

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

**Seventy-Sixth Session  
April 7, 2011**

The Committee on Transportation was called to order by Chair Marilyn Dondero Loop at 3:24 p.m. on Thursday, April 7, 2011, 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/76th2011/committees/](http://www.leg.state.nv.us/76th2011/committees/). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Marilyn Dondero Loop, Chair  
Assemblyman Jason Frierson, Vice Chair  
Assemblywoman Teresa Benitez-Thompson  
Assemblyman Steven Brooks  
Assemblyman Richard Carrillo  
Assemblywoman Olivia Diaz  
Assemblyman John Hambrick  
Assemblyman Scott Hammond  
Assemblyman Joseph M. Hogan  
Assemblyman Randy Kirner  
Assemblywoman Dina Neal  
Assemblyman Mark Sherwood  
Assemblywoman Melissa Woodbury

**COMMITTEE MEMBERS ABSENT:**

Assemblyman Kelvin Atkinson (excused)

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Jennifer Ruedy, Committee Policy Analyst  
Darcy Johnson, Committee Counsel  
Janel Davis, Committee Secretary  
Sally Stoner, Committee Assistant

**OTHERS PRESENT:**

Brian O'Callaghan, Government Liaison, Office of Intergovernmental Services, Metropolitan Police Department, City of Las Vegas  
Richard Fletcher, Lieutenant, Metropolitan Police Department, City of Las Vegas  
Susan Fisher, representing City of Reno  
Matt Boyle, General Manager, Proshop Motorsports and Marine  
Mark Froese, Administrator, Management Services and Programs Division, Department of Motor Vehicles  
Fran Smith, Director, ITN Las Vegas Valley  
Marc Gordon, General Counsel, Yellow Checker Star Transportation  
David Goldwater, representing Desert Cab Incorporated, Nellis Cab Company, and Google Inc.  
Tony Greenway, Operations Manager, Nevada Medi-Car  
Bruce Arkell, representing Nevada Senior Advocates  
Andrew J. MacKay, Chair, Nevada Transportation Authority, Department of Business and Industry  
Mike Draper, representing General Motors Company  
Troy Dillard, Deputy Director, Department of Motor Vehicles  
Chris Ferrari, representing City of Reno

**Chair Dondero Loop:**

[Roll was called. Rules and protocol were stated.] We will hear three bills today and have a work session. I will open the hearing on Assembly Bill 508.

**Assembly Bill 508: Revises provisions governing mopeds. (BDR 43-845)**

**Brian O'Callaghan, Government Liaison, Office of Intergovernmental Services, Metropolitan Police Department, City of Las Vegas:**

[Read from testimony ([Exhibit C](#)).] Good afternoon, Madam Chair and members of the Committee. Thank you for the opportunity to speak on Assembly Bill 508. Also joining us via videoconference is Lieutenant Richard Fletcher from our Fatal team in Accident Investigation Detail. Assembly Bill 508 proposes to remove the moped exemption from the *Nevada Revised Statutes*

(NRS). This would require mopeds to be registered and insured. The operators and passengers would be required to wear protective headgear.

Section 2 of this bill removes the exemption of mopeds from the registration requirements, thereby requiring mopeds to be registered. Section 4 requires a license plate to be issued. Section 11 requires the registration fee to be \$33. Section 14 requires moped operators to wear helmets. [Continued to read from testimony ([Exhibit C](#)), which explained [Exhibit D](#).]

The last three pages of [Exhibit D](#) are pictures of a fatal accident, which just occurred last week. The interesting thing is the moped was going the legal speed limit, and the vehicle was pulling out from a private drive; high speed was not involved. If you look at page 4 you will see the damage that was caused to the vehicle. On the front of the vehicle you can see where the operator of the moped hit the windshield. The operator of the moped had a lot of head damage. It was a fatal accident because the operator of the moped was not wearing a helmet. The last page shows the damage to the moped. Even though they were both traveling under the speed limit, damage was caused. Even if this accident was not fatal, the owner of the moped did not have insurance to cover the damage. He would have to pay for the damage on his own. If moped drivers do have head injuries and survive, they end up going to the University Medical Center or any emergency room, and of course taxpayers end up paying for it because the drivers do not have insurance. [Continued to read from testimony ([Exhibit C](#)), which explained [Exhibit D](#).]

