

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

**Seventy-fourth Session
March 15, 2007**

The Senate Committee on Transportation and Homeland Security was called to order by Chair Dennis Nolan at 3:34 p.m. on Thursday, March 15, 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 Joseph J. Heck, Vice Chair
Senator Maggie Carlton
Senator John J. Lee
Senator Joyce Woodhouse

COMMITTEE MEMBERS ABSENT:

Senator Maurice E. Washington (Excused)
Senator Mark E. Amodei (Excused)

GUEST LEGISLATORS PRESENT:

Senator Bob Beers, Clark County Senatorial District No. 6
Assemblyman Pete Goicoechea, Assembly District No. 35

STAFF MEMBERS PRESENT:

Wes Henderson, Intern to Senator Nolan
Nicholas Marquart, Intern to Senator Nolan
Matthew Pritchard, Intern to Senator Carlton
Josh Selleck, Assistant to Senator Nolan
Matt Szudajski, Committee Policy Analyst
Lynette M. Johnson, Committee Secretary

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OTHERS PRESENT:

Dennis Colling, Chief, Administrative Services Division, Department of Motor Vehicles

Frank Moretti, Director of Policy and Research, TRIP

CHAIR NOLAN:

We will open the meeting with Bill Draft Request (BDR) 43-861.

BILL DRAFT REQUEST 43-861: Requires compensation for Legislators who serve on the Commission on Special License Plates. (Later introduced as [Senate Bill 316](#).)

SENATOR HECK MOVED TO INTRODUCE BDR 43-861.

SENATOR CARLTON SECONDED THE MOTION.

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

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CHAIR NOLAN:

I will take a motion to introduce BDR 43-859.

BILL DRAFT REQUEST 43-859: Imposes certain conditions before a special license plate may be created and issued if it is intended to generate financial support for an organization which is not a governmental entity. (Later introduced as [Senate Bill 315](#).)

SENATOR CARLTON MOVED TO INTRODUCE BDR 43-859.

SENATOR HECK SECONDED THE MOTION.

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

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CHAIR NOLAN:

We will open the hearing on Senate Bill (S.B.) 180.

SENATE BILL 180: Provides the registered owner of a vehicle with the opportunity to make a voluntary contribution to the State Highway Fund at the time of the renewal of the registration. (BDR 43-696)

SENATOR BOB BEERS (Clark County Senatorial District No. 6):

This bill, S.B. 180, would allow a registered owner of a vehicle to voluntarily contribute additional tax dollars to the State Highway Fund. The contribution would be made at the time of the vehicle registration renewal through the Department of Motor Vehicles (DMV). The State Highway Fund is currently in jeopardy and I am hoping to provide another means to raise money. It appears, from current information, that a potential legislative override of a Governor's veto would be required to place a tax-increase initiative on the ballot in the next election.

SENATOR LEE:

Occasionally, I have a credit with the DMV from selling vehicles with unexpired registration. The credit can be used toward the registration of another vehicle; however, occasionally the money is forfeited. Would it be possible to use this money for highway projects?

SENATOR BEERS:

The money received from vehicle registration is already allocated. About half of it is earmarked for public schools and the other half is earmarked for local government funding.

SENATOR LEE:

Does my forfeited registration money go into the General Fund?

SENATOR BEERS:

No.

SENATOR LEE:

Where does that money go?

SENATOR BEERS:

I believe it is distributed rateably with the formula for the tax itself, of which a portion goes to the DMV for the administration of the tax and the remainder goes to schools and local government.

SENATOR LEE:

Would we be taking money from an allocated recipient?

SENATOR BEERS:

Yes. This bill would provide a means for individuals to donate to the State Highway Fund, above and beyond normal registration monies.

CHAIR NOLAN:

How much money do you project will be raised to offset the deficit?

SENATOR BEERS:

I do not know. Historically, this type of legislation does not produce a lot of revenue. Several other states have enacted similar legislation, which is commonly referred to as "Tax Me More" legislation. It turns out that given an opportunity to contribute more money to government, almost all citizens decline. On the other hand, the money generated from S.B. 180 is earmarked for a specific cause.

SENATOR CARLTON:

Would you direct the Nevada Department of Transportation (NDOT) to focus its spending on arterials versus urban highways?

SENATOR BEERS:

No. I would prefer to see this money spent in accordance with the NDOT's project allocation.

SENATOR CARLTON:

Can this revenue be used towards matching dollars from the federal government?

SENATOR BEERS:

Highway funding from the federal government does not work that way. The federal appropriation is set by the U.S. Congress.

SENATOR HECK:

Do you expect the revenue generated from this bill to cover the fiscal note submitted by the DMV?

SENATOR BEERS:

I have not seen the fiscal note from the DMV. It should take a simple Web site modification to implement the revenue tracking mechanisms for this bill. However, I do anticipate that enough revenue will be generated to cover the DMV's fiscal note.

