

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

**Seventy-Fifth Session
February 19, 2009**

The Committee on Transportation was called to order by Chairman Kelvin Atkinson at 1:46 p.m. on Thursday, February 19, 2009, 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/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
Assemblyman Pete Goicoechea
Assemblyman Joseph M. Hogan
Assemblyman Ruben J. Kihuen
Assemblywoman Ellen B. Spiegel
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

Assemblywoman Marilyn Dondero Loop (excused)

STAFF MEMBERS PRESENT:

Marjorie Paslov Thomas, Committee Policy Analyst
Darcy Johnson, Committee Counsel
Sharon McCallen, Committee Secretary
Nichole Bailey, Committee Assistant

OTHERS PRESENT:

Martha Barnes, Administrator, Division of Central Services and Records,
Department of Motor Vehicles
Brian O'Callaghan, Detective, Office of Intergovernmental Services,
Las Vegas Metropolitan Police Department, Las Vegas, Nevada
Robert Compan, representing Farmers Insurance Group, Las Vegas,
Nevada
Michael Geeser, Media/Government Relations, California State Automobile
Association, AAA Nevada, Las Vegas, Nevada
Jeanette Belz, representing the Property Casualty Insurers Association of
America, Reno, Nevada
Kenneth Kruger; representing Nevada Professional Driving School
Association, All American Driving School, Reno, Nevada
Clemos Kelly, Owner, Safeway Driver Training and Education Inc.,
Las Vegas, Nevada; representing the driving schools in Nevada,
The Driving School Association of the Americas, and the Nevada
Professional Driving School Association
Suzy Huffer, representing the driving schools, Las Vegas, Nevada
John Knippel, representing California Association for Safety Education,
Rialto, California
Cathy Dillwith, representing the driving schools, Las Vegas, Nevada
Troy Dillard, Administrator, Division of Compliance Enforcement,
Department of Motor Vehicles
Bart Mangino, Legislative Representative, Clark County School District,
Carson City, Nevada

Chairman Atkinson:

[Roll taken.] Please mark members present as they arrive. We have three bills before us today. We will take them in order. We have Assembly Bill 21, Assembly Bill 153, and Assembly Bill 172. We will start with A.B. 21.

Assembly Bill 21: Revises provisions governing the verification of motor vehicle liability insurance policies by the Department of Motor Vehicles. (BDR 43-437)

Martha Barnes, Administrator, Division of Central Services and Records,
Department of Motor Vehicles:
[Read from prepared text ([Exhibit C](#)).]

Chairman Atkinson:

I have seen both of the proposed amendments from the Department of Motor Vehicles (DMV) and from the insurance agencies. I do not have a problem with them as long as the Department of Motor Vehicles does not have a problem. I know they worked with you and Mr. Dillard to get this through.

Assemblyman Carpenter:

What is going to happen if you get picked up and do not have the card in your vehicle? Can you take it to the judge, and he will say you are all right? Is that going to change under this scenario?

Martha Barnes:

No, that will not change. What the courts will have the advantage of doing is verifying the insurance card they are looking at is a valid card.

Assemblyman Carpenter:

Will that be all courts, even the ones in the rural areas?

Martha Barnes:

If they can access our computer system, yes. They will have that ability.

Assemblyman Carpenter:

What will it take to get to your system?

Martha Barnes:

I do not know if I can answer that, because I am not sure what they are currently using to access information. We have spoken to the courts in Las Vegas, and they are going to set up a website where they can go to check the insurance. We will have that availability, so it should be the same in the rural areas.

Assemblyman Carpenter:

Can you check on Jackpot or Wendover? If they have a computer, they would have access to us. If we are going to do this statewide, we need to make sure they have access to it, or we will have a mess.

Chairman Atkinson:

We will not be taking action on the bill today; so Ms. Barnes, could you see if we can satisfy those concerns?

Martha Barnes:

We will be glad to try to do that for you.

Assemblyman Goicoechea:

Would the Highway Patrol be able to access that database immediately from the scene, and call in to verify the insurance?

Martha Barnes:

Yes. In our current system, we provide the insurance company name and policy number, but the information is 30 to 90 days old at the time a law enforcement officer looks at it. Our proposal is, when we redesign this system, once they initiate that transaction, the computer will search the database and verify the insurance information is valid. It would then come back, and if the insurance card presented did not match what was in the system, the officer could take action at that time.

Assemblyman Goicoechea:

If the motorist does not stop, but the officer has a question, he can enter the information into the computer, and the information would come back and say yes, in fact, the motorist is insured.

Martha Barnes:

Yes, that is correct.

Assemblyman Goicoechea:

In the case it did not match, then the law enforcement officer could write the citation.

Martha Barnes:

That is correct.

Assemblyman Goicoechea:

So it should offer some protection in case you did not have the card, but you did have valid insurance.

Martha Barnes:

This is one of the things we are trying to address.

Chairman Atkinson:

Are there any other questions from the Committee members?

Assemblyman Carpenter:

What do you mean by the card? The insurance card you are supposed to have?

Martha Barnes:

Yes, the proof of insurance card you are supposed to carry in your vehicle.

Assemblyman Carpenter:

If I do not have the card, would the police officer have access through his computer to my information by entering my name?

Martha Barnes:

I do not want to speak for law enforcement, but they would have the ability to see if you had valid insurance. I do not know if they would take action on that or not.

