

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

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

The Senate Committee on Transportation and Homeland Security was called to order by Chair Dennis Nolan at 2:08 p.m. on Thursday, May 12, 2005, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4401, 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 Maurice E. Washington
Senator Mark E. Amodei
Senator Steven Horsford

COMMITTEE MEMBERS ABSENT:

Senator Michael A. Schneider (Excused)
Senator Maggie Carlton (Excused)

GUEST LEGISLATORS PRESENT:

Assemblyman William C. Horne, Assembly District No. 34
Assemblyman John Ocegüera, Assembly District No. 16

STAFF MEMBERS PRESENT:

Patrick Guinan, Committee Policy Analyst
Joshua Selleck, Intern to Senator Nolan
Sherry Rodriguez, Committee Secretary

OTHERS PRESENT:

Sarah Stadler, Mothers Against Drunk Driving
Sharon Zadra, Mothers Against Drunk Drivers

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Judy Jacoboni, Mothers Against Drunk Drivers
Annie Holmes, D.J. Benardis Memorial Foundation
Jim Holmes, Northern Nevada Driving Under the Influence Task Force
R. Ben Graham, Clark County District Attorney; Nevada District Attorney's Association
Robert Roshak, Sergeant, Las Vegas Metro Police Department; Nevada Sheriffs' and Chiefs' Association
Rob Buonamici, Law Enforcement Bureau Chief, Nevada Department of Wildlife
Bruce W. Nelson, Vehicular Crimes Unit, District Attorney, Clark County
Douglas Konersman, Nevada Safety And Diagnostics
Erin Breen, Director, Safe Community Partnership
Chris Ho, Intern to Senator Cegavske
Andrew Diss, Intern to Assemblyman Ocegura
Kenneth S. Kruger, Nevada Professional Driving School Association
Tom Fronapfel, Administrator, Field Services Division, Department of Motor Vehicles

CHAIR NOLAN:

We will open the hearing on Assembly Bill (A.B.) 421.

ASSEMBLY BILL 421: Provides that once person has been convicted of felony for operating vehicle or vessel while under influence of alcohol or controlled substance, any subsequent violation is treated as felony.
(BDR 43-473)

ASSEMBLYMAN WILLIAM C. HORNE (Assembly District No. 34):

This bill deals with laws pertaining to driving under the influence (DUI). It requires that once someone who has been convicted of a DUI felony, any subsequent DUI violation would be treated as a felony.

Think about every time that a drunk driver is stopped; that is probably not the first or second time. More than likely, there were other occurrences of this type of crime committed by this driver, possibly multiple times before they were ever stopped the first time.

Section 3, subsection 2 of the bill provides that once a person has been convicted of a felony DUI in this state or another state, any subsequent DUI is punishable as a category B felony regardless of whether the subsequent offense occurred within seven years of the last DUI offense.

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SARAH STADLER (Mothers Against Drunk Driving):
I have written testimony ([Exhibit C](#)) for the Committee.

SHARON ZADRA (Mothers Against Drunk Drivers):
I also have written testimony ([Exhibit D](#)) for the Committee.

SENATOR AMODEI:
Ms. Zadra, I remember you testifying in the past with regard to your circumstance and experience. It is a compelling story. Thank you for your continued willingness to share your story, in the context of getting the policy correct.

JUDY JACOBONI (Mothers Against Drunk Drivers):
I am the victim advocate for Mothers Against Drunk Drivers. I come before you today with another example of why this bill is needed.

The woman who killed my daughter, Michelle Jacoboni, on U.S. Highway 50 in a head-on crash was sentenced to prison for nearly 12 years. While she was in prison, the current seven-year time limit for DUI offenders had expired. This woman had no conscious decision or effort to correct her mistake. She was incarcerated and unable to drink or drive during that period. All that had to happen was for time to go by and then she gets a second chance to be a first-time DUI offender.

Within 60 days of the expiration of her sentence, she re-offended right here in Carson City where she lives. I went to court to explain that the woman appearing in that courtroom as a first-time DUI offender was actually a prior DUI felon who had killed my daughter.

It does not seem fair for people who are career drinkers and will not stop drinking and driving to get numerous chances to be considered in a lower offender category. Please keep this in mind when you consider the bill.

