

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

**Seventy-third Session  
March 29, 2005**

The Senate Committee on Transportation and Homeland Security was called to order by Chair Dennis Nolan at 1:30 p.m. on Tuesday, March 29, 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 Terry Care, Clark County Senatorial District No. 7  
Senator Dina Titus, Clark County Senatorial District No. 7

**STAFF MEMBERS PRESENT:**

Patrick Guinan, Committee Policy Analyst  
James Puffer, Committee Intern  
Lee-Ann Keever, Committee Secretary

**OTHERS PRESENT:**

Frank Siracusa, Chief, Division of Emergency Management, Department of Public Safety

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Mark Blomstrom, Deputy Director, Communication and Computer Division,  
Department of Information Technology  
Steve G. Holloway, Associated General Contractors, Las Vegas Chapter  
Daryl E. Capurro, Nevada Motor Transport Association  
Berlyn D. Miller, Nevada Contractors Association  
Richard D. Ewing, Las Vegas Paving Company  
Mitchell Truman  
Mark Ireland, TAB Contractors  
Barry Duncan, Southern Nevada Home Builders Association  
Mike Rich, Q & D Construction  
Richard J. Yeoman, Administrative Services Officer, Nevada Department of  
Transportation  
Kent Cooper, Assistant Director, Planning and Progress Development, Nevada  
Department of Transportation  
Cheri L. Edelman, City of Las Vegas  
Santana Garcia, City of Henderson  
Kimberly McDonald, City of North Las Vegas  
Herbert Arnold, Chief, Traffic Engineering, Clark County  
John P. Sande, III, Nevada Franchised Automobile Dealers Association  
David L. Howard, Dacole Company  
Robert A. Ostrovsky, 3M Corporation  
R. Ben Graham, Nevada District Attorney's Association  
Robert Compan, Farmers Insurance

Chair Nolan opened the hearing on Senate Bill (S.B.) 287 and explained the hearing would be a procedural rereferral.

**SENATE BILL 287**: Prohibits person from leaving child who is 7 years of age or younger in motor vehicle without certain supervision. (BDR 15-14)

Due to lack of a quorum, the Chair closed the hearing on S.B. 287 and, as a subcommittee, opened the hearing on S.B. 194.

**SENATE BILL 194**: Requires Nevada Commission on Homeland Security to advise and make recommendations to Governor relative to certain systems of communication. (BDR 19-749)

As a quorum was present, the Chair closed the hearing on S.B. 194 and reopened the hearing on S.B. 287. Chair Nolan said the bill's sponsor, Senator Wiener, requested the bill be rereferred to the Senate Committee on Judiciary.

The bill would be amended by adding Assemblyman Horne's name as a cosponsor. The amendment would accompany the bill to the Senate Committee on Judiciary.

SENATOR HECK MOVED TO AMEND S.B. 287 BY ADDING ASSEMBLYMAN WILLIAM C. HORNE'S NAME TO BILL AS A COSPONSOR AND REREFERRING BILL TO SENATE COMMITTEE ON JUDICIARY.

SENATOR HORSFORD SECONDED MOTION.

MOTION CARRIED. (SENATORS CARLTON, SCHNEIDER AND WASHINGTON WERE ABSENT FOR VOTE.

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Chair Nolan closed the hearing on S.B. 287 and reopened the hearing on S.B. 194. The Chair said his participation on the Nevada Commission on Homeland Security (NCHS) resulted in S.B. 194 and he sponsored the bill.

The NCHS reviewed the State's radio communications among law enforcement agencies. Two of the problems facing law enforcement agencies in Nevada had been the compatibility and interoperability of the communications systems used by the different agencies.

The bill authorized the NCHS to formally advise and make recommendations to the Governor relative to radio communications. Chair Nolan said compulsory language had not been included in the bill. The Chair said there were some concerns about the bill and, if necessary, it would be amended to keep it advisory only.

Frank Siracusa, Chief, Division of Emergency Management (DEM), Department of Public Safety (DPS), said the DEM was responsible for the management and oversight of the Homeland Security Grant Program. The DEM distributed grant funds to local governments. Mr. Siracusa said the DEM discussed the P25 radio standards with the federal Office of Domestic Preparedness (ODP), Department of Homeland Security. The discussions centered on making the P25 standard for use by all law enforcement agencies in Nevada. The ODP thought the federal government would mandate the use of the P25 standard as the required standard for radio communications by law enforcement agencies throughout the country in fiscal year (FY) 2007.

Mr. Siracusa said if the P25 standard became mandatory, any law enforcement agency which did not follow that standard would not be eligible for grant money from the federal Office of Homeland Security. Presently, the federal government only encouraged law enforcement agencies to meet the P25 standard.

Mr. Siracusa said he had no way of knowing whether the encouragement would become a requirement. He wanted to make the legislative committees aware that law enforcement agencies might have to meet the P25 standard.

Chair Nolan asked for information about the P25 standard. Mark Blomstrom, Deputy Director, Communication and Computer Division, Department of Information Technology (DoIT), stated the P25 standard was a suite of standards, originally conceived in 1989. The P25 standard was an attempt to bring a specific set of standards describing a methodology for digital operation of two-way radios. Until 1989, most two-way radios operated in the analog mode.

Mr. Blomstrom said the first portion of the P25 suite had been published in 1995 and described the phase 1 operation. The balance of the P25 standards were being worked on, including the description of how intelligent trunking two-way radio platforms would work together. Mr. Blomstrom stated the trunking of two-way radio platforms would work much like an intelligent personal computer talked to a Mac personal computer. The P25 standard described a standardized means of communicating between the different radio platforms. It was a sophisticated suite of standards still under development.

The P25 standard had been adopted by many private and public agencies, including federal agencies. Those agencies had time lines detailing the

implementation of the P25 standard. Many, but not all, states had adopted the P25 standard for communication purposes. Mr. Blomstrom added many national first-responder associations, such as the International Association of Chiefs of Police, adopted the P25 standard as a means by which to accommodate a standard which would allow different manufacturers to produce radio equipment that would be compatible with radio equipment manufactured by other companies.

Chair Nolan referred to Mr. Blomstrom's amendment to the bill in [Exhibit C](#), which would change the bill's effective date from July 1, 2005, to October 1, 2005. He asked Mr. Blomstrom to explain the amendment.

