

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

**Seventy-Third Session  
May 12, 2005**

The Committee on Transportation was called to order at 1:30 p.m., on Thursday, May 12, 2005. Chairman John Oceguela presided in Room 3143 of the Legislative Building, Carson City, Nevada, and, via simultaneous videoconference, in Room 4401 of the Grant Sawyer State Office Building, Las Vegas, 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 Oceguela, 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:**

Mr. Rod Sherer (excused)

**GUEST LEGISLATORS PRESENT:**

Senator Dina Titus, Clark County Senatorial District No.7

**STAFF MEMBERS PRESENT:**

Paul Townsend, Legislative Auditor  
Marji Paslov Thomas, Committee Policy Analyst  
Linda Ronnow, Committee Attaché

**OTHERS PRESENT:**

Fred Hillerby, Legislative Advocate, representing the Regional  
Transportation Commission of Washoe County  
Kathy Augustine, State Controller, State of Nevada  
Jacob Snow, General Manager, Regional Transportation Commission of  
Southern Nevada  
Susan Martinovich, Deputy Director, Nevada Department of  
Transportation  
Ginny Lewis, Director, Nevada Department of Motor Vehicles  
Tom Jacobs, Public Information Officer, Nevada Department of  
Transportation

**Chairman Oceguela:**

[Meeting called to order. Roll called.] Let's begin our work session.

**Senate Bill 295 (1st Reprint): Revises provisions governing motor vehicle fuel  
and petroleum products. (BDR 51-658)**

**Marji Paslov Thomas, Committee Policy Analyst:**

Senate Bill 295 (Exhibit B) revises provisions governing motor vehicle fuel and petroleum products. It was heard on May 10, 2005, and was sponsored by the Committee on Natural Resources on behalf of the Division on Measurement Standards. The bill pertains to the inspection and advertisement of petroleum products and to the administration of relevant statutes by the Division of Measurement Standards within the State Department of Agriculture.

With regard to the advertising of these products, this measure provides for civil penalties for any violation of the advertising statutes and makes several revisions as to how fuel prices, brands, and grades are displayed. There were no proposed amendments.

ASSEMBLYWOMAN OHRENSCHALL MOVED TO DO PASS  
SENATE BILL 295.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED. (Mr. Carpenter abstained from the vote, and Mr. Sherer was not present for the vote)

**Chairman Ocegüera:**

[Noted for the record that Assemblyman Carpenter had a conflict that did not allow him to vote on S.B. 295.] We will open the hearing on Senate Bill 139.

**Senate Bill 139 (1st Reprint): Changes composition of Board of Directors of Department of Transportation and creates Advisory Committee to Board. (BDR 35-718)**

**Senator Dina Titus, Clark County Senatorial District No. 7:**

Senate Bill 139 has to do with the composition of the Board of Directors for the Nevada Department of Transportation. This bill was one of the early ones, so we are looking to have an abstract printed right on the bill that helps explain it in straightforward, simple terms. Over the years dealing with constituents, legislation, and attempting to get audits of NDOT [Nevada Department of Transportation] through a number of different channels, I have found that one of the main problems is lack of coordination. I thought we needed to look at the Board of Directors for NDOT.

The Board originally consisted of the Governor, Lieutenant Governor, State Controller, and Attorney General. I have felt that the State Controller really doesn't have anything to do with transportation planning or where highways should be built. It would be better to have people on the Board who are in this line of work and who are more involved in these kinds of decisions.

I decided to revamp the composition of the Committee to ensure that the appointed members have greater expertise in this area, and to replace the Controller with another position. The bill would add to the body ex officio members from the RTC [Regional Transportation Commission]—north, south, and rural—so you would have the built-in coordination, sharing of information and decision making, and you won't have overlap and contradict.

**Chairman Ocegüera:**

What about the audit?

