

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

**Seventy-Fourth Session  
April 10, 2007**

The Committee on Transportation was called to order by Chair Kelvin Atkinson at 1:38 p.m., on Tuesday, April 10, 2007, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/74th/committees/](http://www.leg.state.nv.us/74th/committees/). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Kelvin Atkinson, Chair  
Assemblyman Mark Manendo, Vice Chair  
Assemblyman David Bobzien  
Assemblyman John C. Carpenter  
Assemblyman Jerry D. Claborn  
Assemblyman Ty Cobb  
Assemblywoman Susan Gerhardt  
Assemblyman Ed Goedhart  
Assemblyman Pete Goicoechea  
Assemblyman Joseph Hogan  
Assemblywoman RoseMary Womack

**GUEST LEGISLATORS PRESENT:**

Assemblyman David Parks, Assembly District No. 41  
Assemblyman Lynn Stewart, Assembly District No. 22

**STAFF MEMBERS PRESENT:**

Marjorie Paslov Thomas, Committee Policy Analyst  
Sharon Wilkinson, Committee Legal Analyst

Minutes ID: 875



Christine Henriksen, Committee Secretary  
Matt Mowbray, Committee Assistant

**OTHERS PRESENT:**

Robert "Bobby G" Gronauer, Las Vegas Township Constable's Office  
Steve Kilgore, Deputy Director, Henderson Township Constable's Office  
Jason Frierson, Attorney, Office of the Public Defender, Clark County,  
Nevada  
Troy Dillard, Administrator, Compliance Enforcement Division,  
Department of Motor Vehicles (DMV)  
Mark Froese, Administrator, Research and Development Division,  
Department of Motor Vehicles (DMV)

**Chair Atkinson:**

I do not know if there are people here or in Las Vegas who did not get the message about the airport authority bill being pulled; that bill has been pulled. We have only one bill on our agenda today, and that is Assembly Bill 552. After that bill has been heard, we will consider four bills on work session.

We attempted to have testimony on A.B. 552 last Thursday. There was confusion, so we brought it back today. We are going to invite Assemblyman David Parks to the table and have him go over the bill with us. Then we will take additional testimony. Welcome to Transportation, Mr. Parks.

**Assembly Bill 552: Authorizes constables to collect fees for removing or causing the removal of abandoned vehicles from public property. (BDR 20-291)**

**Assemblyman David Parks, Assembly District No. 41:**

First, let me apologize for not making your previous hearing. I was hoping that somebody was on the Internet or on their email; I was waiting to be called, and I never got called. I am here today, and I thank you for posting this bill on the agenda.

I would like to explain how it made its torturous trek through the legislative process. I was approached on behalf of the Las Vegas Township Constable to request this bill draft. I did this as Chairman of the Committee on Government Affairs [during the 73rd Legislative Session], thinking that this bill would go to

the Assembly Committee on Government Affairs. However, when the bill was introduced on the Floor of the Assembly, it referenced abandoned vehicles. The natural inclination was that this was a Transportation bill; hence, that is how you ended up receiving the bill.

It is a fairly simple bill. A little background information: one of the biggest complaints that Las Vegas City Council, Clark County Commissioners, and the [Las Vegas] Metropolitan Police Department receive is in reference to abandoned vehicles. They are often parked on the side of the road. They are not a big eyesore for the first day or so, but when they start losing pieces and become junkers, so that the street sweeper has to go around to do required street sweeping, they really become nuisances.

Because the Las Vegas Metropolitan Police Department has a definite manpower shortage, this bill is to permit constables and any township in this State to take action to remove vehicles from public property. Unfortunately, the constables' offices work on a fee basis; they get paid for the services they perform. In order for the constables to take on this added duty, it would be necessary to set a commensurate fee for their services in statute in order to have the vehicle removed. That concludes my testimony. The constable from Las Vegas Township is at the witness table in Las Vegas. I would like you to hear the details from him.

**Chair Atkinson:**

We do have people signed in to speak on A.B. 552 in Las Vegas. We will go there before we take questions for Mr. Parks.

**Robert "Bobby G" Gronauer, Las Vegas Township Constable's Office:**

I would like to echo some of the things that Assemblyman Parks said. I had 24 years with the Las Vegas Metropolitan Police Department prior to becoming the Las Vegas Township Constable in 1999. When I was a sergeant with the Las Vegas Metropolitan Police Department, my squad used to get about 100 abandoned vehicle complaints. Abandoned vehicles in all municipalities end up being health and safety hazards because they are left on the roadways. Talking with other police departments in the valley, we realized that the police could not stay on top of this because of manpower shortages.