Mr. Blomstrom said the Nevada Communications Steering Committee intended to provide a draft plan, as required by A.B. No. 441 of the 72nd Session, to the NCHS for implementation by July 1, 2005.

Mr. Blomstrom stated there were two reasons for the amendment. The first reason was the process was complex and had taken longer to implement than originally anticipated. The federal Safe Communications Office (SCO), Department of Homeland Security, would provide Nevada with assistance. Mr. Blomstrom explained the second reason was the SCO had developed a methodology for developing communication interoperability plans. The methodology had been developed in the state of Virginia and had been published in December 2004.

The SCO approached Nevada in March 2005 as the SCO needed a western model for the state communication interoperability planning (SCIP). If Nevada participated in the SCIP program, it would receive assistance in the form of focus groups and their input on the SCIP program. The focus groups were comprised of first-responder users.

In order to participate in the SCIP program, the State required additional time to incorporate the SCIP program in to the draft plan. These two reasons required the additional 90 days requested by amendment.

For the record, Chair Nolan said:

One concern had been raised with regard to the language in the bill, was assuring that the intent was to make this bill only advisory. Recommendations would be made to the Governor only on issues of compatibility and interoperability with respect to radio safety systems. The only amendment that has been offered extends the effective date by 90 days for the purpose of receiving additional feedback and opportunities which the State is currently working on.

Chair Nolan said the Committee would not process the bill until additional Committee members were present to vote on it. He closed the hearing on S.B. 194 and opened the hearing on S.B. 219.

**SENATE BILL 219:** Requires Department of Transportation to establish regional advisory committee in certain cities and prohibits local authorities from issuing permits to operate certain oversized vehicles on highways in this State. (BDR 43-642)

Senator Terry Care, Clark County Senatorial District No. 7, said the construction industry requested S.B. 219. The Senator explained current law provided that the permits necessary to move oversized equipment would be issued by the Nevada Department of Transportation (the NDOT), as well as city and county municipalities in Nevada. In both Clark County and Washoe County, the counties and their respective cities had different regulations for moving the same piece of oversized equipment. In either county, a piece of equipment might have to be moved through two or more political subdivisions.

The bill sought to create an advisory committee which would include representatives from those cities located only in Clark County or Washoe County and representatives from the NDOT. The advisory committee would make recommendations to the NDOT on developing a practical policy on the issuing of permits for moving oversized equipment.

Senator Care stated if the bill were passed, lag time on construction projects would be reduced or eliminated making the projects more efficient and cost-effective. The Senator said he understood one amendment would be proposed for the bill and he had no objection to the proposed amendment.

Steve G. Holloway, Associated General Contractors, Las Vegas Chapter, said the bill addressed a ridiculous situation which developed over the past ten years. Mr. Holloway explained four permits were required to move a piece of oversized equipment from North Las Vegas to the Las Vegas Strip. The move could not be accomplished in a day as some of the permitting authorities had specific times in which to move.

Mr. Holloway said as he understood the original legislation on the subject, the NDOT was to establish regulations for moving pieces of oversized equipment which a city or county would follow when issuing a moving permit. Currently, that process was not being followed by the NDOT, the cities or counties.

The bill took the authority to issue moving permits away from the cities and counties and gave it to the NDOT. Mr. Holloway noted the NDOT presently issued approximately 33,000 moving permits per year.

The needs of the cities and counties in Nevada's large metropolitan areas would be addressed by the creation of an advisory committee. The committee would provide advice to the NDOT and ensure the NDOT issued the permits, established the needed truck routes and wrote the regulations detailing the moving process. The advisory committee would take into account the ordinances of the cities and counties when providing advice to the NDOT.

Mr. Holloway said there were instances when a street light or street sign was damaged during a move. When that occurred, the transport company was responsible for the replacement of the damaged item and would pay the appropriate municipality for damages. All transport companies in Nevada were required to maintain insurance to cover the replacement cost of items damaged during a move.

Daryl E. Capurro, Nevada Motor Transport Association, said he echoed Mr. Holloway's testimony on the need for S.B. 219. Mr. Capurro stated the problems facing the transport companies included conflicting regulations between the NDOT and the municipalities in Nevada.

Mr. Capurro told the Committee that the NDOT would not allow a piece of oversized equipment to be moved at night, while some of the municipalities would only allow the equipment to be moved at night. Another regulation required three days' notice prior to moving the equipment. Mr. Capurro said that

requirement presented a problem for the building industry in Clark County. He noted there were times when a piece of oversized equipment was needed immediately at a construction site in Las Vegas and the three days' notice did not accommodate that need.

Mr. Capurro said there would be times when a transport company would not be able to follow all the regulations for moving oversized equipment due to the disparity in regulations between the NDOT and the municipalities.

Mr. Capurro read section 4, subsection 1 of the bill:

The provisions of this chapter are applicable and uniform throughout this State on all highways to which the public has a right of access or to which persons have access as invitees or licensees.

Mr. Capurro said the provision included both State and local highways.

Mr. Capurro read section 4, subsection 2 of the bill:

Unless otherwise provided by a specific statute, any local authority may enact by ordinance traffic regulations which cover the same subject matter as the various sections of this chapter if the provisions of the ordinance are not in conflict with this chapter. ...

Mr. Capurro said the provision included any regulations adopted by the NDOT pursuant to chapter 284 of the *Nevada Revised Statutes* (NRS).

Mr. Capurro finished reading section 4, subsection 2 of the bill, " ... It may also enact by ordinance regulations requiring the registration and licensing of bicycles." Mr. Capurro said he was looking for uniformity in the bill as applied to the transport of non-divisible loads. Mr. Capurro explained a non-divisible load was a piece of equipment which could not be taken apart prior to transport and then reassembled once it arrived on-site.

Mr. Capurro stated it would help the transport companies if the NDOT issued a moving permit which was valid for transport in any Nevada municipality. Mr. Capurro noted such a permit would be issued in compliance with NRS 484.777. If such a permit were not issued, then a transport company



might find itself with a conflict between State and local regulations for the moving of oversized equipment.