Assemblyman Carpenter:

A number of times I have not had the card in my vehicle, for one reason or another. If they give me a ticket, I just go to the Justice of the Peace (JP) with the card and everything is fine. Do you think that will still be the case, or am I going to get a ticket if I do not have the card in the vehicle?

Martha Barnes:

Law enforcement should answer that question.

Chairman Atkinson:

We have someone from the Las Vegas Metropolitan Police Department who is going to testify. Would you like him to come up now?

Brian O'Callaghan, Detective, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department, Las Vegas, Nevada:

I am in support of this bill. By law you are supposed to have the insurance card in your vehicle. I do know where you are going with this, though. If you do not have it and the officer runs your information and finds out you are current, it will be up to the discretion of the officer. Does that answer your question? Currently, *Nevada Revised Statutes* (NRS) states you must have proof of insurance in your vehicle.

Assemblyman Carpenter:

I know, but if you take the card to the JP, he is going to let you off with no fine. Is this going to change?

Brian O'Callaghan:

I do not think it will change at all. If you take a current card to the judge, even though you received a citation, I do not think there would be a problem. Of course they would drop the citation if the card was current at the time. If you get the card after the citation and go to the judge and try to sneak it in, that would not work.

Assemblyman Goicoechea:

Brian, I just want to clarify, would you run the Vehicle Identification Number (VIN) on the vehicle? Do you have the technology to run the VIN, and it would come back as insured? I am not real clear on what information would be in your database.

Brian O'Callaghan:

All of your information will come up on the computer. Currently it does, but it comes in 30 to 60 days late. With this change it will come up as current, or suspended, or whatever the case is at the time.

Assemblyman Goicoechea:

You enter the license plate or VIN and it will show you the status right then. The officer would proceed from there.

Martha Barnes:

Just to let you know, we did talk to the Nevada Highway Patrol, and one of the things we were concerned about was how our redesign was going to affect them. They told us they did not have programmers, or money, so we have not made any changes to the information they can currently get from us. They will be getting it the same way they get it today. It will just be more current information.

Chairman Atkinson:

We do have to answer these concerns, but I do not think the explanations have been fully accepted yet. Are there any other questions from the Committee members for Ms. Barnes? There are none.

Is there anyone else in the audience here or in Las Vegas wishing to testify in favor of Assembly Bill 21? Mr. Compan, are you for A.B. 21 as well?

Robert Compan, representing Farmers Insurance Group, Las Vegas, Nevada:

Yes. I would like to give you a little history on A.B. 21 and the insurance verification program. It was a program developed back in the 1990s, and our reporting system to the Department of Motor Vehicles for the purposes of insurance verification has been through an antiquated 8-track tape cartridge system. It is not functioning and many lawmakers have contacted me regarding issues their constituents have with regard to fines and fees they are assessed by the DMV when they have lapses of coverage with their insurance verification. This will give a real-time web-based recording system. We would like to thank the Legislature and extend our gratitude to the Department of Motor Vehicles for working with us.

Sitting at the table, I can see Mr. Geeser and Jeanette Belz. The three of us met with the Director of the Department of Motor Vehicles along with Martha Barnes and some of their staff with regard to amended changes we would like. I have given you a copy of those amended changes ([Exhibit D](#)). If you will notice on the first page of the draft, in italics, we have suggested language changes to current statutes, with the approval of the DMV.

Basically this amendment requires proof of insurance to be given to the Department of Motor Vehicles (DMV) upon registration. This was an issue eliminated from the DMV registration requirements back in 2003, at which time the DMV was experiencing lengthy delays with registration. Now the DMV has a very efficient process in place, and they have agreed with us that getting proof of insurance back into the registration process is all right, rather than signing an affidavit. The issues with the affidavits were when a person came to the DMV and signed an affidavit, it was just giving their word they had insurance, and some people were not always so honest. We were then counting on the DMV's verification program to catch up. It often took a long time, so by implementing proof of insurance at registration, not only are we going to capture those who are not being honest with the Department, but also those who come into our state and sign the affidavit, and are erroneously assuming the insurance they have in another state is adequate. If they are residents in Nevada, per statute, that is not true.

The other part of the amendment is removing the seven-day grace period from the bill. Right now you can come to the DMV, sign the affidavit, and then have seven days to get your insurance. At present in Nevada, if you are a new resident, you already have 30 days in which to provide a copy of your insurance and get your car registered in the state.

Chairman Atkinson:

Thank you, Mr. Compan, and are there any questions from the Committee members?

Assemblyman Carpenter:

I do not know whether the last gentleman was referring to what is marked "draft" where it says, "anyone that issues this insurance must be licensed by the Division of Insurance." Are all of them now licensed, or are there some who have to get licensed? Where do we stand on that?

Robert Compan:

That is the current statute. It is a requirement all insurance companies be licensed. Therefore, they have a Nevada proof of insurance. Part of the bill does specify the change that the proof of insurance must be specific to Nevada. There is also a bulletin describing a hearing the Division of Insurance is having March 3rd regarding temporary issuance of proof of insurance and permanent insurance cards. Yes, they do have to be licensed in this state.

Chairman Atkinson:

Madam Secretary, please excuse Assemblywoman Dondero Loop.

If there are no other questions, we will come back to Carson City and to the two individuals sitting at the table.

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

We are here in support of the bill as well as this amendment we were able to work out with the Department of Motor Vehicles. Mr. Compan explained it well, but let me explain a little further.

