

**MINUTES OF THE  
SENATE COMMITTEE ON TRANSPORTATION AND HOMELAND SECURITY**

**Seventy-third Session  
February 22, 2005**

The Senate Committee on Transportation and Homeland Security was called to order by Vice Chair Joe Heck at 2:18 p.m. on Tuesday, February 22, 2005, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Dennis Nolan, Chair  
Senator Joe Heck, Vice Chair  
Senator Mark E. Amodei  
Senator Michael Schneider  
Senator Maggie Carlton  
Senator Steven Horsford

**COMMITTEE MEMBERS ABSENT:**

Senator Maurice E. Washington (Excused)

**GUEST LEGISLATORS PRESENT:**

Senator Warren B. Hardy II, Clark County Senatorial District No. 12  
Senator Barbara K. Cegavske, Clark County Senatorial District No. 8

**STAFF MEMBERS PRESENT:**

Patrick Guinan, Committee Policy Analyst  
Sherry Rodriguez, Committee Secretary

**OTHERS PRESENT:**

Rob Sciabica, Group Vehicle Acquisitions Manager, Enterprise Rent-A-Car  
Erin Breen, Director, Safe Community Partnership  
Gary H. Wolff, Teamsters Union Local 14

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James Lockridge

Charles Abbott, Chief and Highway Safety Coordinator, Office of Traffic Safety,  
Department of Public Safety

John R. Johansen, Highway Safety Representative, Office of Traffic Safety,  
Department of Public Safety

Jenny Care

VICE CHAIR HECK:

We are going to hear testimony on Senate Bill (S.B.) 49 and S.B. 60. There will also be one committee introduction for a bill draft request (BDR). This is on behalf of the Nevada Supreme Court authorizing peace officers to issue traffic citations prepared electronically.

**SENATE BILL 49**: Increases period during which temporary permit to operate certain unregistered vehicles remains valid. (BDR 43-765)

**SENATE BILL 60**: Makes various changes concerning drivers' licenses issued to persons under 18 years of age. (BDR 43-9)

I would like to go over the Transportation and Homeland Security Committee Rules ([Exhibit C](#)).

CHAIR NOLAN:

We are going to hear testimony on S.B. 49.

ROB SCIABICA (Group Vehicle Acquisitions Manager, Enterprise Rent-A-Car):

Currently, rental car agencies are given 20 days to register new fleet vehicles. We would like to have this extended to 30 days, allowing more time to get those vehicles registered.

Many times a rental vehicle's temporary tag expires before plates can be applied because the vehicle is in the possession of a customer. Sometimes a customer gets pulled over for no plates, even though the car is registered; plates are still not on the vehicle. That additional ten days would allow agencies more time to install legal plates on rental vehicles.

CHAIR NOLAN:

How long has the 20-day requirement existed? Has it been in the statutes forever?

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MR. SCIABICA:

I am not sure how long this has been in existence.

CHAIR NOLAN:

By giving ten additional days to register a vehicle, it is a cost factor for the agencies and a convenience factor for both the agencies and customers, is that correct?

MR. SCIABICA:

Yes, it is definitely a cost savings for rental agencies as well as for the customer. It is definitely a customer service issue for us, to make sure the customer is not harassed for the process of registering the vehicle.

CHAIR NOLAN:

Are there any questions from the Committee?

SENATOR CARLTON:

How much of a cost savings would this be with an additional ten days?

MR. SCIABICA:

I do not have a dollar amount to give you; we would need to consider man-hours and time involved in dealing with these issues. There are times we must take care of customer service issues. If a customer is pulled over for a traffic violation, they will also be cited for an expired temporary tag.

It would require downtime of employees going to court to present proper registration in order to address a ticket a customer may have received. It is our responsibility to prove a vehicle is legally registered.

SENATOR CARLTON:

When you submit an application for a license plate, what is the turnaround time?