Mr. Holloway told the Committee S.B. 219 had been brought to the Legislature after the construction industry tried to resolve the problem over the past six years. As an example of the problems faced by transport companies, he said one of the statutory requirements had been designating truck routes for use when moving a piece of oversized equipment. The truck routes had not been designated as the local municipalities could not reach consensus on interlocal agreements. Mr. Holloway said the bill required the cities and counties to agree on designated truck routes.

Berlyn D. Miller, Nevada Contractors Association, said he supported S.B. 219. He reiterated previous testimony on the amount of time construction-industry representatives had spent trying to resolve the problem.

Mr. Miller said some of the entities involved in the permitting process might have amendments to the bill. He stated the construction industry would be happy to work with the entities and reach a compromise. The construction industry had two objectives: to have standard rules and procedures in place for moving oversized equipment and to have only one permitting agency.

Mr. Miller reiterated that representatives of the construction industry would be happy to listen to alternative means by which to issue moving permits.

Richard D. Ewing, Las Vegas Paving Company, provided the Committee with an overview of the problems the construction and transport companies faced when moving oversized equipment. He used himself as an example as he was an over-width, overweight individual.

Mr. Ewing said he learned of S.B. 219's hearing on Monday, the day before the hearing. He wanted to attend the hearing in Carson City and detailed some of the problems he would encounter in making the trip. For illustrative purposes, he compared himself to a piece of oversized equipment. If he chose to travel by road, he would have needed to obtain a permit from the NDOT, which would have been issued within two hours. He noted the NDOT was set up to issue the permits.

Next, Mr. Ewing would have to call Clark County, at which point the problems would begin. It would take the county a minimum of 48 hours to issue the permit, which would have meant the earliest Mr. Ewing would arrive in northern Nevada would have been on Thursday, two days after the hearing had been held.

Mr. Ewing continued by saying if the county permit were ready by Thursday afternoon, the problems would continue as Clark County did not permit the moving of oversized loads or equipment during daylight hours. That regulation meant Mr. Ewing would not have been able to leave his house until after 8 p.m. on Thursday.

When he reached the freeway, he would have to stop as the NDOT did not permit the transport of oversize equipment on a Nevada freeway during the evening hours. Once he was allowed to use the freeway, he would arrive at the airport sometime Friday and then catch a flight to northern Nevada. Once he arrived in Reno, his problems would continue as he would encounter the same conflicting regulations from the northern Nevada municipalities. In all probability, the earliest he would arrive in Carson City would be on Saturday, four days after the hearing on S.B. 219.

Mr. Ewing said there were problems with the regulations as written. There had not been problems with the enforcement of the regulations. Mr. Ewing noted that Clark County was the fastest-growing municipality in the country and many construction projects were done on an emergency basis. Waiting for the proper permits to move oversized equipment could shut down a construction project for two days or longer. Mr. Ewing said the construction and transport industries wanted a central agency to issue the permits. He suggested the NDOT as that agency currently issued permits for movement on state roads.

Mitchell Truman read from prepared text ([Exhibit D](#)). He asked the Committee to consider the court rulings contained in [Exhibit D](#).

Mark Ireland, TAB Contractors, said for the past five years, he had been working to resolve the problems faced by the construction and transportation companies when trying to move oversized equipment. There were insufficient approved truck routes in Clark County. The government entities in southern Nevada proposed to use all section-lined roads as truck routes. The

construction-industry representatives agreed to the proposal, which had not been implemented due to the lack of interlocal agreements.

Mr. Ireland stated that during one of his last discussions with a government representative, the number of truck routes in southern Nevada had been discussed. It appeared as though local governments in Clark County did not want to increase the number of truck routes. He added the section-line roads could not be posted as truck routes due to a lack of signage. The cost of signage was considered too great an expense for the municipalities to bear.

Mr. Ireland told the Committee local law enforcement agencies were confused as to what the regulations for moving oversized equipment were and how those regulations should be enforced. Many times, citations were not issued to the drivers of the transport vehicles due to the confusion. Mr. Ireland said having one central agency issue the moving permits would help all the entities involved in the transport process.

Mr. Ireland said representatives of the construction industry remained open to discussion in the hopes of reaching an amicable resolution of the problem. He added that he felt governmental agencies in southern Nevada were stonewalling all concerned parties on the problem.

Barry Duncan, Southern Nevada Home Builders Association, said he supported S.B. 219.

Mike Rich, Q & D Construction, said he agreed with the testimony presented which detailed the problems faced to obtain the necessary permits to move oversized equipment. Mr. Rich added the NDOT had done an excellent job in the past when issuing permits on a state level and all permits should be issued by the NDOT.

Richard J. Yeoman, Administrative Services Officer, Nevada Department of Transportation, said the NDOT opposed S.B. 219. He read from prepared text ([Exhibit E](#)) which explained the NDOT's opposition. Mr. Yeoman added his office tried to contact the legislative bill drafters to discuss the bill, but had been unsuccessful.

Mr. Yeoman told the Committee the cities and counties in Nevada did not have the authority to issue moving permits for state-controlled roadways. Due to

federal regulations, the NDOT could not allow local governments to issue such permits. The federal funding received by Nevada would be in jeopardy if the NDOT permitted the cities and counties in Nevada to issue moving permits for state-controlled roadways.

Mr. Yeoman stated there was no regulation regarding moving oversized equipments or loads during daylight hours. That was more of a policy matter. In Las Vegas, there had been occasions when the NDOT allowed night moves in deference to congestion concerns.

Mr. Yeoman said the NDOT would be glad to provide a progress report to the Legislature. The report would contain information on the NDOT's progress towards resolving the issue to the satisfaction of all concerned. Mr. Yeoman stressed the NDOT felt there was no need for S.B. 219.

The chairman asked Kent Cooper, Assistant Director, Planning and Progress Development, the NDOT, if he wanted to testify. Mr. Cooper said, "No," adding he supported Mr. Yeoman's remarks.

Senator Horsford said he was surprised by the NDOT's opposition to the bill. He stated he knew departments presented information to the Legislature, but was not sure whether it was common practice for a department to oppose legislation.

Senator Horsford asked for justification on the bill's fiscal note of \$750,000, which included adding four additional staff people.

