

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

**Seventy-Fifth Session
April 30, 2009**

The Committee on Transportation was called to order by Chairman Kelvin Atkinson at 1:41 p.m. on Thursday, April 30, 2009, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 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/75th2009/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; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Kelvin Atkinson, Chairman
Assemblyman Mark A. Manendo, Vice Chair
Assemblyman John C. Carpenter
Assemblyman Chad Christensen
Assemblyman Jerry D. Claborn
Assemblywoman Marilyn Dondero Loop
Assemblyman Ruben J. Kihuen
Assemblywoman Ellen B. Spiegel
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

Assemblyman Pete Goicoechea (Excused)
Assemblyman Joseph M. Hogan (Excused)

GUEST LEGISLATORS PRESENT:

Senator Bernice Matthews, Washoe County Senatorial District No. 1
Senator Maurice E. Washington, Washoe County Senatorial District No. 2
Senator Shirley A. Breeden, Clark County Senatorial District No. 5

STAFF MEMBERS PRESENT:

Marjorie Paslov Thomas, Committee Policy Analyst
Darcy Johnson, Committee Counsel
Marlen Schultz, Committee Secretary
Steven Sisneros, Committee Assistant

OTHERS PRESENT:

Martha Barnes, Administrator, Division of Central Services and Records,
Department of Motor Vehicles
Michael Geeser, Media/Government Relations, California State Automobile
Association, AAA of Nevada, Las Vegas, Nevada
David N. Bowers, P.E., P.T.O.E., Assistant City Engineer, City of
Las Vegas, Nevada
Chuck Callaway, Sergeant, Intergovernmental Services, Las Vegas
Metropolitan Police Department, Las Vegas, Nevada
Constance J. Brooks, Senior Management Analyst, Office of the County
Manager, Clark County, Nevada
Nicole Rourke, Director of Intergovernmental Relations, Government
Affairs, Clark County School District, Las Vegas, Nevada
Melissa Krall, LSW, Director of Community Outreach, Coordinator of Safe
Kids Washoe County, Reno, Nevada
Chad Dornsife, Executive Director, Best Highway Safety Practices
Institute, Zephyr Cove, Nevada
Susan G. Martinovich, P.E., Director, Department of Transportation
Kyle Davis, Policy Director, Nevada Conservation League, Reno, Nevada
Erin Breen, Director, Safe Community Partnership, Nevada Urban
Transportation Center, University of Nevada, Las Vegas
Zane L. Marshall, Private Citizen, Las Vegas, Nevada
Tom Roberts, Lieutenant, Las Vegas Metropolitan Police Department,
representing the Nevada Sheriffs' and Chiefs' Association,
Mesquite, Nevada
Heather Fisher, Director, Nevada Scenic Byways Coalition, representing
Save Red Rock Canyon, Las Vegas, Nevada
Minta Albeitz, Private Citizen, Las Vegas, Nevada

Chairman Atkinson:

[Roll taken.] We do have four bills which we will hear, and we will take them out of order because a few members are attending other committees. Senator Matthews will be presenting her bill first, which is Senate Bill 312 (1st Reprint).

Senate Bill 312 (1st Reprint): Revises provisions governing the verification of motor vehicle liability insurance policies by the Department of Motor Vehicles. (BDR 43-286)

Senator Bernice Matthews, Washoe County Senatorial District No. 1:

I have a proposal which has been rolled into one of your bills. The Assembly's bill that dealt with uninsured motorists was Assembly Bill 21. I approached the Department of Motor Vehicles' (DMV) personnel with my proposal, which was similar to the one that had already been heard. They worked with me to roll these two proposals together and we introduced it on the Senate side as S.B. 312 (R1). This bill intends to validate that a person has the insurance as asserted by them when they apply for vehicle registration. Sometimes an individual will register at the DMV, and then a month later we find out he did not actually have a policy after he is involved in an accident. Therefore, the other driver ends up charging his car insurance for the costs of repairs and medical treatment when he was not responsible. Currently, the DMV cannot readily verify whether a person is carrying insurance. The present system is unwieldy, because the insurance company does not always respond promptly to the inquiry, or internal documentation was not accessible. The DMV will be receiving new equipment shortly after the beginning of the year, then the traffic officer will be able to immediately verify whether the driver he stops possesses a valid insurance policy.

Martha Barnes from the DMV is with me this afternoon, and I would like her to explain the details of the new system.