MR. SCIABICA:

The turnaround time of car dealerships where the vehicles have been purchased can be delayed. We need paperwork, called a Certificate of Origin, to register all new vehicles. We get that from the dealership. Many dealerships will not release the Certificate of Origin unless they have a check in hand for the vehicle; no different than if you were to purchase your own vehicle. That can delay the

registration process. Some get the certificate to us quickly, others take longer, depending upon the dealership and man-hours they can handle.

Once we get the certificate, it is processed at the main office. We then submit it to the Department of Motor Vehicles (DMV), usually within a couple of days. It may take two to seven days to get the required paperwork from the dealership, then another two- to three-day turnaround at the main office before submitting to the DMV.

Depending on the load at the fleet window of the DMV office, sometimes they can get it done the same day, other times it can take four to five business days. Once we receive the plates, they are processed. We send them to the appropriate rental car branches, and they must put them on the vehicles.

This is where we run into problems. If a vehicle is signed out to a customer, the customer may not be able to come by the branch; therefore, we cannot get the plates on the vehicle if the customer is out of town or just too busy. The extra ten days would help alleviate this problem.

SENATOR CARLTON:

The first step is getting the paperwork from the dealership; if I understood correctly, that could take approximately one week. Then another two to five days for the DMV and another couple days to get them out to the appropriate branch to be placed on the vehicle, is that close?

MR. SCIABICA:

Yes, but you need to add an additional two to three days between the dealership and the DMV process for our office to process the Certificate of Origin paperwork received from the dealership.

SENATOR CARLTON:

Thank you, I wanted to make sure I understood the process and the time involved with each step.

SENATOR WARREN B. HARDY II (Clark County Senatorial District No. 12):

Rental car agencies asked the question, "Why does the rest of the world have 30 days to register vehicles, and rental car agencies have only 20?" I did not know; I did some preliminary research that made me realize it really was not fair. I represent fairness and justice and therefore decided to introduce this bill.

It seemed to be a fair request for car rental agencies to be awarded the same amount of time as others for registering vehicles.

CHAIR NOLAN:  
Are there questions from the Committee?

SENATOR CARLTON:  
Is there any cost savings by adding an additional ten days?

CHAIR NOLAN:  
Mr. Sciabica indicated there was a savings to the company by having that additional ten days to register a vehicle. It is probably on a vehicle-by-vehicle basis. Based on a large fleet, there could be a considerable amount of savings over a period of time.

SENATOR CARLTON:  
Is it a savings in DMV fees?

CHAIR NOLAN:  
I believe there would still be a cost for registering the vehicles, there is just a ten-day delay in registering. We would still receive that money. They would just be able to get their vehicles out sooner, is that correct Mr. Sciabica?

MR. SCIABICA:  
Yes. There is no savings for us with regard to DMV fees. We pay the same price for the license plates. We could incur downtime with cars if they were not properly registered, obviously, that would be a loss of rental income.

SENATOR HORSFORD MOVED TO DO PASS S.B. 49.

SENATOR HECK SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR WASHINGTON WAS ABSENT FOR THE VOTE.)

\* \* \* \* \*

CHAIR NOLAN:

Senator Cegavske wanted to provide additional testimony on S.B. 60. There were two portions of the bill she discussed briefly before the joint Senate Committee on Transportation and Homeland Security and the Assembly Committee on Transportation. Senator Cegavske, I would like you to go back to the two sections which are different in the bills and were identified in the initial testimony.

SENATOR BARBARA K. CEGAVSKE (Clark County Senatorial District No. 8):  
Section 2, subsection 2, paragraph (b) of S.B. 60 has a requirement of 50 hours of supervised driving. This section states ten of those hours are to be done at night, and it must be documented as to date, time of day, weather conditions and miles on the odometer. Are there any questions on this portion?

CHAIR NOLAN:

Why not have Ms. Breen explain this section for us.

ERIN BREEN (Director, Safe Community Partnership):

We have been working with a committee of 15 people from all different backgrounds: agency individuals, education people and parents who have been directly affected by car crashes who have either lost a child or had a child injured in a crash.