We are looking for the difference between the criminal police and the civil police. All constables are law enforcement agencies under *Nevada Revised Statutes* (NRS) and *Nevada Administrative Code* (NAC). To distinguish the civil functions, we looked at NRS 258, which states what we can and cannot do,

and NRS 248, which states what the sheriffs can and cannot do throughout the State. We were limited by NRS 258.125, which lists fees that could be charged, and NRS 258.170, which states that no other fees can be charged that are not listed.

When this problem came up, I checked with the sheriffs. They were okay with our removing abandoned vehicles, except we had no way to get paid. We are a fee-for-service type of operation. I contacted Assemblyman Parks, who was gracious enough to look at the problem and give me some direction. Since we are restricted from charging any other fees, we requested a way that we could get this fee on schedule. There is nothing in the bill draft I disagree with. Steve Kilgore is with me; he represents Earl Mitchell from the Henderson Township Constable, and he is in agreement.

You can relieve our police agencies by allowing us, as law enforcement officers, to go out and cite vehicles. We can run checks on them to see if they are stolen or just abandoned. We can look for registered owners and have the vehicles towed from the street for safety or off public property. The bill addresses how that service would be paid for once that is done. Our offices run at no cost to the taxpayer.

I am proud to say that, after the last eight years and three months, our office is now running at \$6.5 million in the black. This is not necessarily a money-generating proposition, but it is a way to relieve our police agencies and allow them to do law enforcement on the criminal end, which would let us deal with the civil function. I think we can do this more effectively, efficiently, and at less cost.

**Steve Kilgore, Deputy Director, Henderson Township Constable's Office:**

Earl Mitchell expresses his regrets as Constable that he cannot be here today, but he does have an interest in this bill. We are here to support our friend and ally, Bobby G, in this endeavor. Like Bobby G, I have 20 years of law enforcement. Abandoned vehicles have been a very serious and pervasive problem throughout law enforcement and, by the nature of the problem, end up low on the tier of law enforcement priorities. To those on the Committee, it is a very important issue. No one wants to see a dilapidated car sitting on his corner for weeks. It is a target for vandalism and drug activity and creates problems within our neighborhoods. We would like to help.

It seems like a viable way to take some of the burden off law enforcement professionals, whose job is to work on crime. This is not a criminal matter; this issue is more of a civil concern. We have the resources, the personnel, and the time management abilities to handle this. We would welcome the opportunity to render a service to the community and free up our brothers and sisters in law enforcement. We will help clean up the city.

**Assemblyman Manendo:**

In southern Nevada, we contact Clark County, and they have Metro come out and sticker the car. After a certain amount of time, they tow it. I assume they have some type of contract. Would this replace Metro's responsibilities? Would the County then have an option to call either Metro or the Constable's office? Who would you contract with?

**Robert Gronauer:**

Since I joined them in 1974, Metro has had a contract with one towing company service or another in the valley every other month; [at this time they use] Ewing Bros. or Quality. They are called "on-call" towing companies. We would do the exact same thing. Whoever is on call for "tow duty" is who we would use. As far as replacing their responsibility, the Sheriff and all law enforcement agencies on the criminal side are responsible for what NRS 248 says they are responsible for, just like NRS 258 addresses us. As a supervisor with Metro for 12 years, my squad received at least 100 of what we call "green cards" to remove vehicles from the roadway. We very seldom removed 10 percent of those vehicles; they stayed on the roadway. When we started community policing in the 1970s, we found out that the quality of life was our biggest issue, and one of the biggest was abandoned vehicles in the neighborhoods.

**Assemblyman Manendo:**

In the bill, would the \$50 come from the owner of the vehicle?

**Robert Gronauer:**

It would come from the owner of the vehicle after fees are paid to the tow company for towing and storage. To get a vehicle back would cost an extra \$50, which would then be given to the constable's office.

**Assemblyman Manendo:**

So the \$50 is on top of whatever the towing charge would be.

**Robert Gronauer:**

That is correct. These vehicles will be tagged to state that the owner has 72 hours to remove the vehicle. If the vehicle is not removed within 72 hours, we will cite and have it towed away.

