

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

**Seventy-fourth Session
March 1, 2007**

The Senate Committee on Transportation and Homeland Security was called to order by Chair Dennis Nolan at 1:29 p.m. on Thursday, March 1, 2007, 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 in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Dennis Nolan, Chair
Senator Maurice E. Washington
Senator Mark E. Amodei
Senator Maggie Carlton
Senator John J. Lee
Senator Joyce Woodhouse

COMMITTEE MEMBERS ABSENT:

Senator Joseph J. Heck (Excused)

STAFF MEMBERS PRESENT:

Wes Henderson, Intern to Senator Nolan
Dan Lindholm, Intern to Senator Nolan
Nicholas Marquart, Intern to Senator Nolan
Matt Szudajski, Committee Policy Analyst
Holly Welborn, Personal Secretary to Senator Titus
Sharon Wilkinson, Committee Counsel
Lynette M. Johnson, Committee Secretary

OTHERS PRESENT:

Nicholas C. Anthony, Legislative Relations Program Manager, City of Reno

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CHAIR NOLAN:

We have scheduled a work session ([Exhibit C](#)) on three bills and will begin with Senate Bill (S.B.) 81.

SENATE BILL 81: Requires state and local plans for emergency management to address the needs of persons with pets or service animals. (BDR 36-176)

MATT SZUDAJSKI (Committee Policy Analyst):

The bill, S.B. 81, requires the Governor, political subdivisions and local organizations to address the needs of people with pets or service animals when preparing emergency management plans.

SENATOR CARLTON:

This bill will not have a fiscal impact because it is part of the planning process. They would incorporate these policies into their master plan for emergency preparedness.

SENATOR LEE MOVED TO DO PASS S.B. 81.

SENATOR WOODHOUSE SECONDED THE MOTION.

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

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CHAIR NOLAN:

We will continue the work session on S.B. 43.

SENATE BILL 43: Increases the penalty for driving a vehicle in an unauthorized speed contest on a public highway. (BDR 43-435)

MR. SZUDAJSKI:

This bill, S.B. 43, increases the penalty for driving in an unauthorized speed contest. Under current law, such a violation is punishable with potential imprisonment not to exceed 6 months or potential fines not to exceed \$1,000 or both fines and imprisonment, or in lieu of fines and imprisonment, community service.

Senate Bill 43 increases those penalties. For a first offense, fines will be required ranging from \$400 to \$1,000, and community service will be required ranging from 50 to 99 hours. For a second offense, fines will be required ranging from \$750 to \$1,000, and community service will be required ranging from 100 to 199 hours. For a third offense, there will be a mandatory fine of \$1,000 and 200 hours of community service. In addition to fines and community service, each violation is also punishable by a mandatory driver's license suspension ranging from 6 months to 2 years and a mandatory 30-day vehicle impoundment and potential imprisonment not to exceed 6 months. As written, this bill applies to both adults and juveniles.

This Committee has received four amendments. Chair Nolan has withdrawn amendments numbers one and three. Amendment number two is offered by the Clark County Public Defender's Office. This proposed amendment removes impoundment as a penalty on the first offense. The fourth amendment is offered by Senator Nolan. This amendment changes the bill so that organizers of unauthorized speed contests face the same enhanced penalties as drivers.

CHAIR NOLAN:

I withdrew amendment number one because juveniles were already addressed in S.B. 43. I withdrew amendment number three because it lacked support from the other Committee members. Therefore, amendments number two and four remain to be considered by this Committee.

SENATOR WASHINGTON:

Would an organized street race, such as Hot August Nights, be excluded from this bill?

CHAIR NOLAN:

The intent of S.B. 43 is not to penalize individuals participating in a sanctioned event. I believe authorized speed contests are excluded from this bill.

SHARON WILKINSON (Committee Counsel):

The word "unauthorized" is in S.B. 43; therefore, the Hot August Nights contest would be excluded.

SENATOR CARLTON:

We had previously discussed language addressing the registered owner. Has that been addressed?

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NICHOLAS C. ANTHONY (Legislative Relations Program Manager, City of Reno):
Yes, we did discuss registered owner in the last hearing for S.B. 43 and we would be fine with that amendment as well.

CHAIR NOLAN:

Were we to specify that it be the registered owner of the vehicle before impounding the vehicle?

MR. ANTHONY:

Yes, we discussed that the driver of the vehicle must be the registered owner before the courts could impound the vehicle.

CHAIR NOLAN:

Ms. Wilkinson, can this be included as an amendment?

MS. WILKINSON:

For clarification purposes, would you like another amendment stating that the vehicle could only be impounded if the driver was the registered owner of the vehicle?

SENATOR CARLTON:

The judge would be allowed the choice of impounding the vehicle on the second or third offense if the driver and registered owner were the same.

CHAIR NOLAN:

As Senator Carlton has stated, the bill will allow the courts the discretion of impounding the vehicle on the second or third offense if the driver and registered owner are the same.

SENATOR CARLTON MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 43.

SENATOR AMODEI SECONDED THE MOTION.

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

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CHAIR NOLAN:

We will open the work session on S.B. 90.

SENATE BILL 90: Revises provisions relating to the Nevada Commission on Homeland Security. (BDR 19-299)

MR. SZUDAJSKI:

This bill, S.B. 90, changes the status of the Nevada Commission on Homeland Security member from the United States Department of Homeland Security from a voting member to a nonvoting member. The chairman of the Commission is also empowered to appoint any person they deem appropriate to a committee. Committee members who are not members of the Commission would be entitled to a per diem allowance and travel expenses.

The Committee has two amendments to consider. The first amendment is offered by the Commission. This would amend the bill changing the status of the Commission member from the Federal Bureau of Investigation from a voting member to a nonvoting member. The second amendment is offered by Chair Nolan. This amendment melds BDR 19-489 language into S.B. 90. Bill Draft Request 19-489 provides that the City of Las Vegas be granted voting membership on the Commission.

Bill Draft Request 19-489: Provides for representation of City of Las Vegas on Nevada Commission on Homeland Security.

CHAIR NOLAN:

This Committee will not introduce BDR 19-489. The City of Las Vegas has always been represented on the Commission but due to an oversight, they were not considered a voting member. This bill draft request rectifies that oversight.

SENATOR WASHINGTON MOVED TO AMEND AND DO PASS AS AMENDED S.B. 90.

SENATOR LEE SECONDED THE MOTION.

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

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CHAIR NOLAN:

There being no further comments or business, this meeting of the Senate Committee on Transportation and Homeland Security is adjourned at 1:42 p.m.

RESPECTFULLY SUBMITTED:

Lynette M. Johnson,
Committee Secretary

APPROVED BY:

Senator Dennis Nolan, Chair

DATE: _____