Currently, parents sign off on an affidavit which states their child has spent 50 hours behind the wheel practicing with them in the vehicle, when in fact that is not the truth.

The idea behind the change to this bill was, if parents are going to lie about practicing with their kids, it should be a little more difficult. They will need to go back and fake some documentation. Hopefully, by having to do that it would make them see how serious this practice time is with a child.

Fifty hours behind the wheel with six months' learning time is not excessive. We want it stipulated that ten of those hours must be at night, because when you look at crash statistics for novice drivers, the numbers are higher after 9 p.m.

We do not want a restriction that limits driving to 10 p.m. or midnight, we want them to obey the curfew rules and let that stand so kids can drive before

curfew, which is 10 p.m. weeknights and midnight on the weekend, in Clark County. That is the first reason for the documentation on the 50 hours.

The second reason was for the conscientious parent. We would like a notation at the beginning of the DMV form parents receive when their child gets a learner's permit. The notation reminds the parent to go back and look at this record before the child tests and ask themselves, "Have I practiced with my child in the types of environments they are going to be exposed to as novice drivers?"

Clark County has a terrible issue with wet roads when there has not been rain in a long time. Prior to the past few months, Clark County only got rain every 100 to 120 days. We have a high oil concentration in our pavement mix which rises to the surface; with a little bit of water it becomes a dangerous situation. We want to be able to point this out to parents. Also, how nighttime driving is important, and how important it is to drive with the novice driver in the rain. Important considerations are if the child has driven on major arterials and been shown how to merge on a freeway. It would also be a resource for parents to see the types of environments in which their student has practiced.

CHAIR NOLAN:

Are there any questions from the Committee?

SENATOR HORSFORD:

Will this provision require the Department of Motor Vehicles to create a standard form and give it out when someone applies for their learner's permit?

SENATOR CEGAVSKE:

There is a form currently being used; it does not have the specific information that is being asked for now. That is what Ms. Breen was referring to when she stated that some parents are just signing it, but not actually having their student practice the 50 hours. If we require a few more specific items such as date, time, weather conditions and odometer reading, that might help engage both the student and the parent in doing a better job.

SENATOR HORSFORD:

There are provisions in the bill I agree with, but my concern is with the parent-liability portions of section 2 and section 10. Students do not always have the parental support necessary to help them do what they need to do

responsibly. There are parents with language or literacy barriers. How do you see that working and not being a burden on a young person trying to act responsibly and getting the education they need? What about the circumstance where a parent either is not supportive, not prepared, or cannot do what we are asking them to do by law; does that put an unfair hardship on the young person?

CHAIR NOLAN:

Ms. Breen, with respect to this section, can you answer any the questions Senator Horsford asked?

MS. BREEN:

We are not asking parents to specifically write the list; the teen or novice driver could keep the logbooks. Currently, they are required to keep some form of records, we are just asking for more detail. If it is a language or literacy barrier you are worried about for the parent, we probably already have that covered in a more condensed form of what they are now required to do. I know if you are unable to take the written driving test right now, which is required before you can get a learners permit, you must pass a written exam. If a teen were unable to pass the written exam, the DMV can deliver the exam orally. The DMV could also be required to interview orally regarding the logbook, if literacy were an issue.

SENATOR CEGAVSKE:

Section 10, subsection 2 of S.B. 60 states: "If the parent or legal guardian of a person under the age of 18 years knowingly and willfully allows the person to operate a motor vehicle ... ." That section was based on the accident involving some kids from the Las Vegas High School. A parent allowed his 16-year-old daughter, who did not have a permit or license, to drive a vehicle. As a result, not only was she killed, another girl was killed and two others are maimed for life.

We talked to the Las Vegas Metropolitan Police Department to find what to put into legislation that would make a stronger hold on anyone who knowingly allows someone to drive a vehicle without a license or permit. There was no insurance on the vehicle because she was not a registered driver. In this situation, we were looking for answers for the victims of that car accident.