ANNIE HOLMES (D.J. Benardis Memorial Foundation):
I am here representing our son, D.J.; his life was taken at the age 18 on his way home from school. Until you have suffered a tragedy such as this, it is so easy to turn the page and think about something else. It does not impact you other than to feel sad for the family or person who has lost their life.

Our son does not get to see the sunshine. He was murdered by a drinking driver. This is a very important bill.

JIM HOLMES (Northern Nevada Driving Under the Influence Task Force):

The Northern Nevada DUI Task Force is responsible for conducting the DUI Victim Impact Panel for Washoe County. In the last 9 years, at 250 offenders a month, 12 times a year, times 9 years, we believe we have spoken to 24,000 DUI offenders in the Washoe County Commissioners' chambers in Reno.

The purpose of this is to try and raise the awareness of the offenders. If we can increase their knowledge, we might be able to change their attitudes and behavior. We speak to these individuals each month about our experience with our son. My point to them is that you do not need to go to Iraq to find terrorists, because they are amongst us.

How does a drinking driver remind you of a terrorist? One, you do not know who they are. Two, you do not know where they are. And, three, you do not know when they are going to strike again. But, there is one thing you do know; they are going to strike again. Every year, we lose 18,000 people, 18,000 times 3 years equals 54,000 people. That is as many people as we lost in the Vietnam War. Every 3 years, the State loses as many people as there are in Carson City, 55,000.

I can say to every one of you, wherever you go after this day, there is no guarantee you are going to get there, because those terrorists are on our streets. We need this bill. As previously stated, even after a third offense and prison term, these people still go back out and offend. They need to be incarcerated at the felony level in our opinion.

If emotions do not sway you, then let us take a look at economics which is often very important in legislation. Every alcohol-related death costs the State of Nevada approximately \$1.2 million. We can reduce these fatalities. Hardcore drinking drivers are repeat drinking-driver offenders who have had prior convictions or arrests for driving while impaired. From 1983 through 1988, 137,000 people died and 99,000 people were injured from hardcore-drinking drivers. Finally, 2 to 3 percent of all fatalities are caused by hardcore-drinking drivers. We need this bill and we urge you to pass this legislation.

CHAIR NOLAN:

Thank you. We appreciate your testimonies. It is always so sad that tragedies like the loss of your son bring good people like you before the Legislature on this kind of mission. We certainly appreciate your efforts in what you do; you are helping to save lives.

SENATOR AMODEI:

Mr. Holmes, hearing your comments with regard to, if emotion does not work then let me give you some numbers, I can assure you that the transportation committees on both sides have been fairly receptive to all of these matters. Having been part of the 0.08 blood alcohol level debate and all the things that go along with that, if you want to go yell at the money committees, I will be happy to stand there next to you.

MR. HOLMES:

Thank you.

R. BEN GRAHAM (Clark County District Attorney; Nevada District Attorney's Association):

There has been significant support for this measure for a number of years. If there is any fiscal impact, it is minimal. The policy decisions are great for passing this bill. We are asking you to continue to support this bill. It is time for this legislation.

ROBERT ROSHAK (Sergeant, Las Vegas Metro Police Department; Nevada Sheriffs' and Chiefs' Association):

We would like to add our support to A.B. 421 and we certainly hope this legislation passes.

ROB BUONAMICI (Law Enforcement Bureau Chief, Nevada Department of Wildlife):
We also support A.B. 421.

SENATOR AMODEI MOVED TO DO PASS A.B. 421.

SENATOR HECK SECONDED THE MOTION.

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CHAIR NOLAN:

Thank you all for your testimonies. I know this was a hard-fought battle and it has been a while. It is long overdue. We will take this vote in memory of D.J. Benardis.

THE MOTION PASSED. (SENATORS SCHNEIDER AND CARLTON WERE ABSENT FOR THE VOTE.)

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CHAIR NOLAN:

We will close the hearing on A.B. 421 and open the work session on A.B. 315.

ASSEMBLY BILL 315 (1st Reprint): Enacts provisions relating to event recording devices in motor vehicles. (BDR 43-894)

PATRICK GUINAN (Committee Policy Analyst):

I have prepared a summary for the Committee ([Exhibit E](#)). The amendment provided for you is a mock-up ([Exhibit F](#)) and also the amendment language ([Exhibit G](#)). You have also been provided with an amendment proposed by the Property Casualty Insurers Association of America ([Exhibit H](#)).