**Assemblyman Manendo:**

On page 4, it says "...if the owner of the abandoned vehicle can be identified...." How would you identify these owners? For example, we had some neighbors who were squabbling. One family went out of town on vacation for a couple of weeks. They had somebody pick them up and take them to the airport, and they left one car on their driveway and one on the street. The neighbors called and said the car on the street was an abandoned vehicle. When the vacationers came home, they found out their car was towed. The police did not have any trouble identifying it because it was not stolen or abandoned, but this happens.

A lot of these Vehicle Identification Numbers (VIN) are gone. What do you do to try and find the owner?

**Robert Gronauer:**

We all have a tremendous amount of police experience behind us. We do not remove somebody's car because of a complaint. The condition of the car is going to tell how long it has been there by the debris around it. As law enforcement agencies, we can get information almost instantaneously to run a check on that vehicle for warrants, registration, owner information, et cetera. We will know if it is stolen. If it is stolen, it would be recovered by the owner at that time, with no cost. If they cannot respond within a certain amount of time, such as 45 minutes, that car would have to be towed. We are not here to randomly tow vehicles to make \$50; we do it as a service to the community.

I have deputies in all areas of my jurisdiction, which is the City of Las Vegas and the unincorporated part of the county, excluding Laughlin. If we have to knock on someone's door to tell them his car is 20 miles away, we can do that.

**Assemblyman Manendo:**

I wanted information on how the owner could be identified.

**Assemblyman Goicoechea:**

Who is going to put the first citation on? Would you do it, and then wait 72 hours, or would Metro notify you that the vehicle has been towed?

**Robert Gronauer:**

We should. Metro can refer it to us, and we have the right to cite. Also, we are Peace Officer Standards and Training (POST) certified officers with standard training under the commission.

**Assemblyman Goicoechea:**

Would the Constable's department cite the vehicle if it had not been moved in the required 72 hours?

**Robert Gronauer:**

Yes, when we write up the vehicle that we have a complaint on, we put a sticker on that vehicle. The sticker states that the car needs to be removed within 72 hours from that date and time. To clarify, we could even put the end date on it. That sticker is in the development stage as a draft. After the 72 hours, my deputies go back, cite it, and have it legally towed. It would have been checked for the registered owner (RO) information to see if it is stolen. All the proper things would be done within the 72 hours.

**Assemblyman Goicoechea:**

That sounds good.

**Assemblyman Claborn:**

This is my fifth time in session in the Committee, and every session we have a towing bill. The problem was when the car was towed, the owner was not notified until late, and then was charged for a big towing bill. If you go to page 5, line 24, it says, "...the costs of towing and storing for a period not exceeding 90 days...." Then go to line 29, subparagraph 2, where it says "If the vehicle is appraised at the value of \$500 or less" then after 90 days the owner of the garage can sell it. If you go to subparagraph 3, line 36, it says "...if the vehicle value is over \$500" he can sell it after 45 days. It is worth a lot more than the \$500, but he has to wait for 90 days before he can sell the car worth less than \$500. Can you explain that rationale, please?

**Robert Gronauer:**

This is part of our original tow bill. I do not know what the rationale is on the cost of storing not exceeding 90 days. I did not have anything to do with putting in a timeline. I agree with you; 90 days in storage could cost more than most cars are worth. There are also parts here where we describe the rationale on the \$500. There was no way to cut the [towing] fee because the law says we could not. The time limits do not affect us because once we warrant, cite, and tow a vehicle, the vehicle is out of our hands. I am sorry, I cannot answer correctly.

**Assemblyman Claborn:**

My problem has been when the vehicles are impounded. The towing companies do not notify the owners of these vehicles, and the owners end up with big bills.

**Robert Gronauer:**

I witnessed that when I was a sergeant with the Metropolitan Police Department, so I know what you are talking about.

**Chair Atkinson:**

Are there any other questions from the Committee members? Mr. Parks, did you have a certain speaker order? [Mr. Parks indicated no.] Is there anyone in the audience who would like to testify in favor of A.B. 552?

**Jason Frierson, Attorney, Office of the Public Defender, Clark County, Nevada:**

I want to go on record that we are in support of the bill.

**Chair Atkinson:**

Is there anyone in the audience who wants to testify against, or neutral on A.B. 552? I will close the hearing on A.B. 552 and entertain a motion for Assembly Bill 552.