The parents were told they could not get insurance on the daughter because she was not a licensed driver, therefore she was not insured at the time of the accident, yet the parent was allowing her to drive the car without a license or permit anyway.

That incident was the rationale behind this section. We worked with some parents of the victims for this section of the bill which would hold parents liable.

SENATOR HORSFORD:

I can understand that argument. Looking at the other side of the coin, who determines if the parent was knowingly and willfully involved? What happens if a young person, irresponsibly, takes the car without the parent's permission? Trying to hold parents accountable is a difficult thing to legislate.

Unfortunately, we have young people who think they are grown before they truly are. I for one do not want to legislate parenting, but we do need some type of safeguards. This is something for which young people need to take responsibility.

SENATOR CEGAVSKE:

The courts would make the determination. We did not want to put in the bill what the fines would be, or the circumstances, because every case is different. A judge would hear the case and, based on the information provided, the judge would be able to set whatever penalty and fine against whomever they felt was responsible. We wanted to leave as much as we could in the hands of the judge to make that decision.

SENATOR HORSFORD:

If a young person takes a car and the parents know about it and that person gets in an accident, would a police officer need to obtain that kind of information at the scene? How will the information come forward on whether or not the parent actually knew and allowed the child to use the vehicle?

SENATOR CEGAVSKE:

That information would come out through an investigation or a court hearing. There is no way we could put that in this piece of legislation. It is similar to determining what the consequences are for a juvenile who does not adhere to the Graduated Driver's License (GDL) law; that is up to a judge to determine.

CHAIR NOLAN:

When there is an accident involving a minor, is there some type of mandatory notification made to parents?

GARY H. WOLFF (Teamsters Union Local 14):

Yes, parents are notified when a juvenile is involved in an accident.

CHAIR NOLAN:

Under normal circumstances, if someone is driving a vehicle without a license and is involved in an accident or otherwise encounters law enforcement, the officer would make a determination that the individual is underage, whether they have any identification or if they hold a valid Nevada drivers' license. Under those circumstances, what is the normal punishment? Is that an arrest situation, or is that just a citation? Do you know if statute requires notification be made, if the juvenile is just cited. I do not think there is such a requirement.

MR. WOLFF:

Yes, the parents are notified by the juvenile authority. Parents are required to appear before a juvenile master with the child to hear the case, and the parents are ultimately responsible. An officer is not going to allow a juvenile to leave the scene of an accident without notification of a parent or guardian. If they are not able to reach anyone, it is not beyond them to book the child into a juvenile facility. Then the parent or guardian can pick up the child.

CHAIR NOLAN:

Ms. Breen, did you have anything to add?

MS. BREEN:

This bill information came out of a working committee of the 72nd Legislative Session. It was primarily because of the crash at the Las Vegas High School. The circumstance of that crash was that the father of the driver, who was unlicensed and who did not have a learner's permit, provided his daughter with her own vehicle. This is happening across Clark County. Parents do not want to pay insurance on their teen driver because it is so high, so they are allowing them to drive unlicensed.

After the Las Vegas High School crash, police officers developed a video called, "In the Blink of an Eye." I have been with them when this has been presented to various high schools. A question is asked, "By a show of hands, how many of

you drove today?" Three-quarters of the students raised their hands. Then they were asked, "How many of you have a driver's license?" Approximately one-quarter of the students raised their hands, yet three-quarters of them had driven to school that day. They were not all doing it without their parent's knowledge.

As part of Sean Larimer's speaking program, we hand out a questionnaire. It has six questions and is intended to be completed in less than a minute. One question is, "Do you drive?" The next question is, "Are you licensed or do you have a learners permit?" Kids are driving unlicensed.

SENATOR CARLTON:

This question is for staff. If a child is found in violation of the GDL, will that provision be used against the parent?

PATRICK GUINAN (Committee Policy Analyst):

Can you give me the provision you are talking about?