The American Automobile Association (AAA) has clubs all over the country. When someone moves here from another state where they have AAA insurance, they go to register their car, and the DMV would ask if they had insurance, and of course they would. They had insurance in Ohio. The law says you have to have insurance based here in Nevada. Maybe they were paid up and thought they still had insurance for six more months. Through no fault of their own, they would register their car and leave, not knowing until the next time their insurance policy had to be renewed they had to get insurance here, and would be fined \$250.

This amendment will clear up a lot of headaches. It will clear up confusion on the consumer's part and alleviate the phone calls we have to take explaining why a fine was levied. We think taking Nevada-based insurance to the DMV when you register your vehicle will be a win-win for everyone involved. I want to thank the DMV for listening to us, hearing our concerns, and working with us on this amendment.

Chairman Atkinson:

I echo those sentiments, because I have heard from constituents that "insurance is insurance is insurance," but you have to have Nevada insurance.

Jeanette Belz, representing the Property Casualty Insurers Association of America, Las Vegas, Nevada:

I would like to add this amendment has an unusual effective date; that being February 1, 2010. It is very unusual in legislative terms, but it is designed to coincide with the implementation of the web-based program the DMV is putting forth. I only bring that up because you may wonder if we made a clerical error.

Also, I would like to mention in the process of trying to broadcast, we were doing this amendment; we shared it with the Division of Insurance, and have also talked to the Nevada Independent Insurance Agents (NIIA). Their representative could not be here today due to other commitments, but did not have an issue with the information I am sharing today. Agents get involved in the crossfire as well.

Chairman Atkinson:

Any questions from the Committee members?

Assemblyman Carpenter:

You said the person who moves to Nevada from another state, and has insurance with your company, then goes to DMV to register and says yes, they have insurance. How are they going to know they need to change their insurance before they register the car? I did not understand your explanation.

Michael Geeser:

When a person from another state, with their AAA insurance, shows up at the Nevada DMV, someone from the Nevada DMV will say "do you have insurance," and under this amendment, the person will show their insurance card which will not say Nevada. The DMV will then instruct them at that time, in order to register their car, they will have to get Nevada-based insurance. They can then go to an AAA agent and get Nevada-based insurance, and there will be no fine generated. Otherwise, down the road they would be fined \$250 when they actually thought they had insurance all along. For example, within AAA, we are 58 different clubs under one federation. They are all separate companies.

Assemblyman Carpenter:

This is fine as long as the agents tell them all of that. If DMV just asks if I have insurance, and I say sure, and DMV registers my car, then what?

Michael Geeser:

We have been told by the DMV they plan to be as diligent as they possibly can in relaying that information to people even before they get in line. Before they actually stand in line, they will be told what they need to have when they get to the counter. We think it will help.

Assemblyman Carpenter:

I hope so.

Chairman Atkinson:

I think that is the purpose of this bill, so we can begin to clear this issue up. I am not sure the affidavit part is working. In Las Vegas, I believe you get a numbered ticket based on what services you need that day, and you have to actually get into the information line before you get a number. I am assuming when you are in the information line, you will say what you are there for. The clerk will tell you if you are here to register a car, you have to show proof of insurance. You will no longer be able to sign an affidavit. Have we heard from everyone who is for A.B. 21?

Assemblyman Goicoechea:

This question is for DMV. On a renewal, is one required to bring in proof of insurance?

Martha Barnes:

Every time a transaction for a vehicle is initiated, the computer will automatically search the database. When we begin the transaction to renew a vehicle, we will clarify the vehicle has active insurance. If not, the transaction will not be continued.

Assemblyman Goicoechea:

Then that person would have to bring in proof of insurance?

Martha Barnes:

Yes, they would have to provide that to us.

Assemblyman Goicoechea:

I can see some computer glitches here. You will have some people at some point a little bit mad at you.

Chairman Atkinson:

The DMV is not the only agency or company having this issue. Recently I was getting a loaner car from the maker of my car. Typically, they just asked if you have insurance, and you say yes, and they assume because you have a car,

you have insurance. However, the company recently had some instances where people got in accidents, with their loaner cars, and the people did not have insurance. Because of incidents such as this, more companies are asking for proof of insurance as opposed to relying on someone's word. I think this is a good thing.

We will take those who are against A.B. 21.

Assemblyman Carpenter:

What are you going to do with the mail-in transactions?

Martha Barnes:

When they mail their transaction to us, we will verify the insurance is active. If it is not, we will stop the transaction, return it to the customer, and tell them they must have insurance, fine them, or whatever is pertinent at that time.

Assemblywoman Spiegel:

If you are doing your car renewal online, and are having the emissions inspection done at a place that transmits the data electronically, will this then tie into this system? If someone's insurance is not current, will the transaction be stopped?

Martha Barnes:

Yes, we are going to tie it into every transaction.

Chairman Atkinson:

Would anyone like to speak in opposition to A.B. 21? Would anyone like to speak as neutral on A.B. 21? Seeing none, we are going to close the hearing, but I am going to ask Ms. Barnes to meet with Mr. Carpenter to clear up any concerns he may have. They may be answered, but he still may have some questions. We will then bring it back to a work session.

We will now close the hearing on A.B. 21. We will open the hearing on Assembly Bill 153.

Assembly Bill 153: Revises provisions governing the issuance of drivers' licenses to certain persons. (BDR 43-77)

**Kenneth Kruger, representing Nevada Professional Driving School Association;
All American Driving School, Reno, Nevada:**

[Read from prepared text ([Exhibit E](#)) and referred to red handout "Teenager Insurance Discount" ([Exhibit F](#)).]