**Senator Titus:**

I had an audit in here originally. We had testimony from the Audit Division of LCB [Legislative Counsel Bureau], and they said that they do an audit on a

periodic swing, just like they do in a number of the other different agencies. It comes up once every 7 years. We also did an audit of the Department of Transportation a couple of years ago. I don't think you need another special audit. I talked to the Governor's Office about that. I don't know that you need to amend it out, because it fits in with the regular cycle of audits as it is.

[Senator Titus, continued.] I believe that the RTC members would like to see you change the bill to say that their members would not necessarily have to be the chairman of the committee, but a designee of that committee.

**Chairman Ocegüera:**

Have you seen the amendment that we have on our desk ([Exhibit C](#))?

**Senator Titus:**

That is from the RTC members.

**Assemblyman Goicoechea:**

The people who sit on these boards aren't necessarily the ones who are going to build the roads. We have some good, qualified people at NDOT. As we look at some of the representation that we have had in place, we feel they are fairly knowledgeable, broad based, and they do have knowledge of the community. I think it brings a different perspective to the Board, and I would hate to see everyone become focused on how we are going to build a road, ending up with a lot of engineers just sitting there. That might be part of the problem already.

**Senator Titus:**

With your experience in this, you don't think the people you have as your appointees to this Board could meet that requirement?

**Assemblyman Goicoechea:**

Father [Cesar] Caviglia is a retired Catholic priest. He has been a quality representative, always very accessible to the people, and he has been instrumental in getting things done.

**Senator Titus:**

We are also concerned about the rurals keeping representation. We feel that the Lieutenant Governor's presence on this Board provides representation for the rural interests through economic development. We also added one of the replacement members from the RTC that represents smaller counties.

**Assemblyman Carpenter:**

If these qualifications would have been in effect, Father Caviglia would not have been able to serve, and neither would the representative from the rural area, Tom Gaston. He has the expertise in finance because he is a banker. I hate to see those qualifications change. I think the people who have the welfare of this state in mind might not be able to be appointed.

**Senator Titus:**

That was not in my original bill. That was put in the bill by Senator Nolan as an amendment to the bill. If you are concerned about narrowing the membership, I ask you to please consider putting the RTC members on the board, as opposed to the Controller. I think that is an important part of the bill. You will have that expertise overlap, but if you want to leave the public members more wide open, I can appreciate that.

**Assemblyman Carpenter:**

Are the RTC people an advisory board to the Board?

**Senator Titus:**

That is correct.

**Assemblyman Hogan:**

We can't get too attached to members, because it's a term-limited service. There will be a lot of folks over time rotating through these positions. If a decent job is done selecting these folks to make sure that they are good representatives of the areas that they come from, we will have four opportunities at all times to have good, locally based people, as opposed to the three that we have had in the past. We will have a majority of locally based individuals, if we make sure to lobby to get good folks from our respective areas. Balancing that with the expertise from the elected officials will bring a good outcome.

**Fred Hillerby, Legislative Advocate, representing the Regional Transportation Commission of Washoe County:**

You have the proposed amendment ([Exhibit C](#)) that Senator Titus spoke of. We appreciate the Senator adding a representative from our Regional Transportation Commission; we think we will be productive in that role. Let's look at Subsection 6 of Section 1 on the last page, where it talks about the advisory committee. The chairman of our Regional Transportation Commission rotates every year; we have representatives from Washoe County, Reno, and Sparks. To keep a balance, every year it is prescribed which representative from the political subdivisions will be the chairman, regardless of who is in that role. They are elected; they are county commissioners or city councilmen.

[Fred Hillerby, continued.] For consistency in terms of this advisory committee, we felt it better to have somebody designated by the chairman from amongst our elected members, who are also elected for 4-year terms, to be able to serve more than one year at a time. We spoke to the bill's sponsor and she agreed that, on line 13 of the bill, we put "or his or her designee." That is the purpose of this amendment.

**Kathy Augustine, State Controller, State of Nevada:**

[Ms. Augustine read from prepared testimony, [Exhibit D](#), which is incorporated herein.]