ASSEMBLYMAN GOICOECHEA MOVED TO DO PASS  
ASSEMBLY BILL 552.

ASSEMBLYWOMAN WOMACK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chair Atkinson:**

We are going directly into our work session. Marjorie Paslov Thomas will go over the documents with us, and we will take motions.

**Assembly Bill 39: Revises provisions relating to the registration of certain heavier motor vehicles. (BDR 43-619)**

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

Our first bill is A.B. 39. This was heard back on February 15. As I recall, this bill would have allowed staggered registration of certain heavier motor vehicles. There are five amendments proposed by Assemblyman Hardy ([Exhibit C](#)).



**Chair Atkinson:**

This bill actually goes back to week two or three. We had some changes to it; Assemblyman Hardy worked diligently on this bill with our rural Assemblymen.

**Assemblyman Goicoechea:**

I have worked with Mr. Hardy, as well as Mr. Roberts, and I am fine with the bill.

**Chair Atkinson:**

I want to thank you too, Mr. Roberts, for your hard work on this bill. Is there any other discussion on A.B. 39? I will entertain a motion.

ASSEMBLYWOMAN GERHARDT MOVED TO AMEND AND DO  
PASS ASSEMBLY BILL 39 WITH THE FIVE AMENDMENTS.

ASSEMBLYMAN GOICOECHEA SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chair Atkinson:**

We will give this to Assemblyman Hardy for the Floor statement.

**Assembly Bill 141: Makes various changes to provisions concerning vehicles and vehicle parts with altered or missing identification numbers or marks. (BDR 43-409)**

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

The next bill is Assembly Bill 141. This makes various changes to provisions concerning vehicles and vehicle parts with altered or missing identification numbers. It was sponsored by Assemblyman Horne and was heard on March 8. Below is a lengthy summary of the bill, so I will leave it with the short version. There are three proposed amendments ([Exhibit D](#)).

**Chair Atkinson:**

Are there any questions or comments from the Committee members?

**Assemblyman Goicoechea:**

I was concerned about the bill because I thought it could be somewhat harsh. With Mr. Sande's amendment, where it says "knowingly," I think that makes a big difference. You would have to knowingly put on certain parts, and I think that eases my mind enough to support the bill.

**Assemblyman Cobb:**

I agree with Assemblyman Goicoechea. The proposed amendment by Mr. Sande makes this much more palatable. I still worry about this "within 24 hours" requirement. I was hoping it would say something to the effect of "within a reasonable amount of time." I hope that the 24 hours would not include a weekend. I believe we heard testimony on this bill from people who said that you could be working in your shop on a Saturday afternoon and suddenly realize that there is a problem. If you try to contact someone, there is no one in the police office until Monday morning. I want to make sure we are not setting people up for a fall.

**Assemblywoman Gerhardt:**

I need clarification. Is it the 24 hours, or is it the reasonable amount of time, concerning Amendment 2? [It was explained to Ms. Gerhardt about the 24-hour time period.]

**Chair Atkinson:**

Does that answer your question, Ms. Gerhardt? [She indicated yes.]

**Assemblyman Goicoechea:**

I would hope that even in the rural areas we have 24-hour law enforcement, so we could get to someone in 24 hours.

**Chair Atkinson:**

Are there any other questions from Committee members? Yes, it does take away "immediately notify", and change that to "24 hours". We will entertain a motion on A.B. 141.

ASSEMBLYWOMAN GERHARDT MOVED TO AMEND AND DO  
PASS ASSEMBLY BILL 141 WITH THE THREE AMENDMENTS.

ASSEMBLYMAN BOBZIEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will give that bill to Mr. Horne to take to the Floor.

**Assembly Bill 311:** Revises provisions regarding the imposition of certain fees for the storage of a motor vehicle. (BDR 58-1066)

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

Assembly Bill 311 is sponsored by Assemblyman Hardy and was heard on March 29. It provides that an operator shall not impose any administrative or processing fees or charge for the storage of any vehicle that was towed at the request of someone other than the owner, for any period in excess of 21 days after the date the motor vehicle was placed in storage, unless the operator notifies the owner of the vehicle by certified mail.

There are four proposed amendments ([Exhibit E](#)) by Randy Robison and Paul Enos.

