

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

**Seventy-Third Session
March 3, 2005**

The Committee on Transportation was called to order at 1:34 p.m., on Thursday, March 3, 2005. Chairman John Ocegüera presided in Room 3143 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Mr. John Ocegüera, Chairman
Ms. Genie Ohrenschall, Vice Chairwoman
Mr. Kelvin Atkinson
Mr. John Carpenter
Mr. Chad Christensen
Mr. Jerry Claborn
Ms. Susan Gerhardt
Mr. Pete Goicoechea
Mr. Joseph Hogan
Mr. Mark Manendo
Mr. Rod Sherer

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Marji Paslov Thomas, Committee Policy Analyst
Randall Stephenson, Committee Counsel
Angela Flores, Committee Manager
Linda Ronnow, Committee Attaché

OTHERS PRESENT:

Bruce C. Bommarito, Executive Director, Nevada Commission on Tourism
Nancy A. Dunn, Deputy Director, Nevada Commission on Tourism
Sam D. Macaluso, Teacher, Florence Drake Elementary School, Sparks,
Nevada
Steven D. Davis, Transportation Analyst, Nevada Department of
Transportation
Thomas A. Bordigioni, President, Mountain Family RV, Reno, Nevada
Jon Whipple, CPA, General Manager, Mountain Family RV, Reno, Nevada
Edgar Roberts, Administrator, Motor Carrier Division, Nevada Department
of Motor Vehicles
David S. Hosmer, Colonel, Nevada Highway Patrol
Tony Almaraz, Lieutenant, Nevada Highway Patrol

Chairman Ocegura:

[Meeting called to order. Roll called.]

We have one bill on the agenda. Assembly Bill 138.

**Assembly Bill 138: Revises manner in which legal maximum width of
recreational vehicles is determined. (BDR 43-613)**

Bruce Bommarito, Executive Director, Nevada Commissioner of Tourism:

[Introduced himself.] With me is Nancy Dunn, Deputy Director, Nevada
Commission of Tourism. She has done most of the work on this bill.

Nancy Dunn, Deputy Director, Nevada Commission on Tourism:

[Introduced herself.] It may seem a little strange that the Commission on
Tourism is proposing a piece of legislation today that really falls under the
purview of the Nevada Department of Transportation (NDOT). We have been
working with the Department of Transportation. [Refers to [Exhibit B](#)] The
purpose of Assembly Bill 138 is to have the shade awnings on recreational
vehicles exempted in some way when measuring non-commercial personal use
vehicles, for the purpose of legal maximum width in Nevada.

The Federal Highway Administration sets the maximum width limitation for
commercial vehicles; however they leave the maximum width of recreational
noncommercial vehicles up to each individual state. In Nevada the maximum
allowable width is 102 inches. The larger RVs [recreational vehicles] on the road
today are manufactured at the 102 inch maximum allowed by Nevada law.
Many of them now include awnings on one or both sides of the RV. These

awnings are not detachable. They are either manufactured with the awning, or there is an aftermarket awning that might be installed by a manufacturer. They could be considered a permanent part of the vehicle itself.

[Nancy Dunn, continued.] Currently, there are 34 states that have exempted the shade awning from the side of the RV, for purposes of measuring the maximum width. Three additional states recently passed similar legislation or rules rather than laws, and six more states are considering the same legislation as we are here today. Uniformity from state to state is important. The RV industry and NCOT [Nevada Commission on Tourism] are anxious to have Nevada in sync with its neighboring states and with the rest of the country.

We have been working closely with NDOT. We actively market the Commission on Tourism to the RV segment of that industry, and we enthusiastically encourage RV travel to and within Nevada. We felt a responsibility to give the RV owners and potential tourists the ability to legally travel in Nevada in the vehicle of their choice. The reason we go after this market is because the RV business is a \$20 billion industry, and that includes sales of new and used rentals and aftermarket components. There are 30 million RV enthusiasts in the U.S.

Consumers continue to purchase and rent RVs at record levels, despite record high gasoline prices during 2004. Today's typical RV owner is 49 years old, married, with an income of \$56,000. That is higher than the median household. RV owners are likely to travel extensively, an average of 4,500 miles per year. They travel an average of 28 to 35 days a year. Over two-thirds of the RV owners take spur of the moment trips year round, supporting interests from fishing and hunting to shopping—everything that Nevada has. We are an ideal state for the RV market. We currently have 165 RV parks in the state of Nevada, with 15,154 spaces. Occupancy levels in the state have increased from 19.57 percent in 2001 to 24.5 percent in 2004, since we have been actively encouraging this market to come to Nevada.

We believe that favorable passage of Assembly Bill 138 can grow Nevada's occupancy to a higher level. We also believe that A.B. 138 will benefit Nevada's RV consumers, RV dealers, campgrounds, and tourist destination businesses.

Chairman Ocegüera:

Whose class do we have in the Committee on Transportation today?