Although I represent the Nevada Professional Driving School Association, I am not representing them for this next request for amendments ([Exhibit G](#)); it is a personal request.

Chairman Atkinson:

Do any of the Committee members have questions?

Clemos Kelly, Owner, Safeway Driver Training and Education Inc., Las Vegas, Nevada; representing the driving schools in Nevada, The Driving School Association of The Americas, Inc., and the Nevada Professional Driving School Association:

I am here today in support of Assembly Bill 153. I am joined at the table by Mrs. Suzy Huffer of Las Vegas. Mrs. Huffer is a concerned mother and a teacher and would like to share her experiences with you and testify on how important this bill is to saving lives and property, if approved.

Also present is Mr. John Knippel, representing the California Association for Safety Education. Mr. Knippel will provide statistics on the positive effects similar legislation has had on the graduated driver's license program in other states.

I will first offer testimony regarding the need for this bill in Nevada. It would not only save lives, but save money as well. A.B. 153 is designed to provide teenage students with a professional, behind-the-wheel, training experience before receiving a driver's license in Nevada for the first time. It does not put added financial burdens on Clark or Washoe County School Districts.

Professional driving schools utilize defensive driving techniques to save lives by teaching students how to identify potential problems and hazards early enough to avoid collisions. The school cars are also set up with secondary brakes and additional mirrors to assist in training.

According to ten years of crash data, compiled by the American Automobile Association, across America, the majority of people killed in teen driver crashes are people other than the driver himself. The new analysis shows young, new drivers make up slightly more than one-third of all fatalities from crashes in which they are involved. Yet nearly two-thirds of those killed, other than vehicle users, are pedestrians.

The Insurance Institute for Highway Safety says, among 16-year-olds, the rate of fatal crashes remains higher than any other age group. In fact, AAA says car crashes are the number one cause of death among 15- to 20-year-olds. First-year drivers have ten times the crashes per mile as adults. The AAA

concluded the great majority of crashes are due to inexperience. Novice teen drivers do not recognize risks, unsafe behavior, and failure to recognize unfamiliar situations lead to false confidence, sometimes with deadly consequences.

A 2000 National Transportation Safety Board report calculated the cost of a fatal collision at approximately \$977,000. That is just in this country.

Our standards are far behind many other nations. In Japan, if you want to learn to drive, you need a minimum of 26 hours of classroom training, plus 17 hours of behind-the-wheel training on a practice course, and then 17 hours on Japanese streets. All of this is before you can take the test and get your license. That is a minimum of 34 hours behind-the-wheel.

Germany requires 25 hours of behind-the-wheel training on city streets. Four of these hours must be on the freeway. At least 3 hours must be at night. Russia, France, and Italy have similar requirements. Here in America, Nevada ranks fifth worst in the nation for teen driving deaths.

Currently, Nevada law requires teens under the age of 18 to complete a 30-hour driver education course in a classroom. The course is offered in public schools, professional driving schools, and online. The course is required for a driver's license. After completing that course, a permit is issued, and the would-be driver must also complete 50 hours of supervised driving with anyone at least 21 years of age who has had their license for at least one year. Ten of these hours must be logged during hours of darkness. The 50 hours must be logged on a daily form. The teen is not eligible to take the DMV drive test until six months after their permit is issued.

Right now, in Nevada, a six-hour, behind-the-wheel course will cost between \$300 and \$350. This price range will vary depending on current fuel prices. These prices could be lower if the fuel costs are reduced again.

Automobile insurance discounts range from 5 to 20 percent for the first year. Not all insurance companies offer discounts for behind-the-wheel training. For those that do, and this is important, the parents of a teen driver can save the cost of a behind-the-wheel course in the first six months of insurance premiums.

We did confer with the Clark County School District during the interim on the bill, and the bill language you see before you has been signed off by the school district.

Chairman Atkinson:

Mr. Kruger, can you go over the red handout for us ([Exhibit F](#))? I am a little confused. There are three pages and they say, "no driver's school." What does that mean?

Kenneth Kruger:

Starting on the second page of the red handout you will see actual quotes from State Farm Insurance Company. The first one is for a 16-year-old female with no driving school and less than a B grade average. The second page is for a 16-year-old female with the same circumstances with no driving school discount. The third page is for a 16-year-old female who has a driving school discount. If you look at the second and third pages, taking the driving school discount into account, you will see the difference is over \$300 in savings. It will vary with family situations; some premiums will be less, some more. Some kids pay as much as \$4,000 per year for insurance. They probably are not getting much of a discount because they may have exhibited poor judgement in the past to cause them to have the high premium, or maybe they are driving a sports car—I am not sure.

Chairman Atkinson:

So if you are a 16-year-old male, no driver school, and less than a B average, you are in trouble?

Kenneth Kruger:

Yes. You always have been.

Chairman Atkinson:

Now I understand the breakdowns. So most insurance companies do allow for someone to show proof of drivers' training, and most give discounts for it?

Kenneth Kruger:

I am only certain of State Farm. State Farm is the largest writer of car insurance in the state.

Assemblyman Goicoechea:

We have a letter ([Exhibit H](#)) from a Carson City lady, Ms. Judy Odell, and I want to make sure we are not, in fact, impacting drivers education training in Churchill High School. They do offer behind-the-wheel driver training in Churchill County through the school district. Will that be impacted in any way by this bill?