CHAIR NOLAN:

This was one of those bills where there was a lot of discussion. Even after the discussion, I was still scratching my head wondering where exactly we were going to go on this. However, with the bill amendment, I believe we lost all opposition and concerns with the bill. If I am misstating that, please correct me.

Sergeant Roshak, did you have a chance to look over the amendments?

I believe the major concern with the bill was to ensure that we did not impede law enforcement's ability to utilize these data devices in a legitimate investigation of an accident. Does the amendment address some of the concerns that law enforcement had?

SERGEANT ROSHAK:

The amendment really does not deal with any law enforcement concerns. We were comfortable with the need to request a warrant or court order to access

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the data from the box. We felt that was akin to doing any sort of investigation requiring access to the hard drive of a computer.

CHAIR NOLAN:

Sergeant Roshak, for the record, you have no opposition to the bill at this time?

SERGEANT ROSHAK:

No, not as it is proposed.

CHAIR NOLAN:

And, does the amendment not do anything to affect your duties?

SERGEANT ROSHAK:

The amendment does not affect law enforcement.

SENATOR HORSFORD MOVED TO AMEND AND DO PASS A.B. 315 WITH
MOCK-UP AMENDMENTS ([EXHIBIT F](#)).

SENATOR HECK SECONDED THE MOTION.

CHAIR NOLAN:

Just as a point of reference, I think the testimony about these devices is that all they do is record information about the performance of the vehicle just prior to an accident rather than any personal information about the driver.

THE MOTION PASSED. (SENATORS SCHNEIDER AND CARLTON WERE
ABSENT FOR THE VOTE.)

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CHAIR NOLAN:

We will close the work session on A.B. 315.

The first bill that was to be on the work session today was A.B. 239. We will not hear this bill today; it will be held over until our next hearing.

[ASSEMBLY BILL 239 \(1st Reprint\)](#): Revises certain provisions relating to drivers' licenses and the control of emissions from engines. (BDR 43-566)

CHAIR NOLAN:

I want to apologize to Erin Breen who was in southern Nevada and wished to testify on A.B. 421. Ms. Breen, we will indicate that you are in support of that bill.

We will open the hearing on A.B. 550.

ASSEMBLY BILL 550 (1st Reprint): Makes various changes concerning offenses involving use of intoxicating liquor and controlled substances. (BDR 43-832)

MR. GRAHAM:

I would like to give you some background and reasoning why we are seeking these amendments, why there is a provision dealing with an interlocking device and why we want to repeal some provisions.

Over the years, we have had various efforts to get evidence into trial for DUI offenders, primarily for boats and for vehicles. The law-enforcement community, the Legislature and our courts believed for a long period of time that administrative acts such as drawing blood would not require cross-examination. Therefore, the person who simply took the blood in a medically prescribed manner and simply submitted it to the officer or to a person in the chain of custody who would submit the blood sample for testing would not be required for cross-examination. Our courts felt that was appropriate.

If the defense counsel wanted, or felt there was an issue, then they would either petition us or would bring the witness in themselves to cross-examine.

About year ago, a U.S. Supreme Court case ruled that we were probably not right. They wanted the people drawing blood to be available at trial. This requirement put a strain on trials, because people who were authorized to draw blood were either engaged in hospital work or other trials. This was particularly true in the rural areas where there are a limited number of people qualified to draw blood and who were simply not available to attend such trials.

Consequently, many DUI cases, perhaps hundreds over the last few years, have been reduced to reckless driving simply because we did not have an adequate pool of people authorized to draw blood.

MR. GRAHAM:

After considerable discussion with the people who train for blood draws, we considered expanding the pool of people who could draw blood in a medically acceptable manner. That is what we attempted to do on pages 4 and 5 of this bill. In attempting to expand our pool, we have determined the officer who makes the arrest is not eligible to draw the suspect's blood. However, at the bottom of page 4 and the top of page 5, we have listed other people who are eligible.

At the top of page 5, a phlebotomist is listed. A phlebotomist has to be employed by a medical laboratory. So, a phlebotomist could not do a blood draw unless there was a contract with the medical laboratory. We collaborated with the people who train blood draw to create amendment language to identify those who are properly trained and qualified to be accepted as an expert by the courts before they testify or, a person who complies with all of the provision of *Nevada Revised Statutes* (NRS) 652.127.