Mr. Yeoman replied the NDOT expended \$750,000 per year to operate the permit program as it currently existed. By statute, the NDOT could only collect fees to cover the cost of issuing the permits. If S.B. 219 passed, the NDOT expected the number of permits issued to increase. Mr. Yeoman stated if the bill passed, then the NDOT would have a large amount of data to obtain and maintain before it could issue permits. The NDOT was concerned about the potential liability which might arise from issuing permits.

Senator Horsford asked whether the NDOT charged to issue the permits. Mr. Yeoman replied, "Correct." The Senator said he understood the fees collected for the permits would not be sufficient to pay for the additional staff which would be required if the bill passed, which was why the NDOT had

requested the additional staff. Mr. Yeoman agreed with the Senator's explanation.

Senator Horsford echoed Senator Care's comments on using common sense when trying to solve problems. He said that he saw value in the NDOT overseeing the permit program and there would be benefit to the State in that public safety of vehicular traffic would be improved. Certain truck routes would be designated and the NDOT would know the location of the oversized loads. The Senator asked Mr. Yeoman whether he agreed with those comments. Mr. Yeoman replied, "Yes sir, I do," adding he did not know what the solutions would be. He said the NDOT had begun conducting meetings in order to reach resolution of the problem.

Mr. Yeoman said the last thing the trucking or transport industries wanted to do was damage their loads or property. He added the NDOT did not want to impede commerce. Mr. Yeoman said he thought all parties involved were working to solving the permitting problem but, needed to know what the best way was to solve the problem.

Senator Horsford stated that he appreciated Mr. Yeoman's comments. He added the Committee did not need to take action just to take action. The Senator said the Committee had received testimony from representatives of the trucking and construction industries which indicated they had been trying to resolve the problem for the past six years. To date, no progress had been made.

Senator Horsford said the Committee recently processed a bill concerning the makeup of the NDOT's Board of Directors. Testimony had been received during that hearing on the lack of coordination between the State and local governments on highway projects. He said S.B. 219 was another example of how coordination had to be improved. The Senator reiterated that he saw value in the NDOT having the permitting information for its mission and objectives, apart from how the permitting would improve the transport of oversized equipment on Nevada's highways.

Senator Horsford stated section 1 of the bill ensured participation from local governments. As for the liability issue, the Senator said he thought there might be a way to add language to the bill which would absolve the NDOT of any potential liability.

Senator Horsford said the Committee needed to stay open-minded. If S.B. 219 addressed and solved the problem of issuing permits for moving oversized equipment, then the NDOT should work with the industries and local governments to make it happen.

Kent Cooper, Assistant Director, Planning and Progress Development, the NDOT, said the NDOT was responsible for 5,200 miles of state-owned and maintained roads in Nevada. There were 40,000-plus miles of publicly owned and maintained roads in Nevada. Mr. Cooper said in southern Nevada, roads were being constructed at a phenomenal rate. Many of the new roads in southern Nevada were not state-owned or maintained.

Mr. Cooper said both the NDOT and local residents were concerned over the truck routes and where heavy loads would be hauled. He added the NDOT frequently did not have knowledge of the local residents who did not want heavy loads being transported through their neighborhoods. Many times, the residents would not bring their concerns regarding the transport of heavy loads to the NDOT, instead, the residents voiced their concerns to their city council or county commission. Mr. Cooper said the NDOT was concerned about how such moves would be coordinated between the State and local governmental entities.

Mr. Cooper said the NDOT was well aware of the problems associated with moving oversized equipment and wanted to work with local governments and the regional transportation commissions, following a time frame set by the Legislature. Mr. Cooper said now would be a good time frame. Mr. Cooper said when Mr. Yeoman spoke of the NDOT he was referring to the State.

Mr. Cooper added the NDOT felt there would be a great financial disincentive to the State if S.B. 219 were passed.

Senator Carlton stated the permit problem had been ongoing for a number of years. The problem was discussed each Legislative Session and had not been solved. The Senator said she thought the bill's proponents were hoping the bill would provide the necessary incentive for people to work towards a solution.

Senator Carlton noted the bill caused both its opponents and proponents to be in one room at the same time. She told those present to take note of who was present so discussions on the bill could continue after the hearing was adjourned. She said she thought the problem needed to be addressed and

should not require legislative intervention every Session. Senator Carlton said the industries were in a Catch-22 position as those industries were not able to perform their jobs. The industries were looking for relief, whether it was at a city or county level or the state level.

Senator Carlton said if legislation was required to solve the problem and to have all interested parties discuss the problem, then the appropriate legislation would be enacted. The Senator stated she was hoping all interested parties would talk and arrive at a solution to the permitting problem.

Senator Carlton said the permitting problem needed to be resolved. The reason was that hardships were being imposed on the construction and transportation industries as well as the residents of southern Nevada. She added the cities and counties had other work which needed to be done to serve the people of Nevada. Senator Carlton said the issue was not high priority, but the problem needed to be addressed. She stated she hoped she could inspire those present to discuss the issue and arrive at a resolution.

Chair Nolan said the Committee members understood the importance of solving the permitting problem and of the work the construction industry was doing in the communities.

Cheri L. Edelman, City of Las Vegas, said she was inspired. Ms. Edelman stated she opposed S.B. 219 and read from prepared text, which detailed the reasons for her opposition. Ms. Edelman said the reasons contained in [Exhibit F](#) mandated the permitting process remain with local jurisdictions. Ms. Edelman said the City of Las Vegas was willing to work to create a single agency which would issue permits and create uniform standards. Ms. Edelman said she thought the individuals previously involved in the decision-making process had not been a high enough level to make informed decisions.

Ms. Edelman said the bill elevated the interest in the problem, and she believed there was a solution to the problem. She added the City of Las Vegas was committed to working with the NDOT on the creation of an amendment to the bill. The amendment would direct the Regional Transportation Commission of Southern Nevada or the Southern Nevada Regional Planning Coalition (SNRPC) to develop a win-win solution for both the local governments and construction industry. She added the membership of the SNRPC was composed of elected

officials and local city-county managers. Ms. Edelman said the City of Las Vegas would be happy to provide the Legislature with a status report. Ms. Edelman told the Committee that J. David Fraser, Nevada League of Cities, had not been able to attend the hearing. Mr. Fraser authorized Ms. Edelman to inform the Committee that the Nevada League of Cities opposed S.B. 219 for the same reasons the City of Las Vegas opposed the bill.