Kenneth Kruger:

It is probably going to affect them because, to appease the Clark County School District, who did not want the school district to have to purchase cars, Clark County had us write this bill draft request (BDR) so the high schools could not teach driver education. The rural counties can still teach the driver education classes they are teaching, and they can teach a behind-the-wheel course, but it will not count. They will still need the 100 hours of experience with their parents. It will probably get taught in places like Elko.

Assemblyman Goicoechea:

I do not know if it is correct or not, but Ms. Odell states "Churchill County High School and Great Basin College currently offer behind-the-wheel driver training." I realize we have the rural exemption, but I have a concern the driving schools are just going to capture the choice markets, when we already have existing programs in place.

Kenneth Kruger:

I would like to add, in my experience of teaching for 39 years, when I teach a defensive driving program, most of what I am going to teach is in the simulator, not in the car, in a town like Elko. In Reno or Las Vegas, I can probably get the traffic situations that I really want to teach defensive driving. If I am just going to teach a person how to operate a vehicle, I can do that in Elko, Jackpot, Wells, or anyplace else. I can not teach them defensive driving in the car alone. I think the student would be better-off by taking their instruction through a private driving school with simulators.

Assemblyman Goicoechea:

We have a lot of rural communities and I represent a lot of them. Winnemucca and Battle Mountain may not be on your radar screen as being profitable, but it looks like they are being limited. I hate to force people into a captive industry.

Suzy Huffer, representing the driving schools, Las Vegas, Nevada:

I am speaking today regarding the importance of teen drivers having professional behind-the-wheel experiences in addition to the current requirements for obtaining a driver's license. Thankfully, there is no tragedy in my story.

Our oldest daughter, Whitney, is 16 years old and earned her drivers license September 18, 2008. Having gone through the proper steps to obtain her learner's permit, we enrolled her in a driver education class at a cost of \$150. A friend of mine raved about her daughter's and son's behind-the-wheel driving experience with a professional driving school. I thought I am the mom; I can do this myself. I did not want to pay the fee is what it boiled down to. The first

time I took my daughter behind the wheel for driving practice, I will say it was nothing short of terrifying. For the record, she did fine driving. I have over 30 years of driving experience; however, I was not prepared for the incredible racing heart I encountered. Needless to say, it took over 30 minutes after arriving home for my heart rate to return to normal. Therefore, my husband and I made the decision to register our daughter and paid for 15 hours of behind-the-wheel driving with a professional.

I mentioned earlier my profession is education. When a child needs additional help with learning to read, or understanding math, a parent seeks out, and many pay for, tutoring, from a professional educator. I chose a professional driving instructor to instruct my child in how to handle driving a car.

Things that are automatic to an experienced driver may not always be voiced to our teen drivers by the parent. The professional driving instructor is constantly aware of every little detail and voices each and every detail when driving with a teen driver. The professional driving instructor is also constantly reminding the student of Nevada's traffic laws. Additionally, the instructor has the ability to use the car's brakes at any given moment.

When both of my children were toddlers, my husband and I chose to enroll them in swimming lessons through a private, professional swimming school in Las Vegas. Both of my children were confident swimmers by age two-and-a-half because of the lessons and my practicing daily with them to reinforce what they had learned from the professional. The lessons were expensive, but our goal was the safety of our children when in or near water. I never had a second thought whether or not to enroll my children in swimming lessons.

Fast-forward 13 years to June 2008; it bothered me that I questioned whether or not to pay to have a professional driving instructor instruct my teenager behind-the-wheel. What my husband and I paid was well worth the outcome of our teen driver's heightened confidence, heightened awareness, and knowledge of Nevada's traffic laws when driving a car. The lessons were expensive, but I paid for swimming lessons, dance lessons, soccer lessons, and piano lessons. That was the connection I made when deciding to pay for behind-the-wheel driving lessons for my child. This decision very well could save my daughter's life as well as many others' lives.

I am asking for serious consideration of Nevada teens to be taken when you, our state leaders, take your stand on A.B. 153. Our state's teens need you to take a stand for them.

My youngest daughter turns fifteen and a half on July 21st. Once my daughter obtains her learner's permit, I will be calling a professional driving school to work with her behind the wheel. This time around, there will be no question in my mind.

John Knippel, representing California Association for Safety Education, Rialto, California:

I am a past president of the California Association for Safety Education (CASE), as well as the American Driver and Traffic Safety Education Association's National Driver Teacher of the Year.

I have been in the driving business for about 40 years. I would like to comment on Mrs. Huffer's and Mr. Kruger's remarks as they have taken some of the message I was going to speak to. They are exactly in tune with me. I would like to put a few other things on the table for consideration. With regard to the changes in teenagers I have seen, and the vehicles in which we drive, that may add more stimuli to this issue.

Mrs. Huffer did mention students do take on a task that may possibly injure or kill another person. Though she was willing to pay for dance and piano lessons as many parents are glad to do, when it comes to driving, many parents feel they have been driving for 30 years, and they can teach their own son or daughter how to drive. Some of them do an excellent job of it, but it is a bit of hit-or-miss. Even our Assemblymen from the northern rural areas of Nevada have suggested there are some things they learned to do on the farm that taught them physical control of a car. There have been changes in cars that, as parents, we may not be aware of, and we may have made adaptations because of our experience, but translating it to the student may be difficult.

Years ago, we did not have the freeways we have now. We did not have the crossover lanes and the high speeds. When I had my high school driver education in the 1950s, the car speedometer only read 100 mph. I noticed on my drive here from Las Vegas, the speedometer reads 160 mph. That is quite a change, and the car can actually travel that speed and is designed to do so.