Chairman Atkinson:

Thank you, Senator Matthews for your brief synopsis. We will proceed with the presentation from Ms. Barnes at your suggestion.

**Martha Barnes, Administrator, Division of Central Services and Records,
Department of Motor Vehicles:**

Basically, S.B. 312 (R1) addresses the Department's need to change the antiquated programming. When any of the records generate a transaction in the system, the computer will automatically check with the insurance company to ensure the validity of the insurance. Law enforcement and the courts will have access to this system. So, the officer will know immediately whether the insurance is active and in force, and he can check the insurance card to verify that it is the same as when the car was registered.

Senator Matthews:

There is one additional change not mentioned. This proposal shortens the time from 20 days to 15 days and can be found on line 26.

Chairman Atkinson:

Do you want to mention why you initiated this bill?

Senator Matthews:

My good friend's son was killed in a car accident. His son was only 22 years old, and he was trying to reconcile his loss, going through the difficult grieving process, and wondering why this tragedy happened. He had already filed an accident claim with the policeman, but the insurance company still had not called him after 45 days. The vehicle was mangled and required extensive repairs; however, it takes so long before you find out the other driver was uninsured and your insurance is now responsible for the bill. So, not only is he responsible for the damages to the car, but he has lost his son, as well.

He approached me and asked if anything could be done. I searched everywhere to find an existing provision in other states that we could emulate. The only information I found dealt with the time frame required to check with the insurance company. However, Ms. Barnes at DMV provided a solution when she informed me about this new system where the insurance validation can be performed immediately.

Chairman Atkinson:

We appreciate the informative presentation on this issue, and I would also like to extend our condolences to your friend on the loss of his son. Are there any questions from the Committee members?

Senator Matthews:

Thank you for hearing this bill.

Chairman Atkinson:

Is there anyone else who would like to testify in favor of this proposal?

Michael Geeser, Media/Government Relations, California State Automobile Association, AAA of Nevada, Las Vegas, Nevada:

We supported A.B. 21, and we want to go on the record as supporting S.B. 312 (R1) which is a good bill for insurers and consumers.

Chairman Atkinson:

Do the Committee members have any questions? Is there anyone else in the audience wishing to testify in favor of S.B. 312 (R1)? Is there anyone who wants to testify in opposition or neutral? We will close the hearing on S.B. 312 (R1). Typically, we move all of the bills to a work session for a vote, rather than during a general hearing. This is an issue we have already discussed

and voted on under A.B. 21, and we are adding two or three items to it, so I will entertain a motion on this bill.

ASSEMBLYMAN MANENDO MOVED TO DO PASS
SENATE BILL 312 (1st REPRINT).

ASSEMBLYMAN CLABORN SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN GOICOECHEA AND HOGAN WERE ABSENT FOR THE VOTE.)

Chairman Atkinson:

We will open the hearing on Senate Bill 18 (1st Reprint). Senator Washington is in our audience and prepared to testify.

[Senate Bill 18 \(1st Reprint\)](#): Revises provisions governing speed limits in school zones and school crossing zones. (BDR 43-384)

Senator Maurice E. Washington, Washoe County Senatorial District No. 2:

This was a very complex bill at one time, and after the first reprint it is a much simpler bill. I understand Clark County will be offering an amendment to redefine the phrase, "children are present." We have reviewed the proposed change and do not have any objections. Also, Mr. Dornsife will testify regarding the speed limits currently contained in the bill.

In section 1 of the proposed legislation new language is added to the definition of *Nevada Revised Statutes* (NRS) 484.149 to indicate the access of a person on school property that is not prevented by a physical barrier or including without limitation a block wall or a chain-link fence. Also, throughout the bill it adds "school" to "school zones" and changes "school crossing" to "school crossing zones." It defines a governmental body as being the Nevada Department of Transportation (NDOT) where applicable. Finally, the last section, subsection 6 of the bill contains definitions for "child," as a person under 18, and a "child" occupying a school crosswalk within a school zone or designated area. Paragraph (c) defines the "operational speed limit beacon," and its use. Paragraph (d) defines "school."

Chairman Atkinson:

Are there any questions from the Committee?

Assemblywoman Dondero Loop:

I have a couple questions. My first question concerns the amendment, where it says "on such school property as not prevented by a physical barrier including

without limitation to a block wall or a chain-link fence." Please describe a chain-link fence to me.

Senator Washington:

It is a type of fence made of wire twisted or woven together into a diamond pattern.