SENATOR CARLTON:

If a parent or legal guardian of a minor knowingly and willfully allows the minor to drive, and if that minor is found to be in violation of the GDL we are discussing here, will that provision be applied to the parent?

MR. GUINAN:

My understanding is the violations of the GDL portion are secondary to another offense. The parent would be held responsible only if the minor was stopped for a different violation; they would not be stopped solely for a GDL violation.

SENATOR CARLTON:

For example, if a 17-year-old is driving to the grocery store at 11 p.m. and a police officer stops her for not using a turn signal, she is in violation of non-use of the turn signal; she is also in violation of the proposed GDL because of the curfew. Would this provision apply to the parents? If a parent knowingly and willfully allowed that minor to go to the grocery store at 11p.m., could this provision be applied towards that parent?

MR. GUINAN:

That determination would be made in court. It would have to be proven that the parent or guardian willfully allowed that situation to occur.

SENATOR CARLTON:

Would this section apply to any violation?

MR. GUINAN:

That is my understanding, but I will check to make sure.

SENATOR CARLTON:

Was that your intent, Senator Cegavske?

SENATOR CEGAVSKE:

No, our intent of this bill is just as I stated. My understanding is this is just for the type of violation I have described; any GDL offense would be secondary. A minor cannot be stopped for any of the secondary offences in the GDL bill; they need to have been cited for a moving violation first. If a parent or guardian knowingly allows a minor to operate a vehicle in violation of section 10, it is my understanding that would be just section 10.

SENATOR CARLTON:

I am confused. Could we have someone from the Legal Division clarify this, just so we understand? What is intended and what is drafted sometimes are different.

SENATOR CEGAVSKE:

I agree. I appreciate that, because that was our intent; that is what we are hoping comes out. Is that your understanding?

MS. BREEN:

It is my understanding, we were trying to stop parents from allowing minors to drive unlicensed to avoid paying the extra insurance fees for their children. That is what I thought was our intention by including that section.

SENATOR CEGAVSKE:

Thank you. I would like to ask the Legislative Counsel Bureau (LCB) to clarify that. That is the intent we had and when we read it, it made sense to us.

CHAIR NOLAN:

As I read it, since it does affect just this section, under subsection 1, it deals only with the violation of a curfew. Again, the standard is that the parent has to knowingly and willfully allow the child to operate a vehicle. This subsection

only addresses the curfew. If the intent is different, then we will need an amendment to that particular section. We can ask staff to draft an amendment if they understand the intent. We can address that in our work session on this bill.

SENATOR CEGAVSKE:

Concerning that section, I spoke with a representative for judges. We want to make sure judges feel comfortable with the word "willfully." I want this Committee to know I am not asking for any action today because I want to make sure the judges feel comfortable with the language in this bill, and that we get LCB's understanding of this section.

The last thing we did pertains to S.B. No. 256 of the 72nd Session. The revisions were requested by parents and community leaders. In section 4, subsection 2, paragraph (b) of S.B. 256 of the 72nd Session, we removed: "Is not grounds for suspension or revocation of the driver's license ... ." The language is deleted to allow a judge to revoke or suspend a juvenile's license.

CHAIR NOLAN:

Are there any questions from the Committee for Senator Cegavske or Ms. Breen about any other aspect of the bill at this time?

SENATOR HORSFORD:

You outlined two provisions today, section 2 and section 10, dealing with willfully and knowingly. Are those provisions high priority for the bill? If there is a recommendation to remove those from the bill, how would you feel about that?

SENATOR CEGAVSKE:

When I submitted the bill, I submitted the exact same bill, S.B. No. 256 of the 72nd Session, again. Then, with the committee Ms. Breen was talking about, the parents of the kids that were involved in these accidents made these recommendations. I put in what they thought would be good legislation to help with some of their concerns.

I would leave it up to Ms. Breen and the parents. I do not have a problem with removing them. We should get legislation that would toughen the law for parents who do allow their kids to drive without a license. If we could address

that issue, that would take care of that part. Is the first provision pertaining to the 50 hours of driving a concern for you, Senator Horsford?