Think of the following things for a moment, that a professional driver could offer to a student learning how to drive these new cars. New cars have disc brakes, not drum brakes. The old technique of pumping the brakes when something happens does not work with today's cars. We now have antilock brake systems (ABS) changing the way you brake and handle the car. The new cars have electronic fuel injection, not carburetion, so we cannot restart some of these cars that stall someplace as easily as we used to. Electronic stability programs take away some of the edge while giving us some safety in terms of a

skid or a rollover. But, once it has gone past the electronic ability, you are completely out of control. There is no way to handle that, and students need to know where those edges would be. We have front-wheel drive instead of rear-wheel drive cars, and just putting the transmission position into park is different because of the constant-velocity joints up front. We have electronic traction control and 4-wheel drive which we did not have years ago.

Now we bring the kids in with the Global Positioning System (GPS), Bluetooth, iPods, and all of those things they get busy with in the car distracting their attention. We need to know when and where and how to use cruise control. We used to have muscle-power steering, then it became full-time power steering, and now it is on-demand power steering. The way you place your hands on the steering wheel is now different because of the airbag systems within our cars. The amount of steering input is less than three revolutions from full right to full left. I know there are cars that are six revolutions from full right to full left, where you place your hands, and how much input and technique you use are very different with today's new cars. Professionals are aware of these kinds of things.

Back in the day, if I can use that phrase, we had cars that actually had clear windows. You could see through them. Today, a vast majority of cars have tinted windows, and the rules you used to follow no longer apply because your vision has now been restricted.

The type of family vehicle has changed also. We used to drive a station wagon. It would skid, but it would not tend to roll. Today we have a Sports Utility Vehicle (SUV), and it tends to roll more than it tends to skid. Some of these things need to be brought up by someone who really has the ability, who sees hundreds, if not thousands, of students in their driving career, and who knows of all the changes in the vehicles and keeps updated.

I know from reading statistics—as Mr. Kruger brought up earlier—of all crashes, not just those by teenagers, some of the adults who are teaching these teens are still working with the old habits and applying those old habits to the new technology. I am thinking what we need to do with driver training is make sure it does get into the hands of a driving professional who is aware of these techniques, brings them out, explains the laws, and is able to communicate well with a teenage population.

Those are my comments at this point. Are there any questions?

Chairman Atkinson:

Are there any questions from the Committee members?

Assemblyman Hogan:

Could you give us an idea of how many other states have a comparable requirement? Are we blazing a new trail here, or is this becoming a pattern?

John Knippel:

There are 30 other states that have similar requirements for driver training.

Assemblyman Goicoechea:

I believe there would be other states that have driver training requirements, but how many of them require it be done in the private sector?

John Knippel:

With the information I have been able to obtain, it is 30 states. The information I have available is in my own state of California. It is done by the private sector, primarily because the school districts could not afford to do it. They have basically canceled it and put it out to the private sector. It is still a requirement they have driver training, but the schools do not offer it. I am not 100 percent sure of the answer for other states. I believe it is very similar with the end result going through private industry.

Assemblyman Goicoechea:

I understand you are saying by choice, but in this bill, it would be required.

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

This bill seems to make sense to us. We have put a lot of time and effort into educating teen drivers, and it appears this would give us better-educated teen drivers which we feel would give us better decision makers on the road. One concern I had—and I brought it up to Mr. Kruger before the hearing, and perhaps we still have room to talk about this—is how to capture every teen, including the ones who may not be able to afford a private driving school. If there was some way the public and private sector could co-op some funding allowing teens who could not afford this kind of school to go there, then we might have a really good bill with better drivers on the road. This is something AAA would support.

Assemblyman Hogan:

I am concerned that if there are a large number of youngsters in that age group whose families are not in a position to pay for this, many of them will drive anyway. That would be a whole different problem for the police authorities, et cetera. Is this not a possibility? We certainly have an increasing number of people every day who cannot afford much of anything due to unemployment

and other problems. As a practical matter, might this not mean some of these youngsters might commence a career of unlicensed driving?

Ken Kruger:

We have the same situation right now with insurance. We require everyone to have insurance that can run \$2,000 to \$4,000 a year. If people can not afford insurance, they are still going to be out there driving a car, and we have a problem. It will be the same thing with the driving schools. If you take a driving course and it keeps you from having an accident, you are a lot better off than collecting on the insurance.

Assemblyman Carpenter:

Unless they are going to set up a driving school in every community in Nevada, there is just not going to be any way to comply with this law, so you are back to the exception where you can drive 100 hours. That is what it will be unless you offer some kind of amendment so if the colleges or school districts want to offer the driving course; they are allowed to do so. There are many communities that are so far apart these schools are not going to go to each of them to teach such small numbers of students. We have to have some kind of amendments or we are going backwards.

Ken Kruger:

In California right now, you can go to Lee Vining, and other very small towns in the middle of nowhere, and they are in the same situation. They have a lot of rural areas in California, and every one of those kids are getting driving lessons, even though none of the schools are teaching it. It may be through a school that has an instructor who is traveling to those areas at times, but kids are all getting the training. I will guarantee you within a two-year period, every town in this state could probably have an instructor in their area, including the school I used to work for. All American Driving School would probably send a simulator on the back of a truck out to them.

Assemblyman Carpenter:

I appreciate that, but it is no guarantee. They are not going to go to Wendover, Jackpot, McDermitt, and Owyhee. I just do not see that happening.