Santana Garcia, City of Henderson, said the City of Henderson opposed S.B. 219 as written. He stated he echoed Ms. Edelman's remarks. He added the City of Henderson was willing to work with all interested parties in arriving at a solution for the permitting problem.

Senator Horsford stated the permitting problem had a long history and wanted to know why a consensus had not been reached before a bill was drafted. He asked whether either Ms. Edelman or Mr. Garcia had made their objections to the bill known to Senator Care.

Ms. Edelman said she had spoken with Senator Care and informed him she opposed the bill. Ms. Edelman stated there were a number of issues connected with the permitting problem, including the various city and county agencies' regulations. The "buy in" of the elected officials and city or county management was necessary to change the ordinances of the cities and counties.

Ms. Edelman said the City of Las Vegas was willing to participate in a "buy in" and to work on the problem at an administrative level in order to arrive at a solution that would work for all involved.

For the record, Kimberly McDonald, City of North Las Vegas, said "We would be willing to collaborate and hopefully come up with some type of unified process regarding the building permits."

Ms. Edelman said the traffic engineer for the city of Las Vegas was available to answer the Committee's technical questions.

Herbert Arnold, Chief, Traffic Engineering, Clark County, said Clark County began working on the permitting problem approximately 15 months ago, not 6 years ago. During that time, a lawsuit had been filed with the Ninth Circuit Court of Appeals (Court). The Court ruled local entities did not have the ability to regulate commercial vehicles. The ruling was overturned by the U.S. Supreme



Court which gave local entities the ability to address the regulation of commercial vehicles. When the U.S. Supreme Court handed down its ruling, Clark County began to work on developing a uniform process by which regulations could be promulgated.

Mr. Arnold said Clark County was concerned with the NDOT being the permitting agency due to the potential for damages to Clark County's infrastructure by the oversized equipment. He stated Clark County was not always made aware of the damages by the trucking companies.

Another issue was special events which might conflict with the moving of a piece of oversized equipment. Such events were not always coordinated with the NDOT because the events did not always use state-owned roads. Mr. Arnold said coordinating the events between all the agencies would be a tremendous undertaking.

Mr. Arnold wanted to know how Clark County, when designing a road, would know whether the road would be used by the NDOT as a truck route. There would also be the issue of premature pavement deterioration and other infrastructure failures for which Clark County had not budgeted. Mr. Arnold stated Clark County would be looking to the NDOT for funds to fix those problems. He added the NDOT would be responsible for repairing all damaged or destroyed infrastructure on a city and county level if S.B. 219 were passed.

Chair Nolan said he was going to appoint a subcommittee to discuss the concerns raised by Mr. Arnold and other witnesses. He stated there had to be a simple method by which the permits could be issued. The Chair appointed Vice Chair Heck and Senator Horsford as members of the subcommittee and Vice Chair Heck would serve as the Chair of the subcommittee.

The Chair noted the fiscal note on the bill amounted to an unfunded mandate for the NDOT. The bill would have to be considered by the Senate Committee on Finance before going to the Senate floor for a vote due to the attached fiscal note.

Chair Nolan said the subcommittee would work within the local municipality structures including the regional transportation commissions. If a resolution could not be arrived at within the framework of the statutes, the Committee would make the bill's language compulsory.

The Chair stated the subcommittee would meet Thursday, March 31, 2005, after the Committee's regularly scheduled meeting. The subcommittee meeting would be teleconferenced for those individuals living in Clark County and who wished to participate. Those wishing to participate in the subcommittee meeting needed to provide notice to Committee staff by Wednesday, March 30, 2005.

Chair Nolan closed the hearing on S.B. 219 and opened the hearing on S.B. 189.

**SENATE BILL 189**: Makes various changes relating to franchises for sales of vehicles. (BDR 43-1076)

John P. Sande, III, Nevada Franchised Automobile Dealers Association, said he supported S.B. 189. He told the Committee that he wanted to address section 1, subsections 3, 4 and 5 of the bill. Mr. Sande stated Nevada's franchise law was contained in chapter 482 of the NRS. The law regulated the relationship between automobile manufacturers and automobile dealers.

One of the law's provisions said when a manufacturer modified or terminated a franchise agreement, the manufacturer would have to notify the Department of Motor Vehicles (DMV). If the dealer protested the modification or termination, a hearing would be held.

Another provision of the law said when an automobile manufacturer established a new dealership within a ten-mile radius of an established dealer, the DMV would have to be given notice of the proposed dealership. If an established dealer protested the new dealership, the DMV was required to conduct a hearing.

Mr. Sande explained that franchised automobile dealers were afraid to contest the decisions of the automobile manufacturers due to possible retribution. He said in one contract between the dealers and the manufacturer, there was a clause entitled the "area of primary responsibility" (APR). The APR was defined in section 1, subsection 5 of the bill. Mr. Sande stated an APR was the area in which the manufacturer helped a dealer sell automobiles. A manufacturer judged

the effectiveness of a dealer's advertising campaigns, customer satisfaction and sales in specific APRs.

One specific manufacturer attempted to take the Mount Rose Corridor APR from an auto dealer in Reno and transfer it to another dealer in another area. The decision was based on census tract data. This APR accounted for 20 percent of the dealer's sales.

Mr. Sande contacted the manufacturer's attorney and told the attorney that the Mount Rose Corridor was closer to the automobile dealer in Reno, than the other dealer.

Mr. Sande's requests to resolve the matter were ignored and the matter went to court. Mr. Sande prevailed in the court decision. The decision was being appealed. Mr. Sande said he thought the current law needed clarification before the court ruled on the appeal. He stated that he wanted it made clear that any time someone takes an APR away from a dealer, that is a modification in the contract between an automobile manufacturer and dealer.

Additionally, any modification to an APR should be reviewed by the DMV to determine whether or not the modification was appropriate. Mr. Sande stated when an APR relocation occurred within a ten-mile radius from a dealer, it would be considered a relocation of the dealership and other statutory provisions would come into play.

Mr. Sande said the DMV might rule in favor of a manufacturer, but the hearing process permitted the automobile dealers an opportunity to be heard.