SENATOR HORSFORD:

I understand Ms. Breen said that it is law now, but sometimes we have laws on the books that do not make any sense. I have a concern for parents who do not have the ability to attest or sign for something they cannot understand. A young person who is literate and can understand what they are filling out is one thing, but a parent signing to that and not understanding it is a cause for concern.

I have a problem with that portion and I have a problem with section 10. I am not comfortable with how a police officer or anyone else would go about doing the investigation. My question is more of who does the investigation to determine whether the parent actually knew about the situation, and what evidence is collected? We have had a big ordeal in this legislative body dealing with the word "willful." Another issue with that section is what the fine would be. It says all fines and penalties imposed by a judge.

SENATOR CEGAVSKE:

Community service is what most of the parents had indicated they thought would be fair, if they could not afford to pay any of the fines associated with the violations. In speaking with some of the judges, it was determined they do not want to put anyone in jail; that is not their goal. Their goal is to educate and to make sure parents and young drivers are being responsible.

SENATOR HORSFORD:

But the punishment would potentially be on the parent. The fine could be imposed on the parent or guardian.

SENATOR CEGAVSKE:

If it were for something as extreme as allowing someone who does not have a license to drive, that was our intent. If we have not worded that specifically and cannot get that correct, then I do not have a problem removing it.

SENATOR HORSFORD:

We need to be careful about putting things into law that have a greater consequence than what we intend. I can see where there could be parents harmed by some of the legislation we might consider. That is my concern.

I appreciate the work that has been done on this bill by you and the concerned parents.

MS. BREEN:

I agree with Senator Cegavske. The last thing we want to see is something like this keep the bill from being passed this Legislative Session. If we cannot come to an agreement on the language, I would be perfectly fine with that being taken out of the bill entirely.

CHAIR NOLAN:

We will try to work on this; it is an important provision. The intent is there. If a parent with a minor who is unlicensed and untrained allows the minor to get behind the wheel of a vehicle, knowingly putting them and the community at risk, then there should be some type of action taken against that parent or guardian. The parent is just as responsible for injuries or deaths their child causes. Maybe, in some cases, even more.

When we talk about the ability of a juvenile to understand and comprehend all the consequences and actions that have been discussed, parents are held to a higher standard. We will try to create an amendment that addresses Senator Horsford's concern the way you originally intended it. If there are no questions for Senator Cegavske or Ms. Breen, we will proceed with additional testimony.

JAMES LOCKRIDGE:

I have prepared a written testimony that I would like to read to this Committee ([Exhibit D](#)).

CHAIR NOLAN:

I understand what you are saying. I am sure there is some agreement within the Committee. Driver's education was a part of the school curriculum; it was a standardized program in this State for years. The school districts came to the Legislature and requested we reduce some of the mandates for cost reasons. Driver's education was one of them that became a "may" instead of a "shall." At this time, as easy as you think it would be to change those two words, the fiscal note would be something that would stop it in its tracks. However, I do not disagree with you that there needs to be a better, more standardized format for kids to go by.

You talked about multimedia training. There are many driver-training programs available. I will ask our staff to look at other states and what they are currently doing, both the states that have required training programs within their school systems and those that have other options, as we do, where people can go to a private source. We need to see what materials are required and in what format kids are being taught. If we get a little more information, then we can come back to Ms. Breen and others interested in this and perhaps move forward with a bill.

I do not see a bill this Legislative Session because of the potential fiscal note involved. If we can bring the appropriate people together on the issues that you are forming, we can stay in contact with you. It appears you are knowledgeable, considering your background and training. With respect to your comments, we will have staff investigate and get some information. I would ask you to work along with Ms. Breen on some legislation we might be able to bring forward at a future time.

CHARLES ABBOTT (Chief and Highway Safety Coordinator, Office of Traffic Safety, Department of Public Safety):

I have written testimony to read here today ([Exhibit E](#)) and a document I would like handed to the members of this Committee ([Exhibit F](#)).