**Assemblyman Claborn:**

This is the bill I was talking about when we were listening to A.B. 552. I like this bill we are working on now, A.B. 311, better than the other one. I was thinking that it may be ambiguous. I like A.B. 311, and I want to make the Committee aware that this is the bill that I was talking about.

**Chair Atkinson:**

I think I am confused. Were you referring back to A.B. 141?

**Assemblyman Claborn:**

No. I knew we had heard a bill; we have one of these towing bills every time. I did not realize it was A.B. 311. I never received the packet. I like this bill and when the discussion is over, I want to make a motion to accept it.

**Chair Atkinson:**

We will make sure you have the documents well beforehand. Are there any other comments from the Committee members?

**Assemblyman Goicoechea:**

We are proposing that if a vehicle is involved in an accident, at the end of 21 days it would no longer accrue storage fees as long as the towing company has made a reasonable effort to contact the owner. Otherwise, the cutoff date is 15 days; if you were involved in an accident and they did tow your vehicle and store it, you could not be charged storage after the 15 days. The "reasonable attempt," I believe, is by certified mail?

**Chair Atkinson:**

Yes.

**Assemblyman Goicoechea:**

If you notify them by certified mail, and they do not sign for it, is that a reasonable attempt? I am trying to establish what a reasonable effort is. If you send a certified letter, and it comes back "return to sender," is that a reasonable effort? Maybe that person has moved, or maybe he is in the hospital.

**Sharon Wilkinson, Committee Legal Analyst:**

Mr. Chair and Mr. Goicoechea, I believe we can establish in the amendment, if you would like, what a reasonable effort would be. I think it is open-ended right now and would probably be left up to the court, but it sounds like certified mail, certainly return receipt requested, would be a reasonable effort.

**Assemblyman Goicoechea:**

And that would be certified mail even if they did not sign for it, or it never got to them?

**Sharon Wilkinson:**

You could use certified mail, or certified mail with return receipt requested. Notification is done both ways throughout the *Nevada Revised Statutes* (NRS).

**Assemblyman Goicoechea:**

As long as everyone is comfortable with what a "reasonable effort" is. I would hate to see a buck-and-a-half [spent on] certified mail, sent with any address on it, which comes back with "return to sender," and that is considered a reasonable effort.

**Chair Atkinson:**

What other method would you use? They cannot send someone to the owner's house; and maybe the phone is disconnected or the phone number has been changed.

**Assemblyman Goicoechea:**

And that is what concerns me. Maybe there is a different address than what was on the registration.

**Chair Atkinson:**

It is a person's responsibility to notify the Department of Motor Vehicles (DMV) if he has changed his address.

**Assemblyman Goicoechea:**

I am just splitting hairs. It is a lot better than what we have in place today. At least it cuts off at 21 days, or 15 days.

**Chair Atkinson:**

It is your responsibility to change your address with the DMV, if your address changes. I am sure others will consider mitigating circumstances. If someone is in the hospital, we have to take that into consideration. Are there any other questions or comments from Committee members?

**Assemblywoman Womack:**

When does the 45-day rule on the previous bill go into effect? Is it 45 days after it is unclaimed? If you look at A.B. 552, and if both bills passed, then does it go under the "appraised value of more than \$500" if the vehicle is not reclaimed within 45 days? That would be starting on page 5, line 29.

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

Mrs. Womack, A.B. 552 allows constables to collect a fee for removing the abandoned vehicle. The tow company would be able to collect that money on behalf of the constable. This bill applies to when that vehicle gets to the tow car operator; it pertains to notification for the towing and storage fees. There is a difference between the two bills. This is what the constable can reclaim in A.B. 552 compared to what the tow company can charge for the storage and towing of a vehicle for different types of tows.

**Sharon Wilkinson:**

Section 5 of A.B. 552, which is NRS 487.270, pertains to abandoned vehicles, whereas A.B. 311 applies to other vehicles that are towed during a wreck, et cetera.

**Assemblyman Goicoechea:**

If you have an impounded vehicle that you have towed and held for 21 days of storage, at which point can you sell that vehicle?

**Sharon Wilkinson:**

Mr. Goicoechea, I do not know the answer to that question, but I will look into it and get back to you.

**Assemblyman Goicoechea:**

I was curious how long it would take before you could get your money.

**Assemblyman Claborn:**

I was looking at the bill and amendment one. Amendments two, three, and four say the same thing. The only difference between the bill and amendment one is the 15 days after placing the other vehicle in storage. The amendment would cover everything that you would actually need.