Mr. Sande directed the Committee's attention to section 2, subsection 3 of S.B. 189. He said the State had certain statutory provisions which instructed automobile manufacturers on what they needed to do when providing notice to automobile dealers. Mr. Sande added that many of the contracts between an automobile manufacturer and a dealer violated Nevada's laws. He said section 2, subsection 3 of the bill rectified that practice.

Mr. Sande referred to section 3, subsection 8 of the bill, which addressed the audits of a dealership. Mr. Sande said a manufacturer was permitted to audit its dealers to ensure the dealers were performing adequately under the franchise

agreement. Mr. Sande said section 8 of the bill would require the audit to be conducted at a dealership or place of business in Nevada.

Senator Carlton asked for and received clarification from Mr. Sande regarding section 3, subsection 8 of the bill. She read from the section:

Prohibit or prevent a dealer from appealing the results of an audit to confirm a warranty repair, sales incentive or rebate, or to require that such an appeal be conducted at a location other than the dealer's place of business.

The Senator said she was not sure how the two provisions in the section fit together.

Mr. Sande told the Senator the section detailed unfair trade practices. He referred to section 3 which dovetailed into subsection 8. Putting the two provisions together would read:

It is an unfair act or practice for any manufacturer, distributor or factory branch, directly or through any representative to:

Prohibit or prevent a dealer from appealing the results of an audit to confirm a warranty repair, sales incentive or rebate.

Mr. Sande explained the provision meant a manufacturer could not prevent a dealer from appealing an audit.

Mr. Sande said when section 3 was dovetailed into the second half of subsection 3, the provision would read:

It is an unfair act or practice for any manufacturer, distributor or factory branch, directly or through any representative to:

... require that such an appeal be conducted at a location other than the dealer's place of business.

Mr. Sande explained the second part of the section meant an appeal audit could not be conducted at a location other than the dealer's place of business. In the

past, the manufacturers required the dealers to fly to a manufacturer's place of business.

Senator Carlton asked Mr. Sande whether he felt the provisions of S.B. 189 might reduce the number of lawsuits the automobile manufacturers and dealers brought against each other. Mr. Sande replied the manufacturers thought many of the breach-of-contract cases should be resolved in court. However, he said he thought S.B. 189 would resolve many of the disputes between manufacturers and dealers through the DMV hearing process.

Vice Chair Heck said current statute took into account the procedure for an APR modification and asked whether the bill defined the modification. Mr. Sande replied, "Yes," adding an APR modification was a major change. The bill would ensure an APR was not included into a franchise deal and would not permit an automobile manufacturer to say it had the unconditional right to do so.

Mr. Sande told the Committee that the court agreed with his legal analysis of Nevada's current franchise law and S.B. 189 would make the process clear to both manufacturers and dealers.

Vice Chair Heck said he was concerned with section 1, subsection 4 which stated an APR modification could be considered a relocation of a dealership. Mr. Sande said from his standpoint, the location where a dealer was authorized to sell made the difference. He explained that section meant the removal of an APR within the ten-mile radius would require a different hearing process at DMV.

SENATOR CARLTON MOVED TO DO PASS S.B. 189.

SENATOR HORSFORD SECONDED THE MOTION.

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

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Chair Nolan closed the hearing on S.B. 189 and opened the hearing on S.B. 194.

SENATOR CARLTON MOVED TO AMEND AND DO PASS S.B. 194.

SENATOR HECK SECONDED THE MOTION.

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

\* \* \* \* \*

Chair Nolan closed the hearing on S.B. 194 and opened the hearing on S.B. 251.

**SENATE BILL 251**: Authorizes operation of certain motor vehicles without front license plate under certain circumstances. (BDR 43-463)

David L. Howard, Dacole Company, referred to his handout ([Exhibit G](#)) and told the Committee the third paragraph was incorrect. The third paragraph referred to section 1, subsection 2 of the bill when it should have referred to subsection 3.

Mr. Howard said section 1, subsection 2 of the bill permitted a motor vehicle to operate without a front license plate. He noted some of the newer automobiles were manufactured without a means by which to mount a front license plate. The bill permitted owners of such vehicles an alternative means by which to mount a front license plate if they so desired.

Mr. Howard referred to section 1, subsection 3 of the bill which required the DMV to continue to issue two license plates for each set of license plates ordered by a vehicle owner. Under that provision, the owners would not be entitled to pay a reduced fee for the license plate. The bill would not have a negative fiscal impact on the State.

The balance of the bill amended the appropriate sections of Nevada's motor vehicle laws to conform with the exception contained in section 1, subsection 2 of the bill.

Mr. Howard told the Committee the bill's concept was not new, and there were 20 states which permitted motor vehicles to operate with only a back license plate.

Robert A. Ostrovsky, 3M Corporation, said the 3M Corporation (3M) provided, through the bid process, the assistance and materials for the production of Nevada's license plates as well as the other 49 states. He added 3M also provided the assistance and materials for the production of license plates internationally.

Mr. Ostrovsky said S.B. 251 would not negatively affect 3M's contract with the State. Mr. Ostrovsky said 3M wanted to have its concerns placed on the record so the Committee would understand the bill from a public-policy position.

Mr. Ostrovsky stated 3M had worked on safety issues for a number of years relative to the reflectivity of license plates and vehicle identification issues. He added there were only two countries in the world which permitted a vehicle to operate with only a rear license plate, Canada and the United States.

Mr. Ostrovsky reported that the motor vehicle laws had been amended to require two license plates on all motor vehicles by the Province of Saskatchewan, the state of Connecticut and the state of New Hampshire. Mr. Ostrovsky noted there had been legislation proposed in 11 states which would have eliminated a mandatory front license plate for motor vehicles. All 11 legislative proposals had been defeated.

Mr. Ostrovsky said the use of one license plate by states originated during World War II when there had been a shortage of materials to produce license plates. He stated there were two reasons for dual license plates: reflectivity and law enforcement assistance. Mr. Ostrovsky stated 3M built its license plate material to increase night reflectivity; many times, the license plate reflection was the only way to determine when a vehicle was parked on the side of the road. The material used in the production of Nevada's license plates contained the best reflective material available.