I also opposed this bill in the Senate. The bill also removed the Attorney General, and when I talked to the chairman of the Senate Committee on Transportation and Homeland Security, he thought the Attorney General and the Controller had been put back on the Board.

If it's not broken, why fix it?

**Jacob Snow, General Manager, Regional Transportation Commission of Southern Nevada:**

We are in support of this bill. We have the Director of Nevada Department of Transportation on our board. He sits as an ex officio member, but he votes on our metropolitan planning organization agenda items. We work closely with NDOT, and it seems to me that since all relationships are based on reciprocity, we should have a reciprocal relationship on the Nevada Department of Transportation board. We look forward to doing better planning throughout the state of Nevada by the results of this bill.

**Paul Townsend, Legislative Auditor:**

We released an audit in 2002. It was a large performance audit that focused on two areas: highway planning and real property management. When we make our audit, we have audit recommendations that go into a follow-up process. They were discussed at two meetings of our audit subcommittee in February and June, 2004. The result was that 10 of the 11 recommendations were fully implemented.

The one remaining recommendation was contingent upon them getting an extensive information system to categorize the large volume of real property inventory that they have. That one does remain unimplemented, but they are in the process of purchasing that system. There was a small delay in implementing some of the recommendations because we developed a programming manual, and this manual describes the process used to select and prioritize projects. That did have to go before the Board and was approved.

[Paul Townsend, continued.] These improved procedures should address the issues that we raised in the audit. Absolute assurance that they are implemented only can be obtained when we do a subsequent audit. We will be going back on our audit cycle. It could be a little early to properly evaluate whether they have implemented all of the recommendations.

The next Statewide Transportation Improvement Program [STIP] that will be impacted by the changes will be the one issued in September, 2005. We can go in at that point and look at how they have done. If we did not do it as required in the bill, and it went later, we would have a little more history behind us to then look at it.

**Chairman Oceguera:**

This says "no later than February 5, 2007." Would you have done it by then?

**Paul Townsend:**

Our current audit plan for 2005 and 2006 has been approved by the Legislative Commission, and the Department of Transportation is not on that. We would not have it done by February, 2007. We probably would be beginning it at that point, under our normal audit cycle.

**Assemblyman Claborn:**

Would you be able to audit them in 2007?

**Paul Townsend:**

Yes. Currently, they are not on our audit schedule. The bill would direct us to do it sooner. Otherwise, we would have to wait, unless a proposal was made to the Legislative Commission requesting that they make a special amendment to have us do it.

**Assemblyman Claborn:**

Would that be a performance audit or regular routine audit?

**Paul Townsend:**

We are referring to all of our audits as performance audits. We audit agency performance; we don't do financial audits where we put an opinion on a financial statement. All of our audits fall under what we call performance auditing standards that are issued by the U.S. Government Accountability Office.

**Assemblyman Hogan:**

NDOT is a large agency, and you indicated in the previous performance audit that there were two areas of primary emphasis. Could you help us better

understand the areas of emphasis? Are they 90 percent of the coverage, or are they complete audits across the board with a bit of emphasis in a couple of places? I am not sure which end of the spectrum you would focus on with such a large agency.

**Paul Townsend:**

The scope of the last audit was originally laid out in legislation, and then it was approved by the Commission. The focus was on the highway planning and how they prioritize projects; it is an extremely large agency. They had expenditures last year of \$650 million.

It does help when we scope it down and look at some specific areas. Some of our key points in the last audit were that the capacity projects in their short-term plans were not fully evaluated. Also, decisions about project prioritization were made without explicitly using criteria data, so we couldn't really go back and see how they arrived at these decisions. We didn't question the outcome of the decisions, because we learned that in a rapidly growing state, it is hard to find a bad project. The process that they used to arrive at these decisions was not fully transparent or documented, and I believe the programming manual that they now have implemented should be addressing the problem.