Assemblywoman Spiegel:

Earlier, you had said Clark County had specifically requested that schools not be able to have the ability to offer these classes. Do you know what prompted that, and in relation to Mr. Carpenter's questions, what problems would there be if the bill said there could be an entitlement to offer the class but not a requirement to offer the class?

Ken Kruger:

When we first proposed this, we wanted to make it a part of the driver education program. We went to the Washoe County School District, and they had no problem with it because they are not teaching driver education. As long as it was not a requirement to make them teach drivers' education, there was no problem. We thought we were doing well until we got to Clark County. Clark County is teaching driver education in all of their high schools, and they do not want to go to the expense of putting cars or simulators in their schools. They said as long as there is a chance they would have to teach driver education they know they would be pressured by parents once it came through as a requirement. They would have to either drop driver education from all of their high schools or buy cars for all of their high schools. That is why they said they would adamantly oppose this bill if it became a requirement.

Assemblyman Claborn:

It is just like everything else we have heard and are going to hear; it is the wrong time, there is no money, and if the schools do not get the money to buy the simulators, who will buy them? This is not feasible at this time; maybe a year or two from now. I have to agree with Mr. Carpenter: where are we going to get all of this money? We can sit here and hash this over for months, but who is going to pay for all this stuff? That is my question, and can you answer it?

Ken Kruger:

As far as I can see in the bill, there is no cost at all to the state. This would all be a cost to the consumer. The state will not have to purchase vehicles nor pay to train instructors. As far as training instructors and purchasing vehicles, that cost will all be borne by private industry in the state.

Assemblyman Claborn:

It is still the same situation we are in. You are going to pass costs on to the consumers, and the consumers are me and my children and my grandchildren, and we do not have any money either. We are all struggling to meet our daily needs. Look at all the homes we are losing. It is just not the right time. I can not see how this is all going to take place without any money. They are not going to give us any stimulus money for this. We are going to be listening to bills like this with very good ideas this whole session, but it is just not feasible at the present time.

Chairman Atkinson:

I understand where Mr. Claborn is coming from; it is just an awful economy.

Assemblyman Manendo:

I have a question about the driving school itself. Do they teach about the dangers of distraction while driving? I know they are teaching driving skills, but I just wonder if they go into depth about being distracted or driving under the influence. If you could enlighten me I would appreciate it.

Ken Kruger:

We do that in our classroom portion. We speak of the distractions and driving while intoxicated, all of which is covered in the classroom. When we are in the car we are trying to develop habits in defensive driving. We are not going into whether you need insurance at that time. It is strictly on the habits you have to develop to become a safe driver.

Assemblyman Manendo:

So when the 17-year-old's cell phone rings, what do you do?

John Knippel:

In addition to the things Mr. Kruger said were taught in the car, it is also true we do teach about the cell phone, the technology, and the distractions, all of which require needed visual skills. Those issues are definitely worked on in the car, and instructors refer back to what students may have learned in the classroom. They are not skipped or eliminated. The best thing the professional instructor can do in the car is to give the students the visual skills they would need to cross intersections, merge with traffic on freeways, and handle other people in their car or near their car, so the distractions are absolutely covered. The physical skills to drive today's new cars are not difficult to master at all.

Assemblyman Hogan:

We complain unceasingly when our friends in the federal government drop an unfunded mandate on us, and this has a little bit of that character. It is an unfunded mandate on hundreds of thousands of families, and we need to seriously question how that is going to fit into today's economy and the future economy. The only way to opt out is to do another 50 hours of instruction by the family. This is a tough mandate to put on so many families statewide.

Assemblyman Goicoechea:

I believe exemption only applies if you live more than 30 miles away from the school. If there is a school offered in Las Vegas, you are going to pay.

Cathy Dillwith, representing the driving schools, Las Vegas, Nevada:

I am from California, and have two children who went through the school district in California, and as Mr. Knippel testified, driving behind-the-wheel is mandatory there.

At the time my children went through drivers' education, I was a struggling parent. My husband had lost his job, I was injured, losing 60 percent use of my left hand, but my kids wanted to drive. As a parent, you make it a gift; you do whatever you can. You have to afford the insurance, and if you want them to drive, you find the money.

Chairman Atkinson:

We are going to move to the individuals who want to speak against A.B. 153. There is no one. Is there anyone who wants to speak as neutral?

Troy Dillard, Administrator, Division of Compliance Enforcement, Department of Motor Vehicles:

The Department of Motor Vehicles (DMV) has a neutral position from the policy standpoint on this bill. However, as Mr. Kruger indicated earlier, there is a fiscal note indicated on the bill. It requires the DMV to approve drive simulators. There is no certification body for these simulators. Therefore, we have to inspect and determine which ones would be most appropriate and meet the requirements to be approved and used in the schools. Mr. Kruger also indicated some of the companies' simulators we have looked at, which are basically the three largest simulators we could find in checking with other states, are already present in Nevada. That would be helpful in reducing the cost, but we have investigators both in the north and the south, and we would simply have to do in-state trips, except for the Tulsa, Oklahoma, location. The company at the Tulsa location has seven different simulators available.

We are responding to the fiscal note as it was published, and we have not been contacted by the sponsor. We did not have that information prior to preparation of the fiscal note.

In addition, I would like to point out the way the bill is written in section 1, subsection 1, paragraph (c), it requires six hours of behind-the-wheel or three hours of behind-the-wheel plus three hours of simulator training. If the bill were to be approved, that is exactly what the Department would require. There would not be any combination of four hours behind-the-wheel and two hours of simulator; it would have to be exactly as the law states.