Last session there was an owner of a business who was knowingly selling mopeds to buyers who did not have driver's licenses because there was a misunderstanding. The owner thought it was a law that they did not need a driver's license, so they were sold openly. The owner testified to that, and when it was brought to his attention by the Department of Motor Vehicles (DMV), it changed his mind. [Continued to read from testimony ([Exhibit C](#)), which explained [Exhibit D](#).]

I talked to the DMV because there is a fiscal note. We want to move the effective date to July 2012.

**Chair Dondero Loop:**

Thank you. I am looking at the last page of [Exhibit D](#). Is that a moped?

**Brian O'Callaghan:**

That is correct.

**Chair Dondero Loop:**

I need some clarification.

**Brian O'Callaghan:**

That is the issue. Some of the mopeds do not meet the threshold, and they are actually a lot larger than 50 cubic centimeters (cc).

**Chair Dondero Loop:**

It looks like a motorcycle.

**Brian O'Callaghan:**

Lieutenant Fletcher is in Las Vegas, and he can cover the accident in more detail.

**Chair Dondero Loop:**

Are there any questions from the Committee?

**Assemblyman Carrillo:**

This is not so much a protective headgear issue as it is having passengers on mopeds. I have seen some of the souped-up mopeds you discussed. I have seen mopeds on eBay where it says 49 cc on the engine block, but they are bored out, so they definitely are not under 49 cc. Is there anything on the books currently pertaining to having a second passenger on a moped? I have mentioned this before, not today in this meeting, but I thought passengers are not allowed on mopeds unless it is classified as a motorcycle, which means it is over 49 cc.

**Brian O'Callaghan:**

There are mopeds that are designed for two people. There are companies on Las Vegas Boulevard who have those types of mopeds and assign them for use.

**Assemblyman Carrillo:**

Pertaining to the double-rider moped you just mentioned, a lot of times driving down Tropicana Avenue in southern Nevada, there are two people on a moped; one has his legs hanging in the air because there are not foot pegs for him. It is obviously not designed for two people, and to me, that is unsafe. The driver might decide to turn, and the passenger could get his foot caught when they lean into the turn. To me it is not designed for two people. I want to address the issue of having two people on a moped that is obviously not designed for two people. Is that something law enforcement would take care of?

**Brian O'Callaghan:**

That is correct. If the officer is on-site and he observes it, he can stop the vehicle.

**Chair Dondero Loop:**

Thank you. Are there any more questions? [There were none.]

**Richard Fletcher, Lieutenant, Metropolitan Police Department, City of Las Vegas:**

[Read from [Exhibit E](#).] I have been employed with the Las Vegas Metropolitan Police Department for 18 years, 7 of those years I have been involved in investigating accidents, including fatal accidents. I am here on Mr. O'Callaghan's behalf to state our support for this bill. Mr. O'Callaghan alluded to some numbers, and I want to clarify them. In 2010 we had 112 accidents involving mopeds, in which 102 resulted in injury, and 2 were fatal accidents. Mr. O'Callaghan was correct about the accident he referred to that happened last week; the speeds were low. The driver of the moped hit his head on the windshield of the taxicab van, continued in motion, and hit his head again. The cause of his death was severe head trauma. My detectives and I feel that if he had been wearing a proper Nevada Department of Transportation approved helmet, he might still be alive today.

As far as the question about speed and technology of current mopeds, I did a quick check last night while preparing for testimony, and right away the first website I found mentioned a 49 cc moped that can reach speeds up to 40 miles per hour (mph). I personally would not want to ride a moped at 40 mph, especially without a helmet. The technology is out there, and people are selling them. They are selling them by telling the buyers they do not need to register them, wear helmets, or do anything because it says 49 cc; therefore, it is technically a moped, but we know it is not.

It is also our position that a lot of people who ride mopeds do not have driver's licenses because they did not get one in the first place, it is suspended, or they lost it in some manner. The people who I have stopped usually do not have a driver's license, but I can only say that from personal experience.

The fact that these vehicles need to be registered will also enact NRS 485.187, the insurance clause, which says all vehicles on the roadway must have insurance. We all drive to and from wherever we are going, and I would be remiss if a moped hit my vehicle and was not insured. That would mean I would have to cover the cost for his fault of the accident. If these individuals do get injured in an accident, they do not have insurance. The question is who is picking up the tab for the medical expenses? We all know it would be the state.