There is a tremendous amount of property owned by NDOT that has been accumulated over the last 80 years, and there isn't a good way of identifying what property is owned. It requires an extensive search to see what NDOT actually owns. That is a very large project, and they are planning to fully automate it.

**Assemblyman Hogan:**

Focusing on a couple of areas, as you did, means that in those areas it is relatively exhausted, and the other areas may be left until another time, or whether you would characterize it as a fairly complete agency audit, but with some particular focus.

**Paul Townsend:**

NDOT is also audited as part of our single annual audit because there are a lot of federal funds that come in. They do receive a portion of the audit there; they also have audits by the federal government. I think it is a good idea for us to focus in a specific area. In highway planning I would recommend we do some follow-up work, because there do seem to be some concerns raised. If we were to go forward, we would like to do a follow-up and see how things are going and how the recommendations have been implemented. We would be open to any suggestions that the Committee might have.



**Susan Martinovich, Deputy Director, Nevada Department of Transportation:**

At the testimony on the Senate side, Senator Titus did indicate that she would take the audit out. We are respectfully requesting that the audit be taken out. We have undergone quite a few audits, and we want a follow-up on the efforts we made on the previous audit. We want the time for the activities we have taken to be implemented. The Legislative Counsel Bureau, Federal Highway Administration, and the other federal entities we depend upon for our funds can audit us at any time, on any subject.

**Assemblyman Goicoechea:**

An amendment we could consider is on line 21, subsection 2, where it says, "demonstrated expertise," it strikes "financial matters, business administration. . ." Maybe we can leave that in and say, "financial matters, business administration, transportation safety, and planning."

**Chairman Ocegüera:**

We will put that down as a suggested amendment.

**Assemblyman Manendo:**

Are we having a problem with the attendance record of the seven members?

**Susan Martinovich:**

The attendance record is very good for all of our members. What we try to do is work a meeting time where we can get a quorum. We work with the Governor's staff, and we call each of the seven members to make sure that the date we are proposing is available. We have 3 to 5 meetings a year, and it's very seldom that we don't have all seven members present.

**Assemblyman Hogan:**

We had a request to take out the audit. I don't know why it has survived, if the author planned to take it out. It doesn't make too much difference, because it would probably come up in a cycle not long after it would be done under the bill. Unless it is a particularly difficult year or something for the agency, I don't see much need to take it out.

**Chairman Ocegüera:**

I am confused about your feelings about the bill in general.

**Assemblyman Hogan:**

I was expressing my opinion that, overall and long term, it's better to have a board that includes members of the public who are well-qualified, but who represent the public interest. Going from 3 to 4 members seems to be a good idea.

**Assemblyman Carpenter:**

We need to leave the qualification of the members as it is in the present bill. The board has run well, and the Governor has given a great pool to choose from.

**Chairman Ocegüera:**

I will close the hearing on S.B. 139. Let's go back to our work session.

**Senate Bill 33 (1st Reprint): Authorizes Director of Department of Motor Vehicles to enter into agreements for certain placements of advertisements. (BDR 43-396)**

**Marji Paslov Thomas, Committee Policy Analyst:**

Senate Bill 33 (Exhibit B) authorizes the Director of Department of Motor Vehicles (DMV) to enter into agreements for certain placements of advertisements. This bill was sponsored by the Senate Committee on Transportation and Homeland Security on behalf of DMV. We heard it on April 19, 2005.

The bill authorizes the DMV to enter into agreements to place private advertisements in public areas of its buildings and in its official mailings and electronic publications. The funds received from such agreements must be deposited into the Motor Vehicle Fund. DMV must use those funds to promote alternative technological methods by which the public can conduct its business with the agency, without assistance from DMV personnel.

There are two proposed amendments. The first amendment was made by Chairman Ocegüera. It would amend the bill to prohibit the DMV from entering into an agreement with any auto wrecker, body shop, dealership, garage, or insurance company to place private advertisements in public areas of its buildings, in its official mailings, and its electronic publications.