Bart Mangino, Legislative Representative, Clark County School District, Carson City, Nevada:

At the time I first signed in, our position was neutral. It still remains neutral given some of the comments made by members of the Committee, which would be our position at this time.

Assemblyman Claborn:

I think driver education is a very good concept. When I went to school, the school districts did all of our driver education. Now there is no money for the schools to do it, so we are putting it back on the consumer, and I just do not like that idea. The school is the place to do it.

Clemos Kelly:

I would like to respond to the Department of Motor Vehicles' question regarding the fiscal note to the state. We, as a group, can compromise on that and delete simulators from the bill.

Chairman Atkinson:

This bill obviously has some challenges. So we are going to have to talk about it further, and then we will either bring it back or let it lie. We will be in touch with the sponsors and figure out what we want to do.

If there are no other individuals wanting to speak on Assembly Bill 153, we are going to close the hearing on Assembly Bill 153 and open the hearing for Assembly Bill 172.

Assembly Bill 172: Requires certain charitable organizations which receive proceeds from special license plates to provide additional organizational information annually to certain entities. (BDR 43-366)

I will be presenting this bill from my seat. This bill happens to be on behalf of the Commission on Special License Plates (the Commission) which we brought forth from the Committee. Assembly Bill 172 requires organizations that receive revenue from a special license plate to submit a list of officers, current mailing address, and current telephone numbers to the Commission and the Department of Motor Vehicles (DMV) on or before September 30 of each year. If an organization fails to comply with these requirements, the DMV may, after notice and a requirement for a hearing, suspend the collection of the fees for the special license plate and suspend the production of the organization's special license plate.

For background, Committee members, during the 2007 Legislative Session, the Legislature passed a Commission on Special License Plates bill,

Senate Bill No. 451 of the 74th Session, which was codified as *Nevada Revised Statutes* (NRS) 482.38277. This bill requires charitable organizations that receive revenue from special license plates to submit a balance sheet and a recent bank statement to the Commission on Special License Plates, which are then reviewed by the legislative auditor for evidence of inadequate submissions, improper financial practices, and other relevant information. If the Commission determines an organization has not submitted the required information or has engaged in improper financial practices, it must notify the organization. The organization may request a hearing to rebuke the Commission's determination. If the Commission upholds the determination, it may direct the DMV to suspend the production of the special license plate and the collection of the fees.

During the process of contacting the organization, it was noted by the Legislative Counsel Bureau (LCB) staff and staff of the DMV that these organizations make changes to their officers, mailing address, or telephone numbers, which results in inaccurate information on file with the Commission and the DMV. In some cases it was difficult to contact the organization to inform them they needed to submit their financial information. Additionally, organizations sponsoring a special license plate receive thousands of dollars each year from the revenue generated by the sales of the license plate. It is important that the Commission and the DMV have the current contact information.

Last interim we had a few organizations which we were trying to disseminate information to and either got back inaccurate information or were not able to contact them. This is really more clean-up language to make sure we are getting a handle on this, so these individuals on the list for special license plates are able to comply with any request we may have because we are able to contact them. These filing requirements will help the Commission and the DMV stay in contact with these special license plate folks, by having their proper address. We had one we had to reinstate after getting some information back. We had the DMV hold the fees they were collecting for them until they came into compliance, and once we were able to get the information, we released their monies to them. We are just trying to avoid problems in the future by cleaning this up and moving forward.

Those are my comments and a little history for everyone, especially for those individuals who are not on the Special License Plate Commission who otherwise would not know those things happened.

Assemblyman Claborn:

I am sure glad to see that. I think this is something you have cleared up and it needed to be cleared up. This is very good and I commend you for bringing this bill to us.

Chairman Atkinson:

Are there any questions from the Committee members for me if I was not thorough? Any comments? Is there anyone in Carson City to testify in favor of A.B. 172? Against? Neutral? We will close the hearing on Assembly Bill 172 and the Chairman will entertain a motion.

ASSEMBLYMAN CLABORN MOVED TO DO PASS
ASSEMBLY BILL 172.

ASSEMBLYMAN KIHUEN SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN DONDERO LOOP
WAS ABSENT FOR THE VOTE.)

The floor statement will go to Mr. Claborn.

Meeting adjourned [3:21 p.m.].

RESPECTFULLY SUBMITTED:

Sharon McCallen
Committee Secretary

APPROVED BY:

Assemblyman Kelvin Atkinson, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Transportation

Date: February 19, 2009

Time of Meeting: 1:46 p.m.

Bill	Exhibit	Witness / Agency	Description
	A	Committee on Transportation	Agenda
	B	Committee on Transportation	Attendance Roster
A.B.21	C	Martha Barnes, Administrator, Division of Central Services & Records, DMV	Prepared Testimony
A.B. 21	D	Robert Compan/Farmers Insurance	Amended Changes
A.B. 153	E	Kenneth Kruger, All American Driving School, Reno, Nevada	Prepared Testimony
A.B. 153	F	Kenneth Kruger, All American Driving School, Reno, Nevada	Red Handout with insurance comparisons for a specific age group.
A.B. 153	G	Kenneth Kruger, All American Driving School, Reno, Nevada	Personal Request for A.B. 153
A.B. 153	H	Judy Odell, Private Citizen, Carson City, Nevada, presented by Assemblyman Goicoechea	Letter concerning financial burden to parents re: professional driving instruction.