a lot of these provisions.

Vice Chair Brown-May:

Seeing no one else in person wishing to provide opposition testimony, is there anyone waiting on the phone?

Gabriela Olmedo, Associate, Advanced Energy United:

Advanced Energy United is a clean energy business association working to make the energy we use clean, affordable, and reliable. We represent over 100 companies across the clean energy spectrum, such as large-scale renewables, solar, and [unintelligible], and those involved in manufacturing, developing, and installing electrochemical energy storage systems.

I am here today in opposition to S.B. 314 (R1). While we are supportive of safe, robust training, this bill requires a new private training program, ESAMTAC, for all installers of electrochemical energy storage systems in Nevada. This program is not required for installers in any other state. We believe it is premature to impose an inflexible requirement for this one specific training program on installers, and we are concerned it will create a bottleneck for the development of clean and reliable resources that are important to help Nevada serve its residents with affordable, reliable energy.

To avoid this bottleneck, there needs to be an alternative compliance pathway via manufacturer or vendor training of their specific and proprietary storage systems, or other programs certified by a state agency with expertise in workforce training.

The bill before you contemplates a review of alternative training programs by the Interim Standing Committee on Growth and Infrastructure, which we do not believe is an appropriate venue to review and assess highly technical workforce programs for their competencies or curriculum. Furthermore, we do not think the state should be outsourcing its workforce training entirely to one private program, especially in that program's very early days of existence. Thank you for your consideration.

[\[Exhibit K\]](#) was submitted but not discussed and is included as an exhibit of the hearing.]

Vice Chair Brown-May:

Seeing no other callers waiting to provide opposition testimony, we will move to neutral testimony. Is there anyone in Carson City, Las Vegas, or on the phone who would like to provide neutral testimony? [There was no one.] Are there any closing comments?

Ronnie Young:

I want to say thank you for your time and the hard work of this Committee. I would appreciate your consideration.

Vice Chair Brown-May:

I will close the hearing on S.B. 314 (R1). We will move into public comment. Is there anyone in Carson City, Las Vegas, or on the phone who would like to offer public comment? [There was no one.] That concludes our meeting for today. This meeting is adjourned [at 3:05 p.m.].

RESPECTFULLY SUBMITTED:

Dylan Small
Recording Secretary

Lori McCleary
Transcribing Secretary

APPROVED BY:

Assemblyman Howard Watts, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is the Work Session Document for [Senate Bill 27 \(1st Reprint\)](#), submitted and presented by Jennifer Ruedy, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Senate Bill 66 \(1st Reprint\)](#), submitted and presented by Jennifer Ruedy, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Senate Bill 422 \(1st Reprint\)](#), submitted and presented by Jennifer Ruedy, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is a PowerPoint presentation titled "SB59: Revises provisions relating to vessels," presented by Brady Phillips, Game Warden Captain, Training and Operations, Division of Law Enforcement, Department of Wildlife.

[Exhibit G](#) is a letter submitted by Jesse Law, Chairman, Clark County Republican Party, in opposition to [Senate Bill 59 \(1st Reprint\)](#).

[Exhibit H](#) is a proposed mock-up amendment to [Senate Bill 423 \(2nd Reprint\)](#), dated May 11, 2023, presented by Senator Dallas Harris, Senate District No. 11.

[Exhibit I](#) is:

- a data sheet dated May 2020, titled "Traffic Safety Facts, 2020 Data," from the U.S. Department of Transportation, National Highway Traffic Safety Administration;
- a *Journal of Safety Research* article dated July 11, 2022, titled "The role of inexperience in motorcycle crashes among novice and returning motorcycle riders," published by Elsevier and the National Safety Council;
- a *Journal of Safety Research* article dated April 16, 2020, titled "Age and engine displacement are associated with unsafe motorcycle rider actions," published by Elsevier and the National Safety Council;
- a *Journal of Safety Research* article dated, February 11, 2020, titled "Crash risk factors for novice motorcycle riders," published by Elsevier and the National Safety Council;

- an *International Journal of Injury Control and Safety Promotion*, dated October 3, 2016, titled "Effectiveness of interventions to prevent motorcycle injuries: systematic review of the literature," authored by Miguel Araujo, Eduardo Illanes, Evelina Chapman, and Eugenia Rodrigues; and
- a *Spotlight on Highway Safety* article titled "Motorcyclist Traffic Fatalities by State, 2017 Preliminary Data," published by Governors Highway Safety Association,

submitted by David Bandbaz, Private Citizen, Las Vegas, Nevada.

[Exhibit J](#) is a letter submitted by Jesse Law, Chairman, Clark County Republican Party, in opposition to Senate Bill 423 (2nd Reprint).

[Exhibit K](#) is a letter submitted by Jesse Law, Chairman, Clark County Republican Party, in opposition to Senate Bill 314 (1st Reprint).