The second amendment is proposed by Assemblyman Manendo. It would amend the bill to provide that private advertisements located in the public area of the DMV building must conform to all applicable local and state ordinances regarding signs. Any private advertisements placed in DMV buildings, official mailings, or electronic publications must not:

- Promote hostility, disorder, or violence
- Attack ethnic, racial, or religious groups
- Invade the rights of others

- Inhibit the functioning of the State
- Override the State's identity
- Promote the use of controlled substances, dangerous drugs, intoxicating liquor, tobacco, or firearms
- Promote any religious organization
- Contain political advertising
- Promote entertainment deemed improper or inappropriate

**Assemblyman Manendo:**

I think some of these are already in statute in the NRS [*Nevada Revised Statutes*]. We had a bill dealing with bus advertisements with the school district, which is also public property, so I figured there should be some consistency and some protections were fair. I appreciate your amendment as well, and I just thought this would be a good list.

**Assemblyman Hogan:**

I think the list is a good idea, but I would stumble over the last entry. Perhaps we ought to leave that to our esteemed Gaming Commission; they have a good deal of expertise, and they rule on the impropriety of advertisements.

**Ginny Lewis, Director, Nevada Department of Motor Vehicles:**

Why are insurance companies on the list? They are a perfect fit. It is an industry that we do not regulate, yet we do have a partnership with. Insurance, vehicles, and drivers are likely candidates for advertising.

**Chairman Ocegüera:**

It seemed that it might be promoting one insurance company over another.

**Ginny Lewis:**

We don't want to appear that we are endorsing any one advertisement. I think we will need a disclaimer on all of the advertising pages stating that this does not mean that the Department of Motor Vehicles endorses this.

**Assemblyman Goicoechea:**

I would like to amend this bill to say that we don't do it in official mailings and electronic publications. I am concerned if someone pays to have their insurance ad incorporated into their license renewal. I don't mind the advertising on the wall, but if we start putting it in the envelope that we are mailing to a person, one insurance company, whoever pays the most, is going to have the ability to be in there.

**Assemblyman Carpenter:**

I don't like to have advertisements in the official mailings.

**Assemblyman Hogan:**

I think one distinction is that the advertisements are on the walls and not in a place where you are making your insurance decisions. There is probably not too much objection if it goes to the home. If you were in a position, while in the building, to make your insurance decision, that would be more of a concern. Advertisements in the building—and not in the envelope—sound okay to me.

**Assemblywoman Gerhardt:**

I think we need to remember that the insurance companies would not be paying that kind of money to have a flyer in an official advertisement if they didn't feel that would give them some kind of advantage. They wouldn't spend the money to put it in if they didn't think it would promote business.

**Chairman Oceguera:**

Ms. Lewis, what about auto wreckers, body shops, dealerships, and garages?

**Ginny Lewis:**

As far as auto wreckers, body shops, dealerships, and garages, those are absolutely appropriate, because we do regulate those industries. We would not want to partner with them in an advertisement; it is unethical.

**Chairman Oceguera:**

How about Mr. Manendo's list?

**Ginny Lewis:**

I feel that Mr. Manendo's list is fair and appropriate.

**Assemblyman Manendo:**

On the website, would someone enter into a contract for a specific amount of time?

**Tom Jacobs, Public Information Officer, Nevada Department of Transportation:**

That is exactly the way we do it. It is very similar to commercial contracts that are being run with advertisers today. We would enter into 3-, 6-, or 12-month contracts for links from our website to websites for our advertisers. There would not be popups on the website.

**Assemblyman Manendo:**

Would you have links, an advertisement, or both on the actual site?

**Tom Jacobs:**

There could be both. You will probably not see actual advertisements. DMV's website is an informational site, and the first purpose is to inform the Nevada motorists. There isn't really a lot of space on the site.