In talking with the members of the Committee, I found that one of your members had a friend who had been a phlebotomist, but was no longer employed by a laboratory. Under this legislation, this semi-retired phlebotomist could actually be contracted or hired to be on call for a blood draw. We are asking that the pool be expanded using strict guidelines so that we have qualified people to draw blood throughout the State. Continuing along those lines on page 10 and 11, we are repealing provisions that provided for affidavits at trial simply because those were the ones found to be constitutionally challenged.

The second part of the bill deals with a device that the courts can order installed on a convicted person's car. The driver must blow into the device which only activates the ignition if they do not have an illegal level of alcohol in their system. There was considerable work conducted on this in the Assembly. Currently, the law provides that a judge may order the device installed on the offender's vehicle for a first DUI conviction or even a second. The provisions we have asked for will require the judge to order the device installation in circumstances where the blood alcohol level reaches 0.18.

Page 6 of the bill stipulates the court could decide against the mandatory device installation. That could occur if the individual could prove an economic hardship. This is a step in the right direction. The bill has two parts; expanding the

blood-draw pool and mandating the interlock-device installation under certain circumstances. There is also the provision repealing the unconstitutional affidavit.

CHAIR NOLAN:

Are there any questions from the Committee?

VICE CHAIR HECK:

You added phlebotomists to that area of licensed, registered or certified personnel. As far as I am aware, in the State of Nevada, we do not license, certify or register phlebotomists. We license medical technicians and technologists who run the test, but we have no process by which we certify, license or register someone who simply draws blood.

Basically, the definition of phlebotomist is what you have in section 2, subsection 1, paragraph (a), subparagraph (2), of the bill. It is someone who has training to draw blood. It almost implies that you are trying to find someone with no medical background, who you want to train, perhaps someone within the Department who would become the resident phlebotomist and who would go out to all these sites to draw blood. Is that the intent?

MR. GRAHAM:

That is accurate. The first portion of section 2, subsection 1, paragraph (a), subparagraph (2) is to take someone who may not have any medical background and train them. Perhaps, the training may not be quite as comprehensive as that required under NRS 652.127.

BRUCE W. NELSON (Vehicular Crimes Unit, District Attorney, Clark County):

That is correct. There is no position of phlebotomist in the State of Nevada. However, it is defined as an assistant in a laboratory. One of the ways to become an assistant in a laboratory is to complete a course of instruction that entitles a candidate to take an examination for certification in phlebotomy.

VICE CHAIR HECK:

You are exactly right. Phlebotomy is part of the duties of the medical technologist, not a free-standing position. But, by putting in the amendment a licensed, registered or certified phlebotomist, there is no such thing in Nevada. That is already included under the licensed, certified technologist or technician.

MR. GRAHAM:

Senator Heck, are you thinking that we have made the bill confusing by putting in phlebotomist?

VICE CHAIR HECK:

I think basically, a phlebotomist is what you want in subparagraph (2), which is anyone who is trained to draw blood. You do not need a medical background to do the mechanical procedure to draw blood. What is the logic in this?

CHAIR NOLAN:

We will ask our Legal Division to consider the phlebotomist issue to see if we do not need to have the amendment include a licensed or registered phlebotomist. Then, we can leave out the language as Senator Heck has indicated. Subparagraph (2) seems to cover what you want.

The other thing I would like to ask concerns section 2, subsection 1, paragraph (a), subparagraph (2), where it states, "Has special knowledge, skill, experience, training or education" I am wondering if that should be changed from "training or education" to "training and education." I think that improves the qualifications of this person. I do not think that sabotages what you are trying to accomplish, but at the same time I believe it raises the bar just a little bit. We appreciate what you are trying to do with this and I am supportive of that.

MR. GRAHAM:

From a practical standpoint, when defending DUI offenders, the offender's attorney is put on the defense when potential witnesses include: the officer, a chemist and the person who drew the blood. However, if the nurse is not there or the person who drew the blood is not there, then the prosecuting attorney operates from a weaker position and the defense is more willing to go to trial.

These people would have to be certified and accepted as experts by the courts.

CHAIR NOLAN:

We are going to be looking at this bill and holding it over for the next work session.

SERGEANT ROSHAK:

We are in support of A.B. 550.

DOUGLAS KONERSMAN (Nevada Safety And Diagnostics):

At this time, we are the only authorized representative in northern Nevada who is currently installing and servicing the ignition-interlock devices. As I understand it, during a previous hearing, there was some misinformation about the device and how it operates. I would like to correct that information.