**Chair Atkinson:**

Mr. Claborn, are you talking about the two amendments on the work session documents, amendments one and two ([Exhibit E](#))?

**Assemblyman Claborn:**

Yes, one, two, and three are exactly the same. If we were to vote on this bill with the first amendment, it would do everything that we need to make it a viable bill. I think we need to push it through.

**Troy Dillard, Administrator, Compliance Enforcement Division, Department of Motor Vehicles (DMV):**

I do not know if I can provide you with a full answer to that question. There is a process for disposing of vehicles by lien sale which DMV regulates. There is a requirement for the tow operator to notify the registered owner publicly, typically through the newspaper process. It is a minimum of 45 days, and it breaks down whether the vehicle is considered a "junk certificate" with less than a \$500 value, or greater than that. Without the statutes directly in front of me, I could not provide anything more specific.

**Chair Atkinson:**

We have some questions, we will put this on Thursday's work session. It will be our last opportunity. We will now go to [Assembly Bill 437](#).

**[Assembly Bill 437](#):** Revises provisions governing the imprinting of a medical condition on a driver's license or identification card. (BDR 43-1293)

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

[Assembly Bill 437](#) revises provisions governing the imprinting of a medical condition on a driver's license or identification card. This bill was sponsored by Assemblyman Stewart and heard on April 3. It requires the Department of Motor Vehicles (DMV) to establish a program for the imprinting of a symbol or other indicator of a medical condition on a driver's license or identification card. The measure establishes a \$2 fee for the placement of such symbol or indicator on a driver's license or ID card. There is one proposed amendment made by Assemblyman Stewart to amend the bill by deleting the \$2 fee for the placement of that symbol or other indicator of a medical condition on a driver's license or ID card ([Exhibit F](#)).

**Assemblywoman Gerhardt:**

I am trying to remember what the effect on the State was going to be. Did we get any idea?

**Chair Atkinson:**

The effect was what the amendment was about; it was the \$2 that they took off.

**Assemblywoman Gerhardt:**

If we are not charging \$2, then there would not be any administrative cost?

**Assemblyman Lynn Stewart, Assembly District No. 22:**

The intent of the bill was that the vendor for DMV was going to have this contract. If they accepted the contract, there would be no charge. That is why we removed the \$2 fee.

**Mark Froese, Administrator, Research and Development Division, Department of Motor Vehicles (DMV):**

Assemblyman Stewart was referring to waiting to see if one of our Central Issuance Technology requests is approved, and we will find out at the end of next week. If it is approved, then the vendor cost associated with this project would go away, which the vendor has confirmed.

**Assemblywoman Gerhardt:**

You are saying if it is not approved, there may be a fiscal impact.

**Mark Froese:**

Yes.

**Assemblyman Stewart:**

If it does not go through, the bill would be null and void. The bill is contingent on it going through, so there is no fiscal note.

**Assemblyman Claborn:**

Mr. Stewart, is this voluntary?

**Assemblyman Stewart:**

Yes.

**Chair Atkinson:**

Are there any other questions from the Committee members? I will entertain a motion on Assembly Bill 437.

ASSEMBLYMAN GOICOECHEA MOVED TO AMEND  
AND DO PASS ASSEMBLY BILL 437 WITH THE  
AMENDMENT PROPOSED BY ASSEMBLYMAN STEWART.

ASSEMBLYMAN MANENDO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chair Atkinson:**

This concludes our work session for today. On Thursday, we will have a long day, so we expect members to be here. If you have something in another committee, let me know. We will consider the rest of the bills that we have left in the Committee on Thursday, in addition to the two bills on Thursday's agenda. Meeting adjourned [2:40 p.m.].

RESPECTFULLY SUBMITTED:

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Christine Henricksen  
Committee Secretary

APPROVED BY:

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Assemblyman Kelvin Atkinson, Chair

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



**EXHIBITS**

**Committee Name:** Committee on Transportation

**Date:** April 10, 2007

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

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
A.B. 39	C	Marjorie Paslov Thomas	Work session document
A.B. 141	D	Marjorie Paslov Thomas	Work session document
A.B. 311	E	Marjorie Paslov Thomas	Work session document
A.B. 437	F	Marjorie Paslov Thomas	Work session document