As for law enforcement assistance, Mr. Ostrovsky cited the example of a law enforcement official going to the scene of a crime. On the way, the officer would see vehicles coming at him from the direction he was headed. The officer could run the license plates to determine vehicle ownership and other pertinent information. Additionally, there were occasions when a home owner became concerned about a vehicle parked on his or her street. Without a front license plate, the home owner could not provide law enforcement with a license plate number. That meant if an officer was dispatched to the homeowner's residence,

he or she would have no idea as to who owned the vehicle and whether the owner was potentially dangerous.

Mr. Ostrovsky reported many security systems at convenience stores and banks were situated to record the front license plate number of any vehicle parked in their parking lots.

Mr. Ostrovsky said 3M was developing a new system which digitized the numbers on license plates and allowed those numbers to be automatically read by a police vehicle.

Mr. Ostrovsky said S.B. 251 was about vanity and urged the Committee not to sacrifice public-safety issues for vanity.

Mr. Ostrovsky stated he was concerned about section 1, subsection 2 of the bill. He explained many new vehicles had two punch out sites on the front bumper which had to be drilled out in order to attach a front license plate. He wanted to know whether or not those holes qualified as a device as defined in the section. If the holes did not qualify as a device, the majority of new cars in Nevada would not have front license plates.

Mr. Ostrovsky said he was willing to work with others on the bill to resolve the issue. He noted there were some vehicles which had no place on which to mount a front license plate. Mr. Ostrovsky said the supporters of the bill felt it to be a travesty if the bill were not passed. He stated he felt it would be a travesty to pass the bill for public-safety issues.

Mr. Ostrovsky told the Committee that both local and national law enforcement agencies supported two license plates on all vehicles. For the Committee's benefit, he would obtain letters from those agencies indicating their feelings on the bill.

Senator Amodei said he appreciated Mr. Ostrovsky's remarks concerning a device by which to attach a front license plate to a vehicle. He noted that law enforcement officials previously testified on the number of vanity plates the State issued. The testimony included comments on the ease of identification. The Senator said he thought most vehicles could accommodate a front license plate. He told Mr. Ostrovsky that he would appreciate additional information from 3M regarding devices to secure front license plates. Additionally, he would have no



objection to one licence plate on a vehicle if law enforcement were provided with an alternative means of vehicle identification.

Mr. Ostrovsky stated that he had been concerned about the material contained in [Exhibit G](#) as it listed the vehicles that would qualify for operation with only one license plate. He thought the range of vehicles was too broad. Mr. Ostrovsky said he would be willing to work with the bill's supporters on narrowing the list of vehicles.

Chair Nolan said he hoped law enforcement's absence from the Committee hearing was an indication of their position on S.B. 251. He stated there was no greater sin for a person to allow a bill to be processed through one house of the Legislature and then oppose it when the other house was conducting hearings on it.

Senator Amodei suggested adding the bill to the Committee's next work session agenda if the opponents and proponents were not able to reach an agreement prior to that time. Senator Amodei wanted Mr. Ostrovsky to provide an amendment which tightened the definition of device. He said he thought the bill's intent was not to cast an overly broad net in terms of front license plates. Senator Amodei said if Mr. Ostrovsky could provide that information by Thursday, March 31, 2005, he would be willing to support the bill. Chair Nolan agreed with the Senator's suggestion.

Vice Chair Heck said he appreciated Mr. Ostrovsky's position regarding how the bill should not include those vehicles whose owners did not want a front license plate versus those vehicle owners who were physically unable to attach a front license plate to their vehicles. He suggested adding language in section 2 to the effect of, "... to include a bracket, device, contrivance or any manner to display and secure a front license plate."

Chair Nolan said the Committee would consider Vice Chair Heck's suggestion as a potential amendment to the bill.

Mr. Ostrovsky told the Committee that he would talk to the bill's supporters and see whether or not they could reach an agreement.

Senator Carlton said she wanted to understand that not having two license plates was considered a primary offense. If the bill passed, not having a license plate would not be an offense. Chair Nolan said that was how he understood the bill.

Chair Nolan told Mr. Ostrovsky and Mr. Howard to work on an agreement on the bill. He instructed them to provide the amendment to the Committee within 24 hours, so a formal amendment could be added by Thursday, March 31, 2005, and the Committee could take action on the bill at that time.

Chair Nolan closed the hearing on S.B. 251 and opened the work session on S.B. 13.

**SENATE BILL 13**: Revises provisions governing authority of peace officers to make arrests for certain offenses. (BDR 43-363)

Patrick Guinan, Committee Policy Analyst, read the proposed amendment to S.B. 13 ([Exhibit H](#)) for the Committee's benefit. He stated the Committee members first thought the bill's language had been too broad and might lead to unnecessary arrests or abuse of power by law enforcement officers. He noted the proposed amendments had been provided by R. Ben Graham, Nevada District Attorney's Association.

Mr. Graham provided a proposed amendment to S.B. 13 ([Exhibit I](#)) for the Committee's review. He explained Mr. Capurro had been concerned about some of the provisions contained in section 2, subsection 5. Those concerns had been addressed by the language provided in [Exhibit I](#).

Chair Nolan asked for and received clarification from Mr. Graham regarding [Exhibit I](#). Mr. Graham said the change would occur in [Exhibit H](#), line 38. The wording would be changed from "... chapter and ..." to "... chapters 482, 483, 485 and 486 ..."

Mr. Capurro said he had been concerned with line 41, page 2 of [Exhibit H](#) as it made it mandatory for people to be taken before a magistrate. Mr. Capurro requested Mr. Graham submit language which would give the police officer the discretion to cite a person instead of taking the person to a magistrate.

Senator Carlton wanted to know whether the amendments contained the correct statutory citations for aggressive driving and why aggressive driving was being listed with failure to stop at a roadblock. She wanted to know whether failure to stop at a roadblock would be considered aggressive driving under the amendment.

Mr. Graham said aggressive driving would be a separate offense from failure to stop at a roadblock. Chair Nolan told the Senator the statutory citations in the amendment were correct.

Senator Carlton said she had misread the amendment and apologized. She asked why NRS 482, 483, 485 and 486 were included in section two of [Exhibit H](#).