SENATOR HECK:

The fiscal note says it will cost them \$177,000 in the beginning and \$12,000 a year thereafter.

SENATOR BEERS:

This Committee can refer this bill to the Senate Committee on Finance and we will find out the specifics on the fiscal note.

CHAIR NOLAN:

Are you aware of a bill or anyone promoting a ballot initiative to fund our highway system?

SENATOR BEERS:

I believe there are private interest groups advocating such a measure; I am not aware of a bill. To put it simply, the NDOT might not be able to proceed with future projected roadway construction because their payment on the borrowed money is consuming most of their annual income.

DENNIS COLLING (Chief, Administrative Services Division, Department of Motor Vehicles):

I am here to present the fiscal note on S.B. 180. There are two aspects to the fiscal note. The first aspect addresses the substantial programming required to change our Web site, our counter application, our interactive voice response system, our kiosks and our mail-in form. Additional costs incurred by the DMV will be for printing and inserting the form into the renewal packet mailed to each registrant. The DMV will not incur additional postage expenses by including it in the renewal packet. This cost to cover form printing and insertion will be \$9,000 to \$12,000 each year, depending on the number of registration packets mailed, which equates to approximately \$25,000 each biennium.

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CHAIR NOLAN:

Based on the foregoing information, I will accept a motion to rerefer S.B. 180.

SENATOR HECK MOVED TO REREFER S.B. 180 WITHOUT
RECOMMENDATION TO THE SENATE COMMITTEE ON FINANCE.

SENATOR WOODHOUSE SECONDED THE MOTION.

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

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CHAIR NOLAN:

We will hear a presentation from Mr. Moretti, Director of Policy and Research,
on the TRIP report.

FRANK MORETTI (Director of Policy and Research, TRIP):

The TRIP organization is a nonprofit organization based in Washington, D.C. We are supported by a coalition of transportation organizations. Our mandate is to educate the public and elected officials on the condition of the highway transportation system. We do not take specific positions on legislation or referendums. We focus on infrastructure needs and policies. In any given year, we produce about 15 to 20 state-specific reports. We rely on the latest data from federal agencies such as the Federal Highway Administration, from private organizations such as the Texas Transportation Institute and from state transportation departments.

The format of Nevada's report is a report card for the State as a whole and the Reno-Carson City and Las Vegas areas specifically. Our overall message is that Nevada is being squeezed between unprecedented levels of growth and its diminishing buying power. Population and travel demand has doubled since 1990 and the gasoline tax has not increased since 1992. Since then, the buying power of those dollars has diminished by 43 percent. The State's demands are increasing while the ability to pay for those demands is decreasing. I will quickly point out the highlights of the report ([Exhibit C](#), original is on file in the Research Library).

CHAIR NOLAN:

Your report almost mirrors the report from the Governor's Blue Ribbon Task Force (Task Force) which spent an entire interim looking at similar issues. What was different in your methodology? How did you perform your analysis?

MR. MORETTI:

We tend to combine a variety of data sources in terms of pavement conditions and safety. In terms of presentation, we focus on the most congested routes and the impact on motorists. It is in a format that is a bit more accessible to the public. I agree that our report is consistent with the Task Force's findings. It may be presented in a way to help the public understand the issues.

CHAIR NOLAN:

We will open the hearing on Assembly Bill (A.B.) 66.

ASSEMBLY BILL 66: Requires drivers to stop at any location for a school bus displaying a flashing red light signal. (BDR 43-867)

ASSEMBLYMAN PETE GOICOECHEA (Assembly District No. 35):

Under existing law, vehicles only have to stop for a school bus displaying flashing red lights when the school bus is on a street, highway or road. This bill, A.B. 66, will require vehicles to stop at any location when the school bus is displaying its flashing red signals. In the past, school busses were stopped in parking lanes, parking lots, and other similar locations, and even though they were displaying their flashing red lights, a vehicle could legally pass it. This bill corrects that oversight.

SENATOR WOODHOUSE:

I congratulate you for bringing this bill forward. As a former assistant principal and principal, I have been out there trying to stop cars that were going around the busses. It was a terrible safety hazard, so I appreciate your efforts.

SENATOR CARLTON:

Who will issue the citation since the busses will not be on a road, highway or street?

ASSEMBLYMAN GOICOECHEA:

It is my understanding that any law enforcement officer will be able to issue the citation as long as the officer has public access.

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SENATOR CARLTON:

Will a school police officer be able to issue the citation?

ASSEMBLYMAN GOICOECHEA:

No. Only a law enforcement officer can issue the citation as long as the area has public access. I do not believe school police have full police powers, so they would not be able to issue a citation.

SENATOR WOODHOUSE MOVED TO DO PASS A.B. 66.

SENATOR LEE SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS AMODEI AND WASHINGTON WERE 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 4:06 p.m.

RESPECTFULLY SUBMITTED:

Lynette M. Johnson,
Committee Secretary

APPROVED BY:

Senator Dennis Nolan, Chair

DATE: _____