Sam Macaluso, Teacher, Florence Drake Elementary School, Sparks, Nevada:

This is Mrs. Miller's class from Florence Drake Elementary.

Chairman Oceguela:

Students, today we are talking about the width of trailers and motor homes. The Commission on Tourism, a group that is trying to bring more tourists to Nevada is trying to convince us that it would be good to make the maximum width wider.

Assemblyman Hogan:

It would be helpful to know what the total width, including awnings is on most of these vehicles. And have the other states permitted a larger width in number or just exempted, so that we don't measure awnings no matter how large they are?

Nancy Dunn:

Most of the other states have actually exempted the awning itself. Safety devices that are installed on RVs are exempt from the law, such as lighting and mirrors. We weren't sure if we wanted to exempt the awnings or just have them not included when measured in the maximum width. In working with the Department of Transportation, they have proposed an amendment on this, and it speaks exactly to your question. If we exempt the awnings from the maximum width that is allowable, are we looking at awnings that might be 12 feet? We have not seen an awning that is any more than 6 inches on each side.

The amendment would make it so that the awnings would never exceed the width of the mirrors.

Chairman Oceguela:

I am going to turn this over to my legal counsel. We didn't know that there was an amendment. I think the way we read it, it already says that.

Randall Stephenson, Committee Legal Counsel:

If you look at the last clause of subsection 2, it says, "and which does not extend beyond any mirror specified in subsection 1, which is attached to the side of a recreational vehicle." I think it would be hard to amend that to say anything other than it can't extend beyond the side of any mirror.

Nancy Dunn:

The concern was that it not disrupt the visibility. The clarification would make sure that the awning does not obstruct the view through these mirrors. There is an exclusion that they don't extend more than 18 inches beyond the sides of the vehicle. That would prevent anyone from making homemade awnings and attaching them so they would be wider.

Chairman Oceguela:

I was of the opinion to pass this bill today. If we don't, it may get bogged down in the mire of bills.

Assemblyman Goicoechea:

There is a limit as to how far the mirrors can extend? Can we run three foot, four foot mirrors?

Nancy Dunn:

I don't know if that is regulated by the Federal Highway [Administration] or by the State.

Steven Davis, Transportation Analyst, Nevada Department of Transportation:

In looking at the federal regulations, the only thing that is said is, "A state may allow an RV to have mirrors or safety devices, which extend more than three inches from the side of the RV." There is no limitation as to how far that would allow the RV to operate without a permit.

Chairman Ocegura:

I am still talking this over with legal counsel. I think that under section 5, subsection 5, we are covering that, because it says, "Lights or devices mounted on the vehicle cannot exceed 10 inches on either side," adding to the 102 inches.

Assemblyman Goicoechea:

My question was, is there any limitation on how wide a mirror can be? Apparently there isn't.

Chairman Ocegura:

I will refer to legal counsel, but I think yes, there is. It's not going to exceed 126 inches.

Randall Stephenson:

My reading of subsection 5 would indicate that the mirror could not exceed 10 inches on each side of the vehicle, for a maximum width of 126 inches. That would include the awning.

Tom Bordigioni, President, Mountain Family R.V., Reno, Nevada:

[Introduced himself.] I am also the state representative for the Recreational Vehicle Dealers Association of Nevada.

Jon Whipple, CPA, General Manager, Mountain Family RV, Reno, Nevada:

[Introduced himself.] We are here in support of this bill.

Assemblyman Carpenter:

How wide are the awnings usually? We heard before—they are about six inches?

Jon Whipple:

The average is close to the six inches. Some would be a little less if they were fabric, but if they were called a “metal-wrapped awning,” it might be a little wider than that. They are all made to specific specifications.

Chairman Ocegüera:

Those awnings are at levels that are generally higher than the mirror, so the question about being in the way of the mirror—these would normally be at a level that would be higher than the mirrors.

Jon Whipple:

Most awnings are designed so that they are near the top surface of the motor home. The awnings would be much lower so they are not in the driver’s visibility. They’re really not a factor.

Chairman Ocegüera:

Are the manufactures manufacturing them this way?

Jon Whipple:

I would say 98 percent of the ones that come in, come in with an awning from the factory.

Assemblyman Christensen:

For those traveling through Arizona, Utah, California, and different states, how are they regulated?

Steven Davis:

I do not have that information.

Assemblyman Christensen:

In Nevada, is a vehicle able to tow two trailers, like a trailer and a boat attached to the back of the trailer?

Steven Davis:

I believe so. We certainly see them on the road.

Assemblyman Christensen:

Do we know about neighboring states?

Nancy Dunn:

According to the RV Institute of America, all of our surrounding states have similar legislation to what we have. Idaho just recently passed a rule. The only states that have not yet adopted this type of legislation are states on the East Coast because their highways seem to be a lot narrower. An RV that is coming from California, if beyond the maximum width, could receive a citation.