Apparently, someone stated that if you blow into the device while driving the car, the car quits if it detects alcohol. That is incorrect. The car does not quit. We hook up the device to the lights and the horn; so what actually happens is the horn starts honking and the lights start flashing. However, the driver still has full control of their vehicle.

CHAIR NOLAN:

So, while you are driving the car, the horn will start honking and the lights will start flashing.

MR. KONERSMAN:

Yes, if you have alcohol in your system or you attempt to drink and drive after the car has been started.

CHAIR NOLAN:

My understanding of the device is that in order to start the vehicle the driver would initially blow into the device. Are you telling me it does not disengage the vehicle if their breath alcohol is at a certain level, but rather what it would do is cause the lights to flash and the horn to honk?

MR. KONERSMAN:

The device is calibrated to 0.02. So, when a person first attempts to start the vehicle, if the individual registers a blood alcohol level of anything above 0.02, the device will not allow the vehicle to start. The device keeps the car from starting and prohibits the individual from driving with alcohol in their system. However, if they have already started the vehicle and they start drinking while driving, five minutes after the initial start, the individual is required to blow into the device again. The device then becomes a learning device. In other words, if you are 15 minutes from home, over a certain period of time this device will learn that you are only going to be driving for 15 minutes. Based on that learned drive time, the device will require a second breath sampling during that 15-minute period to prove to the device and hence to the courts, that the driver has not had any alcohol in their system while attempting to drive.

Similarly, if the drive is an hour, the device learns that the driver will be in the car for an hour. Following the initial 5-minute period, the device may wait 45 minutes or longer to require the second sampling.

CHAIR NOLAN:

Is that random, based upon the way the device operates?

MR. KONERSMAN:

Yes.

CHAIR NOLAN:

Is the device located in a part of the vehicle compartment to prevent another passenger from providing the breath sample for the driver?

MR. KONERSMAN:

Actually, that is incorrect. It has the capability to be passed around. I do not know about you, but I would not drive with anyone who had been drinking. But, yes, they could defeat the device in that manner. However, there are other devices becoming available that take a picture of the person who is blowing into the device.

CHAIR NOLAN:

It is interesting how many people do get in a car with a drunk driver. It happens all the time. People will get into a car with a drunk driver because he is their only means of transportation. There are some people who do not mind taking that risk. We read about the results of those tragic accidents all the time.

MS. STADLER:

I have written testimony ([Exhibit I](#)) for the Committee.

CHAIR NOLAN:

I am curious about that particular provision pointed out on page 6, section 3, subsection 2, paragraph (b), subparagraph (3), "Transport himself or another member of his immediate family to or from school." When you make an obvious point, I am just wondering what the thought process was on that particular provision. Why was that amended into the bill?

MR. NELSON:

That language comes from the language that has previously existed. I believe it is there primarily because constitutionally the U.S. Supreme Court has held that in the case of an indigent person, you have to offer them an alternative to paying a fine. So, in this situation if you are dealing with an indigent person who legitimately could not afford the interlock device, you cannot legally force him to buy and install one. He must be given some alternative. I think that is the reason for this language.

The "to and from school and work," language comes from the preexisting language that was with the first interlock bill proposed two or three Legislative Sessions ago. And, as it exists, there is a provision to opt out.

CHAIR NOLAN:

I would like to have the Legal Division look into that. I am sure that is accurate, because otherwise when looking at this at face value, it does not make a lot of sense.

Ms. Stadler, I will commit to you that if we do not have a sound reason to keep that in the bill, I will move to amend it out.

ERIN BREEN (Director, Safe Community Partnership):

We would like to go on the record as being in support of A.B. 550.

CHRIS Ho (Intern to Senator Cegavske):

I think this is an excellent bill. The only question I have pertains to the interlock device. When looking at the bill, it does not state interlock at all. It states with the amendments that were proposed in the first reprint that it is a mechanism. I want to make sure the Committee is aware that it is not solely an interlock. There are other devices available for installation on vehicles to deter DUI drivers.

CHAIR NOLAN:

We are going to hold this bill for a work session to give the District Attorney's Association an opportunity to consider the language that we proposed in the bill. Specifically, both Senator Heck's proposed language change regarding licensed phlebotomists and my interest in seeing that the person drawing blood has some experience should be evaluated. We will look at those possible amendments and also review the provision that Ms. Stadler pointed out regarding transporting an immediate family member to and from school.