Assemblywoman Dondero Loop:

I have to inform you that I taught school for a number of years, and every school I have ever worked at has had a chain-link fence. There are always openings in the fence where children can get out. Unfortunately, I cannot think of a school that does not have a chain-link fence with an opening where a child could walk out onto the open street.

Senator Washington:

This language was offered by the Las Vegas Metropolitan Police Department. So, I believe it would be prudent for them to address your concerns about the intent. There are some schools in northern Nevada and some of the rural communities without chain-link fences.

Assemblywoman Dondero Loop:

My follow-up question is would this bill contain a fiscal note because of the additional manpower required and the printing of new signage?

Senator Washington:

The proposed bill was sent through the Senate Finance Committee and there is no fiscal note currently. The operational speed limit beacons are standard and there is essentially no cost involved.

Assemblywoman Dondero Loop:

If we change those speed limits, the signs will have to be revised. How do you plan to handle this detail without funding?

Senator Washington:

Actually we are not changing any speed limits.

Assemblywoman Dondero Loop:

Please clarify your statement for me.

Senator Washington:

Subsection (d) is defining the terms. It does not change the existing speed limits designated for school zones.

Chairman Atkinson:

Are there any other questions from the members? Seeing none, I would like to thank you for your testimony and ask if you have an order of preference for the witnesses. Is there anyone in the audience who wants to testify in favor of S.B. 18 (R1)?

David N. Bowers, P.E., P.T.O.E., Assistant City Engineer, City of Las Vegas, Nevada

We have been working with Senator Washington and the student who proposed this bill. We believe this is a good initiative and we are in support of the general nature of this legislation. We were concerned about the initial bill which proposed changing the speed limits depending upon the schools involved.

We are suggesting three small amendments to the current reprint ([Exhibit C](#)). The first revision is in section 1. This addresses the issue that Assemblywoman Dondero Loop brought up, and it revises the language to give the controlling entity or the Department of Transportation the authority to determine whether the fence or barrier prevents access to the adjacent streets and whether they should be included as part of the school zone.

The second amendment applies to section 2, paragraph 4. If accepted it would allow the use of time placards notifying drivers when the school zone was effective. Currently, we have the ability to use "When Children are Present" signs which would give more protection to the students and provide additional flexibility with the school hours. The addition of the time placards would be a significant cost to each of the entities as stated in the current reprint. Possibly, we would like to eliminate that.

The third and final change is in the definition of "When Children are Present." This is in response to a request from Las Vegas Metropolitan Police Department asking us to apply hours to this provision. In so doing, there would be no confusion when a citation could be written for this violation. It was determined that one-half hour before school, during school hours, and one-half hour after school is out of session would be the enforceable period.

Chairman Atkinson:

Are there any questions from the Committee members?

Assemblyman Carpenter:

Could you explain what "When Children are Present" means?

Chuck Callaway, Sergeant, Intergovernmental Services, Las Vegas Metropolitan Police Department, Las Vegas, Nevada:

The current language for "When Children are Present" is somewhat vague, which is why the Police Department asked for clarification in this amendment. I believe the current language states that during school hours, half an hour prior to the beginning of school, half an hour after school, and additionally when children are present on school property in the crosswalks and nearby. The problem we encountered was during evening hours when football games were being held, or band practice, or volleyball, or other types of school events when a number of children were present on school property and people would drive through the area faster than the posted speed limit. In certain cases, they were cited by an officer and there was confusion whether the school zone applied to them during that particular instance.

Assemblyman Carpenter:

I understand that portion, but what is the other statement about children being on a pathway, sidewalk, or shoulder? Does that mean anywhere on the school property?

Chuck Callaway:

This sentence is referring to the streets adjacent to the school which include the sidewalk or the crosswalk, or on school property adjacent to the school. Another instance where it would apply would be the locations deemed to be school zones. An example is on West Alexander Road between Rancho Drive and Rainbow Boulevard where there is a 25-mile-per-hour (mph) school zone in the area where children catch the bus, and cross the street to go to the R. E. Tobler Elementary School which is approximately 3 blocks away. The specific words, "When Children are Present," refer to the immediate vicinity of the school.

Assemblyman Carpenter:

In the example you used where the school is removed from the school zone, does it have a flashing light where vehicles are required to slow down to 15 mph, also?

Chuck Callaway:

Yes, it does have flashing lights and posted signs. I believe it also has the times posted notifying the public when that zone is in effect.

Chairman Atkinson:

Are there any other questions?