Assemblyman Christensen:

Regionally, states are working on legislation similar to this. If we have the extra width at the top, does this bill affect any of the width down at the bottom of the trailer, wheel width, or wheel well? Or is this only at the top, like the scenario of the awning situation?

Steven Davis:

I don't see that it would affect anything. The vehicles are built to a certain specification, and there is no real legislation out there that addresses recreational vehicles except on the state level, but 102 inches is the maximum width currently.

Assemblyman Christensen:

If this bill goes through, can I construct a small flatbed motorcycle trailer if it is wider than the existing length?

Steven Davis:

No.

Assemblyman Goicoechea:

To my understanding, there is an amendment offered that says the awnings couldn't be any wider than the mirrors. Is that correct? Are we going to consider that? This would mean that the overall width would be at 126 inches.

Chairman Ocegüera

I think the overall width of what the mirrors could be, hub-to-hub, is still going to be 102 inches. That is how they measure. I am certain that on the trailer width, outside of hub to outside of hub, it is 102 inches.

Assemblyman Goicoechea:

Then the awning will be outside the 102 inches, which is completely legal, but the amendment says that the mirrors can only extend out to 126 inches, so that means that the awnings can't stick out past the mirrors. That would limit it to seven inches on each side.

Chairman Ocegüera:

I would be happy to look at the amendment, but I think we have already determined that we don't need the amendment. I think it will slow down this bill.

Edgar Roberts, Administrator, Motor Carrier Division, Nevada Department of Motor Vehicles:

On Assembly Bill 138, the Department has no position.

Chairman Ocegüera:

Mr. Roberts, did you hear anything that was out of line? Are we going down the right path?

Edgar Roberts:

Yes, you are going down the right path. We agree.

David Hosmer, Colonel, Nevada Highway Patrol:

[Introduced himself.] I brought Lieutenant Tony Almaraz with me. He is my executive officer, and he would like to speak about some of the concerns that we have. We are taking a neutral stance on this. Lieutenant Almaraz has personally been whacked on the side of the road by a mirror off of a recreational vehicle. This could be driver inattention or a lot of different issues, not just the width of the mirrors.

Tony Almaraz, Lieutenant, Nevada Highway Patrol:

[Introduced himself.] Our position is a neutral position on this; however, as a public safety entity, we would be remiss if we didn't bring up some concerns that we have. Nevada Highway Patrol predominately is a traffic acts investigation entity. Our concern is for public safety in that arena. Over the past five years, we have seen an increase in population in the entire state of Nevada. In Driver's License and Registration alone we have seen a 30 percent increase. We are looking at 15 million visitors, impacting the state and driving on the highways. We have also seen increase in miles an approximately 2.9 percent increase, or 960 miles. For lane increases, we have seen 2,600 miles, or a 3.8 percent increase. Our concern is that the standard lanes of travel are only 12 feet, or 144 inches. Some of the things that we are hearing with the increase of the width of the recreational vehicles, it doesn't leave a lot of margin of error when it comes down to the width of some of the RVs. You are looking at about nine inches on each side. We have investigated a large amount of accidents. We have seen an 8.5 percent increase in our investigations during a one year period.

[Tony Almaraz, continued.] With the congestion that we are seeing in a lot of these areas, our main concern is for the public. Recreational vehicles do travel in the slower lanes, which is the right side of the highway. The shoulders are a concern for emergency vehicles that pull over vehicles. Vehicles that become disabled use the shoulder. We are concerned about the issue of vehicles that are along that side of the highway.

I have been hit myself a few times by some mirrors. That may be just the driver inattention of us being on the side of the road, traffic accidents, et cetera. That is just our concern. We are taking the neutral stance.

Chairman Ocegüera:

Isn't it true that with the 102 inch width of a school bus, fire truck, diesel long-haul carrier going down the road, their mirrors are already out to basically what we are talking about in this bill? Is that correct?

Tony Almaraz:

That is correct. We are speaking about the emergency vehicle apparatus. Is that what you are asking?

Chairman Ocegüera:

I have some personal experience with this myself. We were passing a school bus in an emergency lane and whacked mirrors. When the Highway Patrol came out and measured mirrors, we were over 102 inches—both the school bus and the emergency vehicle.

Colonel Hosmer:

When we saw this bill we said we could not be opposed. We felt it our responsibility to come in and voice our concerns.

Chairman Ocegüera:

The hearing is closed on Assembly Bill 138.

ASSEMBLYMAN SHERER MOVED FOR THE COMMITTEE TO DO
PASS ASSEMBLY BILL 138.

ASSEMBLYWOMAN OHRENSCHALL SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

There being no further business, the meeting is adjourned at [2:04 p.m.].

RESPECTFULLY SUBMITTED:

Linda Ronnow
Committee Attaché

APPROVED BY:

Assemblyman John Ocegüera, Chairman

DATE: _____

EXHIBITS

Committee Name: ASSEMBLY TRANSPORTATION

Date: MARCH 3, 2005 **Time of Meeting:** 1:30 P.M.

[illegible]