**Chair Dondero Loop:**

Could you repeat the NRS for the insurance clause please?

**Richard Fletcher:**

It is NRS 485.187 and basically says every vehicle registered in Nevada and operating on the roadway needs to have insurance.

**Chair Dondero Loop:**

Thank you. Are there questions from the Committee? [There were none.]

**Susan Fisher, representing City of Reno:**

We support this legislation; it is a safety feature. We feel one of the most important factors is if mopeds have to be registered, the operators will realize they have to follow the rules of the road, and a lot of the time they do not follow the rules of the road now. If there is an incident of a hit-and-run and the moped rider is able to run or leave the scene, at least there will be some identifying mark on the moped such as a license plate a witness could see and write down. We do see this as a positive measure.

**Chair Dondero Loop:**

Are there any questions from the Committee? [There were none.]

**Matt Boyle, General Manager, Proshop Motorsports and Marine:**

We are requesting an amendment to A.B. 508 to clarify and simplify the definition of a trimobile, which is defined in NRS 486.057. [Provided written testimony ([Exhibit F](#)).] We sell a three-wheeled vehicle called a Can-Am Spyder. It is different from the typical trimobile because it has two wheels in front and a single wheel in the rear. I commend Nevada for having a classification for trimobiles separate from motorcycles because the skill set required to operate a three-wheel vehicle is nothing like what it is for a motorcycle; it is much more like a regular car. *Nevada Revised Statutes* 486.057 states, "'Trimobile' means every motor vehicle designed to travel with three wheels in contact with the ground, two of which are power driven." The Can-Am Spyder has a single wheel in the back that is power driven and two wheels spread wide up front. It is inherently more stable than a traditional trike. We feel it is not fair it has a more restrictive operator license being required because it is inherently more stable and does not require the skill set of a motorcycle to operate like a traditional trike. We are requesting NRS 486.057 be amended to eliminate the last six words, "two of which are power driven." The three-wheel stance is what makes it stable. The number of power-driven wheels does not matter in this case.

**Chair Dondero Loop:**

Thank you. Are there any questions from the Committee? [There were none.]  
Who typically purchases a trimobile?

**Matt Boyle:**

It is interesting. We have a wide range of people. Mostly it is people who want an open ride, but they want stability, safety, and cornering ability. You do not have to lean, counter steer, or do many of the things a motorcycle requires. It drives very much like a car, but it gives a more open air ride.

**Assemblyman Hambrick:**

Your amendment would be for the trimobile with two wheels in front and one in back? Or are you talking about all three-wheeled vehicles?

**Matt Boyle:**

Yes, I thought it could just read, "every motor vehicle designed to travel with three wheels in contact with the ground." The three wheel stance is what gives it the stability and the riding characteristics, beyond that it is unnecessary.

**Assemblyman Hambrick:**

I would be interested if you could supply the Committee with some statistics. I agree with the safety aspect of having two wheels in the front and one in the back, but I would have to be convinced with the traditional trimobile that has two wheels in the back and one in the front. I grew up in a metropolitan area in the Midwest where the motorcycle officers rode trimobiles. As they turned corners, the rear wheel would come up. The tip effect was significant along with the occurrence of accidents and fatalities. I would be very interested in getting more information on the traditional trimobile, two wheels in the back and one in the front.

**Chair Dondero Loop:**

Mr. O'Callaghan, would you like to weigh in on this?

**Brian O'Callaghan:**

Yes, I got the amendment last night through your office. I tried to call Mr. Boyle, but his business must have been closed. One of the requirements was I needed to have it vetted out to other law enforcement and also through the DMV. I just had some discussion with the DMV, and they have Mr. Boyle's amendment, and we are a little concerned right now. We are looking at not putting it in the bill, but it would be open to you, Madam Chair.

**Chair Dondero Loop:**

Mr. Boyle, we will work on this. The DMV and Mr. O'Callaghan will work with you and see if your amendment can work or not.

**Matt Boyle:**

Thank you, Madam Chair, I appreciate it.