Assemblywoman Dondero Loop:

I have driven to almost every school in this state, and some have very high chain-link fences which spill out onto a street, such as the school in Battle Mountain. What would happen in that case?

Chuck Callaway:

If I could present my testimony, I believe it would provide a satisfactory explanation. When this was initially introduced, the Las Vegas Metropolitan Police Department (Metro) opposed the bill. There was a provision to increase speed limits around the schools, and we believed it would cause more confusion and actually prove unsafe for the public. There was a work session held with all the parties involved to discuss the topics and what could be done to reach a comprehensive understanding. The only issue Metro was interested in changing dealt was clarification of "When Children are Present." We did not like the language in the current reprint in section 1 that says "where access of a person on property is not prevented by a physical barrier including without limitation a block wall or chain-link fence." We felt the original school zone laws were effective and applicable. Therefore, we did not see any reason to change them. Also, as Assemblywoman Dondero Loop stated, every school in the Las Vegas Valley has some type of chain-link fence or block wall around it except for the parking lots located directly in front of the main entrance. It was our interpretation that the language as written would not require a school zone around any school.

We met with Mr. Bowers and representatives from Clark County. Their traffic engineers wanted to insert language that would give local government some discretion and authority in cases where it was determined a school zone was unnecessary. The only example I can think of where this exception would apply is Faith Lutheran High School located near Interstate 215. In that case, it would not be feasible to put a school zone on an interstate, freeway, or busy intersection with high volumes of traffic. If there was a block wall that provided a barrier for the school from the street, and the children could not access the street, then the local entity wanted the ability to decide against a school zone. We agreed to this change and support the bill with the amendment.

Chairman Atkinson:

Your support of the bill is contingent upon the approval of the amendment. Are there any other questions?

Assemblywoman Dondero Loop:

The issue that concerns me is every school with a chain-link fence has narrow two-foot openings spaced every 500 feet or so designed for ingress or egress.

Young students can use these openings to walk out onto the sidewalk, and during the weekends, people can walk in to attend extra-curricular events. Therefore, to my knowledge, a solid chain-link fence does not exist at any of the schools that I have visited. I know there has to be a fiscal note involved with this proposal. At this point, I could not support the bill. We need to protect the children and ensure their safety, not the drivers who have a vehicle weighing thousands of pounds with a reinforced compartment surrounding them.

Chuck Callaway:

I agree entirely and that is why we felt section 1 should remain as originally written. If the city or county chose to ask for the authority to determine whether they felt the school zone should remain or be removed, we were willing to concede to their specialized understanding and training to make a studied decision in that type of matter.

Assemblyman Carpenter:

Nothing will work to keep the kids inside, whether it is a chain-link fence or a block wall, if they want to leave the school premises. Unless you erect a regular prison fence, there is no way to maintain the children's safety. So, I see no reason why we should not have a designated school zone.

Chuck Callaway:

You are correct, and we believe the original language maintains that safety.

Constance J. Brooks, Senior Management Analyst, Office of the County Manager, Clark County, Nevada:

We would like to thank Senator Washington for calling attention to this issue. We also applaud his efforts in bringing a college student in to participate in the legislative process in creating this bill. We are in support of this bill with the amendment offered by my colleagues from the City of Las Vegas, Metro, and the City of Henderson.

Chairman Atkinson:

Are there any questions for Ms. Brooks? Does anyone want to testify as a neutral presenter?

Nicole Rourke, Director of Intergovernmental Relations, Government Affairs, Clark County School District, Las Vegas, Nevada:

We had an issue regarding chain-link fences, but I believe that point has been well made by several people. However, we wanted to apprise the Committee of our concerns.

Chairman Atkinson:

Did you channel your question through Assemblywoman Dondero Loop?

Nicole Rourke:

The Assemblywoman does have a great deal of familiarity with schools so her concerns are grounded in her past experience.

Melissa Krall, LSW, Director of Community Outreach, Coordinator of Safe Kids Washoe County, Reno, Nevada:

We came prepared today to oppose this bill for the reasons that have been presented. We had concerns about the barrier issue ([Exhibit D](#)), as well as the change in the verbiage from "school zone" to include "school crossing zone." Although some of those have been clarified, I still share some of the concerns that Assemblywoman Dondero Loop has voiced, especially given the variances of our districts in Washoe County. There are several campuses I drive past daily that have chain-link fences, some with openings and some without. I think the information presented has been helpful in clarifying the confusion, and the amendments discussed strengthen this law.

We support any proposal that strengthens school zones for children. We also are particularly pleased with Senator Washington's role in bringing to light pedestrian issues.