Mr. Capurro said as written, section 2, subsection 5 of the bill had been the catchall subsection. That subsection required any person who violated the statutes listed in the bill to be taken before a magistrate and had been moved to section 2 of [Exhibit H](#) in order to provide a law enforcement officer with more discretion and the ability to issue a traffic citation instead of taking the offender to court. Mr. Capurro noted NRS 706 regulated motor carriers and was enforced by the Commercial Enforcement Division, Nevada Highway Patrol, Department of Public Safety.

Chair Nolan asked whether the chapters contained in [Exhibit I](#) addressed the more benign traffic offenses. Mr. Capurro said, "Yes, sir," adding the new language gave a law enforcement officer the option of taking a person to a magistrate if necessary.

Vice Chair Heck referred to page 2, lines 1 through 22 of [Exhibit H](#) which listed additional offenses and wanted to know where those offenses originated. The offenses were not listed in the original bill. Mr. Graham said the offenses had been inclusive in the original bill, but not specifically listed. The list was designed to show the Committee the types of offenses for which a law enforcement officer would have the authority to arrest.

Vice Chair Heck asked Mr. Graham to show him where in the original bill the offenses were all-inclusive. Mr. Graham referred to page 2, section 2 of the original bill, "... Whenever any person is halted by a peace officer for any violation of this chapter and is not required to be taken before a magistrate, the

person may, in the discretion of the peace officer, either be given a traffic citation or be taken without unnecessary delay before the proper magistrate ..."

Vice Chair Heck asked Mr. Graham whether he tried to pick and list the most egregious offenses listed in NRS 484. Mr. Graham replied, "Yes."

Mr. Capurro told the Committee previous testimony on S.B. 13 indicated a successful lawsuit had been brought against a law enforcement agency. The agency made a traffic stop and arrested the individual who had been stopped. The court ruled the traffic offense to be too general and overturned the arrest. The Chair agreed with Mr. Capurro's statement.

Chair Nolan read NRS 484.465:

1. No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon such highway.
2. Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.
3. Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

The Chair asked Mr. Graham whether NRS 484.465, subsection 2 could be substituted for page 2, line 22 of [Exhibit H](#) which read, "... (r) putting glass or other injurious substance on highway, as defined by NRS 484.465." Mr. Graham said he did not see a problem with that modification.

Chair Nolan explained the proposed amendments. He noted the proposed amendment would remove section 2, subsection 5 of [Exhibit H](#); page 2, line 38 of the exhibit would be replaced with the language suggested in [Exhibit I](#) and NRS 484.465, subsection 2 could be substituted for line 22, page 2 of [Exhibit H](#).

Mr. Guinan asked Mr. Graham for clarification on the language contained in [Exhibit I](#). Mr. Graham said he wanted the wording changed from "... this chapter ..." to "... this chapter and chapters 482, 483, 485 and 486 ... "

SENATOR AMODEI MOVED TO AMEND AND DO PASS AS AMENDED  
S.B. 13

SENATOR SCHNEIDER SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR CARLTON VOTED NO.  
SENATORS HORSFORD AND WASHINGTON WERE ABSENT FOR THE  
VOTE.)

\* \* \* \* \*

Chair Nolan closed the work session on S.B. 13 and opened the work session on  
S.B. 175.

**SENATE BILL 175**: Revises provisions governing motor vehicles. (BDR 43-700).

Mr. Guinan said S.B. 175 requires a law enforcement office to prepare and, if requested, provide to the involved parties and their insurers, copies of an accident report within 72 hours of the accident. If a law enforcement officer determined that a vehicle involved in an accident must be stored, the responsible law enforcement agency must allow an insurer to move the vehicle to any authorized, secure storage yard in Nevada.

The bill also shortens the time a seller or other secured party has to deliver a certificate of title for a motor vehicle to an entitled party after the termination or release of the security agreement from 15 to 10 days. The bill imposed an administrative fine of \$25 per day for each day the delivering party failed to deliver the certificate. The bill also requires a lien holder to supply copies of all documents relating to a vehicle's sale to the vehicle's owner prior to the sale and prohibits the lien holder from imposing any processing or administrative fees for ten days after taking possession of a vehicle, provided the lien did not extend to any fee or charge.

Mr. Guinan reminded the Committee it had not received testimony opposing S.B. 175. He referred to a consensus amendment submitted by Robert Compan, Farmers Insurance Exhibit J at the bill's original hearing. Mr. Guinan said he thought the bill's sponsor and all interested parties had agreed to the amendments contained in Exhibit J. Mr. Guinan reviewed the amendments contained in Exhibit J for the Committee's benefit.

Mr. Guinan added the amendment was written to conform to the language in the NRS and to allay Senator Washington's concerns that the bill be in agreement with S.B. 41.

**SENATE BILL 41**: Revises provisions governing priority of certain liens.  
(BDR 9-133)

When Chair Nolan asked whether the amendment had been drafted with the consensus of all concerned parties, he noted heads were nodding in agreement in the audience.

Vice Chair Heck referred to section 6 of Exhibit J, which stated an accident report must be provided with seven days of a written request except in the instances of fatal, critical, felony or hit-and-run accidents. He wanted to know whether that provision meant a requestor would not be entitled to a copy of the report or did those categories have a different time frame. He noted the way he read that section a requestor would not receive a copy of the report.

Mr. Compan said the section was meant to establish written language in the statute which required law enforcement agencies to provide an accident report in a timely manner. The Vice Chair said he understood the provision but, wanted to know why it contained the exception for fatal, critical, felony or hit-and-run accidents. Mr. Compan said it might not be possible to provide an accident report for fatal, critical, felony or hit-and-run accidents within seven days; the investigators might require additional time in which to complete an accident report. The exception allowed investigators the time they needed to conduct thorough and complete investigations.

The Chair asked Senator Dina Titus, Clark County Senatorial District No. 7, whether she wished to testify on the amendment. Senator Titus replied, "No," adding she was available if the Committee needed her.

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SENATOR CARLTON MOVED TO AMEND AND DO PASS AS AMENDED  
S.B. 175.

SENATOR HECK SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS HORSFORD AND WASHINGTON  
WERE ABSENT FOR THE VOTE.)

\* \* \* \* \*

There being no further business, the meeting of the Senate Committee on  
Transportation was adjourned at 3:50 p.m.

RESPECTFULLY SUBMITTED:

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Lee-Ann Keever,  
Committee Secretary

APPROVED BY:

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Senator Dennis Nolan, Chair

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