JOHN R. JOHANSEN (Highway Safety Representative, Office of Traffic Safety, Department of Public Safety):

I prepared the packet titled, Information Relative to Graduated Driver Licensing (GDL) [Exhibit F](#). It is self-explanatory. Page 3 of [Exhibit F](#) has actual Nevada numbers; the balance of the report covers national averages. The section on Motor Vehicle Occupant Fatalities eliminates pedestrians and bicyclists. The at-fault drivers are only those teens who are judged at fault in the crash; other teens were in fact killed but were not necessarily at fault in their crashes.

The Five Characteristics of Crashes by Age, bottom of page 3 of [Exhibit F](#), illustrates how young drivers are more likely to crash due to driver error, speed, alcohol or having three or more occupants. Teens are also involved in more single-vehicle crashes. Alcohol is a huge problem for the 20- to 35-year-old group. It is not a huge problem for 16-year-olds; typically it starts at age 17. That is the trend as teens get more experienced.



On page 4 of [Exhibit F](#), I have identified unique risks such as passengers and nighttime driving. The graph shows, with one exception, nighttime driving is always more risky for teen drivers. At the bottom of page 5 of [Exhibit F](#), Crash Rates, are the results of a four-state survey of freshman students continuing for four years until their senior year. Telephone surveys were given every six months to document their driving experiences. The chart represents the unrestricted-license crash experience and the learners-permit experience, after the provisional license. The risks for our new-licensed drivers with an unrestricted license are extremely high for the first several months or several hundreds of miles. It drops until getting to approximately 1500 miles where it approaches a normal experience. The time period is perhaps six months. That is the period where the provisional-license practice driving with the restrictions is designed to help.

CHAIR NOLAN:

You provided us with two examples of the GDL for California and Ohio. In California, what is the learner's permit age?

MR. JOHANSEN:

In California, 15 years, 6 months is the earliest age for a learner's permit.

CHAIR NOLAN:

It was stated that Florida had a 9-percent reduction in fatalities in the first year their GDL was enacted. It would be interesting to see a matrix of states which have introduced a GDL, the provisions they introduced and which states had the greatest success.

I am looking at Nevada's fatalities for at-fault teen drivers in 2003. There were 57 fatalities involving teen drivers. If we were to apply the California or Ohio rules, which appear to have the same minimum provisions as the GDL before us advocates, and it had the same reductions in fatalities, we would possibly have another 12 kids with their families today.

It is those numbers that make this bill that much more important. I will ask our staff to work with you. It might help to create a matrix, if one is not already available, with the provisions other states have in their GDLs. It would be interesting to see what their mortality rates are associated with the most serious provisions in a bill. I hate to say the most harsh or strict provisions,

because they may not be that, versus those which only have some provisional statutes that are not as strict.

SENATOR CARLTON:

I have a numbers question. Percentages sometimes throw us a bit of a curve. On page 3 of [Exhibit F](#), the age group of 15- to 20-year-old drivers represent 6.37 percent of licensed drivers in Nevada. I would like some hard numbers. We have the at-fault driver fatalities listed at 57. How many teen drivers are there in Nevada and what is that 57 a part of?

MR. JOHANSEN:

I do not have that number. This was based on the 2002 DMV licensed drivers by age.

SENATOR CARLTON:

I would just like to know what portion is the 57 derived from, how many teen drivers are there in Nevada?

MR. JOHANSEN:

I will get you the actual number.

SENATOR CARLTON:

Thank you.

CHAIR NOLAN:

Are there any other questions? Is there further testimony for this bill?

JENNY CARE:

I am a health educator and former health-education coordinator for Clark County. That is my reason for speaking today. I had not intended to testify on this bill; I had purposely sat in on the joint Committee hearing last Thursday. When I was listening to the testimonies, I felt there was a lack of testimony in an area that I thought was critical to the support of this bill. Again, that comes from my prospective as a health educator. In my profession, my area of expertise is adolescent health. In recent years we have had some profound research in the area of development of the teen brain and its capabilities to function and perform in certain ways at certain ages.