Chad Dornsife, Executive Director, Best Highway Safety Practices Institute, Zephyr Cove, Nevada:

I am here to talk about the legal perspective of this proposal based on national laws and the engineering perspective. I believe the Legislature is unaware that the current law has an unsupported speed limit which is not legal under federal statutes. To be legal, the traffic engineer or the city needs to conduct an analysis of the school, develop a traffic plan, and then set the speed limit according to the results of the analysis. A speed limit cannot be arbitrarily set through a school zone. The traffic engineer must perform a study at the particular location, provide a recommendation of the proper speed tolerance, and the local authority then needs to adopt that recommendation.

Darcy Johnson, Committee Counsel:

I am not aware that the federal law requires such a study every time a statute that includes a speed limit is amended. I would have to go back and look at when this statute was implemented and when the speed limits were originally set to determine whether a traffic engineering study was a requirement at that time, and if any study was, in fact, done.

Chad Dornsife:

I would be happy to give a cursory brief.

Chairman Atkinson:

We will listen to any presentation you care to make, but we will still require proof and that is the reason we have legal counsel attending our meetings. We are confident in Ms. Johnson's ability to find the information we need.

Are there any other questions from the Committee members? Does anyone else wish to testify on S.B. 18 (R1)? There are a few concerns, which need to be addressed. So, we will close the hearing on Senate Bill 18 (R1) and allow Senator Washington and the proponents to meet with the members and satisfy these unresolved issues. At which point, we will bring this back in a work session for a vote.

We will open the hearing on Senate Bill 240 (1st Reprint), and ask Senator Breeden to present her proposed legislation.

Senate Bill 240 (1st Reprint): Provides for the evaluation and establishment of the maximum speed on certain portions of State Route 159. (BDR 43-1072)

Senator Shirley A. Breeden, Clark County Senatorial District No. 5:

[Spoke from prepared testimony ([Exhibit E](#)).]

Chairman Atkinson:

Are there any questions from the members of the Committee?

Assemblyman Manendo:

I want to thank the Senator for bringing this bill forward. We also have outdoor plays held in that area, and thousands of people go there to take advantage of the plays under the stars. In my younger days I used to be a bicyclist, and I travelled out there quite often. There is a significant safety issue in that vicinity and it is sad to imagine the number of people who have lost their lives on this small stretch of highway.

Chairman Atkinson:

Are there any other questions? Did you have a particular order you wanted us to hear the testimony of your proponents, Senator Breeden?

Senator Breeden:

The only preference I have is that Ms. Martinovich, who has provided a letter of commitment ([Exhibit F](#)), be allowed to speak next. Then the Chairman can hear the others as he deems most appropriate.

Susan G. Martinovich, P.E., Director, Department of Transportation:

We appreciate the efforts of Senator Breeden on this bill and her willingness, as well as her constituents, to work with us in providing a bill we think will meet the needs of the agencies and all the users of this portion of the highway. Therefore, we stand in support of this bill as amended.

Chairman Atkinson:

Is it going to require additional signage?

Susan Martinovich:

Yes, it will. We are working to have everything in place by the first part of July. We are in the process of manufacturing scenic byways signs and conducting a speed limit study to determine what the limit should be reset to. The signage would be a relatively low-cost item, and we are prepared to absorb these expenses as part of our maintenance budgets.

Chairman Atkinson:

Okay, we like to hear that it will be taken from existing budgets. Are there any questions from the members?

Kyle Davis, Policy Director, Nevada Conservation League, Reno, Nevada:

I wanted to go on record in support of this bill.

Chairman Atkinson:

Is there anyone who wants to testify in Las Vegas?

Erin Breen, Director, Safe Community Partnership, Nevada Urban Transportation Center, University of Nevada, Las Vegas:

There was a substantial amount of testimony when this bill was introduced by the Senate and why it should be supported. In my opinion, Senator Breeden said it brilliantly and, therefore, we would like to go on record as commending her for her efforts. We have every confidence that this will be worked out to everyone's satisfaction. We would also like to commend the Nevada Department of Transportation (NDOT) for their efforts with this project.

Zane L. Marshall, Private Citizen, Las Vegas, Nevada:

I am an active outdoor recreationist and cyclist and spend a great deal of time in the Red Rock Conservation area. My family and I are in support of

S.B. 240 (R1). I have provided written testimony to the Committee ([Exhibit G](#)), and I would like to say thank you for hearing this, thank you to Senator Breeden, and thank you to NDOT.