**Chair Dondero Loop:**

We will not be voting on this bill today, so we will have a day or so to work on it. I appreciate your information, and if you could get the information on the traditional trimobile with two wheels in the back and one in the front to Mr. Hambrick or to the Committee, we would appreciate it. Are there additional questions? [There were none.] Is anyone else in support of A.B. 508? [There was no one.] Is anyone opposed to A.B. 508? [There was no one.] Is anyone neutral?

**Mark Froese, Administrator, Management Services and Programs Division,  
Department of Motor Vehicles:**

The DMV submitted a fiscal note for this bill, and Mr. O'Callaghan is correct. If the implementation date is moved back to July 1, 2012, the programming costs would go away. As it stands, the fiscal note is showing revenue of \$86,300 for fiscal year 2012 and \$101,226 for fiscal year 2013.

**Chair Dondero Loop:**

Are there any questions from the Committee? [There were none.] We will see if we can work anything out with the amendment. I appreciate all of you coming to testify. I will close the hearing on A.B. 508. I will open the hearing on Assembly Bill 509.

[Assembly Bill 509](#): Revises provisions governing motor carriers. (BDR 58-1095)

**Fran Smith, Director, ITN Las Vegas Valley:**

We are a new senior transport service in southern Nevada. I want to thank you for sponsoring Assembly Bill 509. We believe this bill will support the introduction of innovative and new transportation alternatives for senior citizens. Before last session, as you are aware, nonprofit organizations that provide transportation services to seniors and individuals with disabilities were exempt from the requirement to obtain a certificate of public convenience and necessity (CPCN). Assembly Bill No. 296 of the 75th Session was passed, which eliminated the certification exemption for nonprofit seniors and disability carriers who charge for their service. [Read from written testimony ([Exhibit G](#)).]



I think there may be some testimony with alternative points of view. I would be happy to respond to some of those comments or answer questions about our model and other aspects of senior transportation.

**Chair Dondero Loop:**

Thank you. Are there any questions from the Committee?

**Assemblyman Kirner:**

I am trying to follow your testimony. Is your organization a nonprofit organization?

**Fran Smith:**

Yes, we are a nonprofit, 501(c)(3) tax-exempt organization.

**Assemblyman Kirner:**

Under the proposed bill, because you are a nonprofit organization, would you not be required to obtain a CPCN?

**Fran Smith:**

Yes, that is right. We are a nonprofit organization, providing transportation services to seniors and visually impaired adults who become members of our organization. They receive rides that are provided by volunteer and paid drivers. I would like to emphasize this bill also clarifies that the exemption applies to nonprofit organizations that are 501(c)(3) tax-exempt corporations, not just nonprofit corporations incorporated in Nevada. The standard for getting nonprofit status is quite different when it is an Internal Revenue Service (IRS) designation as opposed to a state designation.

**Assemblyman Kirner:**

Are there other organizations that are similar to your own?

**Fran Smith:**

There are other ITN affiliates in other states. In our southern Nevada community there are other nonprofit transportation service providers that are exempt from the requirement to obtain a CPCN because of other provisions in this section. If you are a nonprofit that contracts with a government agency to provide transportation services or if you do not charge for services, you are not required to get a CPCN.

**Assemblyman Brooks:**

Are you aware of any nonprofit organizations that conduct business and charge for their service in Nevada or any other state?

**Fran Smith:**

Yes, there are a lot of nonprofit organizations that charge for their service.

**Assemblyman Brooks:**

By allowing you this exemption to not have to receive a CPCN, could you actually begin to compete with the for-profit services here in Nevada?

**Fran Smith:**

That is the issue. We believe we are providing a unique service because our service is tailored to the special needs of seniors and particularly older seniors who often need assistance getting to and from the car, in and out of the car, and sometimes with carrying packages. Our service is door through door, arm through arm, and our drivers will help with packages if warranted. We are not a taxi service, but at the same time, we have no problem being regulated by the Nevada Transportation Authority. Our problem is that we have such a unique model with some volunteers driving their own cars and some paid drivers driving our cars, and it created a problem for the Nevada Transportation Authority in figuring out what kind of certificate to give us. We worked very closely with them to figure something out. From a practice perspective we do everything that regulated carriers are required. We maintain an exorbitant level of insurance. Our vehicles, even if they are volunteer vehicles, go through a safety inspection that is equivalent to what commercial vehicles carry. Our drivers have to undergo a criminal background check, a driving record check, and a drug test. It is not that we do not want to be regulated; it is that the regulations do not cover our niche.