I would like to run through a few things on research that was current as of October 2004. It is important to attach this research to the testimonies we have heard and the ability of a teenager at age 16 to make decisions as opposed to age 17 or 18. In recent studies, Dr. Jay Giedd of the National Institute of Mental Health last year put forth a great body of research on the teen brain. I would like to illustrate three of the main points that he made in the changes in adolescent brain throughout puberty.

I will provide copies of this information to this Committee ([Exhibit G](#)). The adolescent brain is not like the adult brain. We often feel because it has developed to that size that it functions in the same way; however, it does not. The brain sculpts away connections which are not needed in order to create a brain that operates more efficiently throughout the adolescent years. Most of these changes are taking place in the front part of the frontal lobes called the prefrontal cortex.

The second change in the adolescent brain is that myelination is not finished. In essence, myelin is the white matter of the brain, the substance that coats the cells allowing electrical impulses through to help the brain function. There are major spurts in myelination in the temporal and parietal lobes from ages 6 to 13. These are the areas that specialize in spatial, sensory, auditory and language functions. During adolescence, the frontal lobes of the brain are still being myelinated. Brain scans show more myelin in the frontal lobes of adults than in adolescents.

It is important for us to understand this about a teenager. The prefrontal lobes are largely responsible for executive functions of the brain including: reasoning ability, goal and priority setting, ability to make sound judgments, planning and organization of multiple tasks, impulse inhibition, self-control, emotional control, determining right from wrong and determining cause-and-effect relationships. These are important skills in a teenager's life for functioning and for making decisions. These behaviors are a laundry list of characteristics that adolescents lack. Researchers suspect that an unfinished prefrontal cortex with its excess of synapses and unfinished myelination contributes to the adolescent's deficits in these areas.

There is another change. The cerebellum is not quit finished developing yet. It is best known for controlling physical movement and coordination, however, it has been discovered that it is also involved in coordination of cognitive processes.

The ability to coordinate many different intellectual processes and smoothly navigate the complicated social life of the teen appears to be a function of the cerebellum.

CHAIR NOLAN:

I know those of us who have sat on the Senate Committee on Judiciary have explored this area when we discussed the death penalty with respect to juveniles and brain development. In summary, we know there is typically a developmental lag in the younger the child. You are pointing out a biological deficit that occurs in the teens we are putting behind the wheels of cars.

We appreciate you bringing this to our attention.

MRS. CARE:

I am aware much of this has been heard in other committees. This is a body of research that is very much in the forefront, especially in the area of connecting decision-making skills and brain development and physiological and sociological development associated with crimes. I think we need to look at that as well.

In considering a child is lacking in these areas, are we looking at that child's ability to make decisions behind the wheel of a car at the age of 15 or 16? When we consider a child at age 15, a sophomore, compared to a child at age 18 and a senior, ready to graduate and making major decisions, we need to look at the true sociological and physiological development of that child.

That was my reason for being here today. I want to encourage you to do research on your own. I recommend that you take a look at the research from the Institute of Mental Health.

CHAIR NOLAN:

If there is no further testimony for S.B. 60, we will schedule this bill for a work session. At this time, I would like to introduce BDR 43-520.

**BILL DRAFT REQUEST 43-520:** Authorizes peace officers to issue traffic citations that are prepared electronically. (Later introduced as [Senate Bill 132](#).)

SENATOR HECK MOVED TO INTRODUCE BDR 43-520.

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SENATOR NOLAN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS WASHINGTON, AMODEI AND SCHNEIDER WERE ABSENT FOR THE VOTE.)

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CHAIR NOLAN:

If there is no other business to come before this Committee, the meeting is adjourned at 4:06 p.m.

RESPECTFULLY SUBMITTED:

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Sherry Rodriguez,  
Committee Secretary

APPROVED BY:

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Senator Dennis Nolan, Chair

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