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We are going to close the hearing on A.B. 550 and open the hearing on A.B. 52.

ASSEMBLY BILL 52 (1st Reprint): Makes various changes concerning drivers' licenses issued to persons under 18 years of age. (BDR 43-972)

ANDREW DISS (Intern to Assemblyman Ocegueda):

I have written testimony ([Exhibit J](#)) for the Committee and I have included two handouts. The first one is a Graduated Driver Licensing Comparison of Current Law and Proposed Changes 2005 Legislative Session ([Exhibit K](#)) and the second handout is U.S. Licensing Systems for Young Drivers ([Exhibit L](#)).

VICE CHAIR HECK:

I am looking at A.B. 52 where it states a parent or legal guardian of a driver under the age of 18 may provide a written statement allowing his or her son or daughter to transport more than one passenger under the age of 18. Is that friends, family members or is that anybody? Can a parent sign off and say their child can have five kids in the car if the parent or legal guardian accepts responsibility for that?

MR. DISS:

That would be for anyone outside of their immediate family.

VICE CHAIR HECK:

Can the parent give permission for their child to have friends in the car the day after they receive their license?

MR. DISS:

Yes, that is correct.

CHAIR NOLAN:

Regarding the differences between the 16- and 17-year-olds who are required to complete and pass a driver's course of education just a substantive change concerning the counties with a population of 50,000 or less or a city or town with a population of 25,000 or less, these young drivers are not required to complete a driver's education course if the school does not offer it. There is no additional substitution for continuing education offered to offset the fact that there are no formal driver's education courses in those towns or counties. Was there any discussion about that?

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ASSEMBLYMAN JOHN OCEGUERA (Assembly District No. 16):

The compromise was adding another 50 hours of behind-the-wheel-driving experience if a driver's education course was not available.

KENNETH S. KRUGER (Nevada Professional Driving School Association):

I have written testimony ([Exhibit M](#)) for the Committee.

TOM FRONAPFEL (Administrator, Field Services Division, Department of Motor Vehicles):

We do not have a particular position on this bill, but the Department is in favor of strengthening the provisions for young drivers. We support the incentives to institute graduated driver's licensing.

CHAIR NOLAN:

Thank you for putting that on the record.

MS. STADLER:

I have written testimony ([Exhibit N](#)) for the Committee.

CHAIR NOLAN:

Assemblyman Ocegura, would you like the opportunity to address some of the opposition statements that have been made?

ASSEMBLYMAN OCEGUERA:

We did not just pull this out of the air; we modeled this after the Insurance Institute for Highway Safety's model plans. We took all of the highest rated plans and tried to use some of that language.

As you know, Chair Nolan, you have to build some consensus. You have to get people to vote for the bill. In the Assembly, there were some concerns over rural areas being able to transport family members. There were some concerns with regard to picking up fellow students on the way to school.

To get that bill passed through the Assembly, those were the kinds of concessions we had to make. On the other hand, it was not all concessions. I think there is a lot of strong language in this bill. For instance, one of the provisions in Senate Bill 60 states that you cannot transport a passenger under the age of 18 for the first 6 months.

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

Our bill states until a child is 18 years of age, they cannot transport anyone under the age of 18 except when a written letter of consent is provided from a parent or guardian. Actually, our bill covers 2 years of not being able to transport someone under the age of 18 unless the child has written consent to do so.

CHAIR NOLAN:

We are going to hold A.B. 52 for our next work session. More than likely, we will amend the bill somewhat in a way that we will end up in a conference on some of the issues. We will get a lot of those issues worked out. Just for the public's edification, both the Senate and Assembly committees have heard like testimony on this bill and I think that both committees see the need to pass some enhanced graduated driver's license reform. Between the two committees, we are very close in getting exactly what we want to see in a bill.

MS. BREEN:

We firmly support moving a meaningful graduated driver's licensing bill. I do have some reservations to a couple of the provisions within A.B. 52. Most notably, the one that has not been addressed today is the fact that when we visited this issue before, the Governor has said that he will not sign a bill into effect if it has a parental note attached to it.

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CHAIR NOLAN:

The meeting of the Senate Committee on Transportation and Homeland Security
is adjourned at 3:42 p.m.

RESPECTFULLY SUBMITTED:

Sherry Rodriguez,
Committee Secretary

APPROVED BY:

Senator Dennis Nolan, Chair

DATE: _____