Tom Roberts, Lieutenant, Las Vegas Metropolitan Police Department, representing the Nevada Sheriffs' and Chiefs' Association, Mesquite, Nevada:

We, too, would like to thank Senator Breeden for taking note of the high speeds in that area, and the accidents that have occurred due to the recreational bicyclists and the wildlife roaming within the canyon area. In our opinion, lowering the speed limit will definitely save lives. Tragically, we lost one of our employees, who was a bicycle enthusiast, riding on that highway a few years ago. Hopefully, this will prevent future tragic accidents, and we want to go on the record in support of this proposal.

Heather Fisher, Director, Nevada Scenic Byways Coalition, representing Save Red Rock Canyon, Las Vegas, Nevada:

We hope for the Committee's support and would like to note NDOT's help with putting on safety charrettes and public meetings to reach a unified approach regarding this stretch of highway.

In 1999-2000 when the speed limit was changed to 60 miles per hour (mph), the accident rate increased dramatically, which is shown on page 27 of State Route 159 Transportation Safety Charrette included in the information I submitted for your review ([Exhibit H](#)). So, I would like to conclude by thanking you again and urge you to support this bill.

Minta Albeitz, Private Citizen, Las Vegas, Nevada:

I am a registered nurse, a resident of Clark County, and I live in the City of Blue Diamond. More importantly, I am the widow of John Albeitz. He was the police officer who was killed on State Route (SR) 159 in 2005 while training on his bicycle for a triathlon. I am here to support S.B. 240 (R1) which would reduce the speed limit on SR 159, better known as the Red Rock Loop. All of the efforts outlined today would be remarkable improvements to afford every citizen the opportunity to enjoy this recreational area with adequate safety measures in place that were not available for my husband. My husband was a great guy, a Metro police officer, volunteered to coach Little League, Pop Warner, and the local swim team. My children and I miss him very much. He was hit by a truck driver travelling too fast, and died a week later, never regaining consciousness. If these measures had been installed, or if the speed limit had not been increased from 45 mph to 60 mph, my husband might not have been struck by a speeding driver or suffered such traumatic injuries and he would still be with us today.

I appreciate your time to hear my testimony and support this bill.

Chairman Atkinson:

Thank you for your testimony and our hearts go out to you and your family. Are there any questions from the Committee? Does anyone else in Las Vegas want to enter testimony in favor of S.B. 240 (R1) into the record? We will close the hearing on Senate Bill 240 (R1) and entertain a motion from the Committee.

ASSEMBLYWOMAN SPIEGEL MOVED TO DO PASS
SENATE BILL 240 (1ST REPRINT).

ASSEMBLYMAN MANENDO SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN GOICOECHEA AND
HOGAN WERE ABSENT FOR THE VOTE.)

We are going to take a short recess while we wait for Senator Coffin to arrive to present his bill. [Recess at 2:39 p.m.]

Chairman Atkinson:

The Committee will come back to order [2:51 p.m.]. We are going to move Senate Bill 134 (1st Reprint) because the Senator has sent a message that he has some unfinished business still pending on this bill.

Senate Bill 134 (1st Reprint): Revises provisions concerning the increased penalty imposed for certain traffic violations occurring in work zones. (BDR 43-180)

We will attempt to reschedule S.B. 134 (R1) for our last meeting. Is there anything else requiring discussion from our Committee members? Is there any public comment? Seeing none, we are adjourned until next week [2:52 p.m.].

RESPECTFULLY SUBMITTED:

Marlen Schultz
Committee Secretary

APPROVED BY:

Assemblyman Kelvin Atkinson, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Transportation

Date: April 30, 2009

Time of Meeting: 1:41 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 18 (R1)	C	David N. Bowers	Proposed Amendment.
S.B. 18 (R1)	D	Melissa Krall	Prepared Testimony and Safe Kids Brochure, "Latest Trends in Child Pedestrian Safety," October 2007
S.B. 240 (R1)	E	Senator Shirley A. Breeden	Prepared Testimony.
S.B. 240 (R1)	F	Senator Shirley A. Breeden	Letter of Commitment from NDOT Director, Susan Martinovich, P.E.
S.B. 240 (R1)	G	Zane L. Marshall	Prepared Testimony.
S.B. 240 (R1)	H	Heather Fisher	Prepared Statement with a.) Sensitive Areas b.) Support Letters c.) NDOT SR 159 Transportation Safety Charrette