**Assemblyman Manendo:**

Do you receive a lot of hits on the website?

**Tom Jacobs:**

Yes, we do.

**Assemblyman Manendo:**

I would envision that someone would want to take advantage of those hits and publicize from that.

**Tom Jacobs:**

We are forced into a State template. Our website looks like any other State website, and we are prohibited from deviating from that. You are not going to see a lot of change on the DMV's website.

**Chairman Oceguela:**

How do we feel about insurance? Should we leave it that someone cannot advertise with the DMV, or someone who can?

**Assemblyman Christensen:**

Could someone summarize why they see that being such an issue, when promotion advertisement is everywhere? Does it look like the state is promoting one insurance company over another?

**Chairman Oceguela:**

The amendment says that we should not allow insurance companies to advertise with the DMV. How about whether the DMV should be able to advertise on their website and/or mailings?

ASSEMBLYMAN MANENDO MOVED TO DO PASS  
SENATE BILL 33, WITH THE FOLLOWING CONCEPTUAL  
AMENDMENTS:

- ALLOWING ADVERTISEMENTS IN THE BUILDING, ON THE INTERNET, AND BY INSURANCE COMPANIES
- DISALLOWING ADVERTISEMENTS IN MAILINGS
- INCLUDING MR. MANENDO'S AMENDMENT

ASSEMBLYMAN CARPENTER SECONDED THE MOTION.

**Assemblyman Goicoechea:**

Are mailings out completely?

**Assemblywoman Ohrenschall:**

Anything that could give the impression that DMV is actually endorsing one particular firm over another, I would be particularly careful with.

**Chairman Ocegura:**

The DMV regulates the other ones on the list.

**Assemblyman Christensen:**

In government, we should make issues like this as black and white as possible. It sounds like the Committee has significant gray area. If someone gets the idea that DMV is endorsing one insurance company over another, maybe we shouldn't have it at all.

**Assemblyman Hogan:**

In terms of Mr. Manendo's list, I am still concerned on the last one. I would think DMV would have trouble being the designated judge on what's proper and inappropriate. It may be better to stay away from that one and trust the judgment of NDOT.

**Assemblyman Manendo:**

It could be construed as censorship in a way. If it is in statute, where they can't do it, then they don't have to fight about it every time. We can remove the last part.

**Assemblywoman Gerhardt:**

I think the logic extends to the Internet as well. The DMV is promoting Internet services. To me, that is just the same as opening up a piece of mail at home.

**Assemblyman Goicoechea:**

I think when you go on the Internet, you can find whatever you are looking for.

**Assemblywoman Gerhardt:**

It is a State agency. Why would we be advertising at a State agency?

**Assemblyman Manendo:**

I think if the Committee's concern is advertising, then we probably shouldn't be advertising at all. We advertise all over the place, and if it's a way to generate some money for the State of Nevada, then I say we should do it.

**Assemblyman Christensen:**

Fifteen or 20 years ago, I could see that there could be a lot of resistance to this. Over the last 20 years, advertising has changed. I think on an issue like this, we should look at it as black and white. Are we going to embrace a State agency promoting a service that can go to State revenue to help pay for X, Y, and Z? If there is a significant concern with endorsing that motto, we should not do it.

**Chairman Ocegüera:**

Marji Paslov Thomas will tell us the motion.

**Marji Paslov Thomas:**

Mr. Manendo's motion was to amend the bill to prohibit the DMV from entering into an agreement with any auto wrecker, body shop, dealership, or garage to place private advertisements in public areas of its buildings and its electronic publications, and then amend the bill to prohibit ads IN official mailings. He agreed to take out "promote entertainment deemed improper or inappropriate" in his list.

THE MOTION CARRIED, WITH ASSEMBLYMAN CARPENTER AND  
ASSEMBLYWOMAN GERHARDT VOTING NO. (Mr. Sherer was not  
present for the vote.)

**Chairman Ocegüera:**

Let's go to the next work session bill.

**Senate Bill 269 (1st Reprint): Revises provisions relating to parking spaces for  
handicapped persons. (BDR 43-1272)**

**Marji Paslov Thomas, Committee Policy Analyst:**

Senate Bill 269 was sponsored by Senator Bob Beers and Senator Michael Schneider. It provides that the DMV must include an identification number and expiration date on temporary parking placards or temporary parking stickers issued to a person with a temporary disability. The measure also provides that the person who receives the disability parking placard sticker or license plate may not allow another person to park that vehicle displaying that device in a handicap-designated space, unless the disabled person is a passenger in the vehicle or is being dropped off or picked up by the driver.

[Marji Paslov Thomas, continued.] The bill also increases the fine for a first-time violation of illegally parking in a handicapped space from \$100 to \$250, and as written in this reprint, it provides that the treasurer of a local governing body will credit to the law enforcement agency that issues the handicapped parking citation with 40 percent or \$100 of the fine, whichever is less.

There are two proposed conceptual amendments by Stan Olsen, of the Las Vegas Metropolitan Police Department ([Exhibit B](#)). He proposes:

- Amend the bill to delete provisions that, upon collection of a fine imposed for violating the county ordinance that governs parking for the handicapped, the law enforcement agency would not be credited a portion of that fine.
- Amend the bill to provide that, upon collection of a fine imposed for violating a county ordinance, such as illegally parking in a handicap spot, that amount of the fine must be credited back to the county's general fund.

That is currently what is happening with those fines received under a county ordinance.

**Assemblyman Claborn:**

Would this be on private property as well?

**Marji Paslov Thomas:**

Yes, as long as that person is illegally parked in a handicap space.

**Assemblyman Carpenter:**

I think raising it from \$100 to \$250 is high.

**Chairman Oceguela:**

I think the problem in the urban areas of Las Vegas is that people don't pay attention; they just park in them. I think it would be used as a deterrent.

**Assemblyman Hogan:**

The police are busy with other things. I think it's rare that they feel they have time to cruise through the parking facilities. If people were aware that the fine was that much higher, it might have somewhat more effect.

**Assemblyman Manendo:**

I think the signs that are posted say "up to a maximum of \$1,000 fine." If you fought the ticket and went before a judge and said, "I have my wrong placard," and you are eligible for that placard, they would probably waive the fine. There



is also a citizens' committee that patrols and writes tickets. They are trained by Metropolitan Police Department and have the powers to actually write citations to people that park illegally in handicap parking spaces.

**Assemblyman Carpenter:**

Marji Paslov Thomas just informed me that takes effect upon passage and approval. I will change the amount. I wonder what would happen if we put October 1, 2005 to give people a chance to know that they need to do that.

ASSEMBLYWOMAN OHRENSCHALL MOVED TO AMEND AND DO  
PASS SENATE BILL 269 WITH CONCEPTUAL AMENDMENTS  
FROM STAN OLSEN AND CHANGING THE EFFECTIVE DATE TO  
OCTOBER 1, 2005.

ASSEMBLYMAN MANENDO SECONDED THE MOTION.

THE MOTION CARRIED. (Mr. Sherer was not present for the vote.)

**Chairman Ocegüera:**

[Meeting adjourned at 2:45 p.m.]

RESPECTFULLY SUBMITTED:

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Linda Ronnow  
Committee Attaché

APPROVED BY:

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Assemblyman John Ocegüera, Chairman

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

**EXHIBITS**

**Committee Name:** Committee on Transportation

**Date:** May 12, 2005

**Time of Meeting:** 1:30 p.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda (2 pages)
SB 33 SB 269 SB 295	B	Marji Paslov Thomas / LCB	Work Session (8 pages)
SB 139	C	Fred Hillerby / representing Washoe County RTC	Amendment to SB 139 (3 pages)
SB 139	D	Kathy Augustine / State Controller	Testimony in opposition to SB 139 (4 pages)