**Assemblyman Brooks:**

Appreciating what your service does and who you are, this does open the door for other nonprofit entities to come in, unregulated, and begin to charge for their services. Am I correct?

**Fran Smith:**

I do not know. The other nonprofit organizations that come in would have to meet all other characteristics that are specified in the bill: services be provided to members, rides are provided by both volunteer and paid drivers, and the agency would obtain a 501(c)(3) designation.

**Assemblyman Hambrick:**

On line 39 of page 2 it says, "Shall not offer medical assistance as part of its transportation service." I can appreciate that, but I would like to know do your drivers, paid or volunteer, have any training? We are talking about transportation of seniors; there is always a hiccup factor. They should have basic first aid requirements or be able to render assistance if one of the

passengers goes into stress, at least until the emergency medical technicians arrive.

**Fran Smith:**

We are not a medical provider in any way, shape, or form. In the case of any incident, our drivers are advised to call 911 right away.

**Chair Dondero Loop:**

Is there anywhere you identify what ITN means? Does it stand for anything specific?

**Fran Smith:**

ITN stands for the Independent Transportation Network. The name is a registered trademark, and as an affiliate of the national organization, we use ITN Las Vegas Valley because it is a brand of the national organization, and we are required to maintain the affiliation.

**Chair Dondero Loop:**

Thank you. Are there additional questions from the Committee? [There were none.]

**Fran Smith:**

If there are any questions that arise out of subsequent testimony, I would be more than happy to answer them.

**Chair Dondero Loop:**

Thank you. Does anyone want to speak in support of A.B. 509? [There was no one.] Is anyone opposed?

**Marc Gordon, General Counsel, Yellow Checker Star Transportation:**

Yellow Checker Star Transportation is strongly opposed to A.B. 509. Yellow Checker Star is one of the largest taxi companies in Nevada. We have 1,800 employees of whom 1,600 are licensed taxi drivers. We operate 567 licensed taxi cabs in southern Nevada, 24 hours a day, 365 days a year. What I would like to focus on for a moment is what is being done positively for seniors and disabled persons in Clark County. [Read from [Exhibit H](#).]

**Chair Dondero Loop:**

Thank you. Are there any questions from the Committee?

**Assemblywoman Neal:**

What are your two major concerns? Is it the fact that this is competition or the issue of having unregulated carriers? I heard you mention safety arguments and other things, but those are the two that seemed to be repeated the most often.

**Marc Gordon:**

With all due respect I never mentioned competition, but we strongly favor tough regulation. History has shown, over the past 30-plus years in Clark County through the regulation of the Nevada Taxicab Authority, that the industry is strong, vibrant, well-regulated, and provides for the needs of all demographics. To allow this type of inroad into the regulated market would be a danger.

**Assemblywoman Neal:**

You feel it would be a danger, but Fran Smith said she is not trying to perform medical assistance. She is just trying to offer another service for seniors to get around. I pulled the issue of competition from when you mentioned the information about the current program the state is offering for the taxi subsidies. I just do not see where the problem is; it seems that there are enough seniors to go around. How is this going to impact you negatively unless your only issue is being regulated? The law itself will regulate ITN if we pass A.B. 509, right?

**Marc Gordon:**

There is not any regulation with A.B. 509; it is an exemption from regulation. I am not talking about ITN Las Vegas Valley that spoke to you earlier. I am talking about the precedent, the loophole, it allows for other not-so-honorable organizations to come in under this exemption and operate an unlicensed, unregulated, unsafe, potentially hazardous, and potentially fee-gouging service for elderly and disabled persons who are a very vulnerable population. At least with regulation and licensing you have cost and scrutiny, driver training, ample insurance, and proper regulation of the industry as a whole. That is our priority—trying to look at the larger picture of what A.B. 509 presents before something is opened that we cannot close again, a type of Pandora's box.

**Assemblywoman Benitez-Thompson:**

I want to make sure two things do not slip by. I think this bill addresses a serious need in the community. I work with a number of patients and clients in which their only form of income is Medicaid, and facilities are only given \$35 of discretionary spending for the entire month. I have patients who might be given one set of booklets from the Department of Health and Human Services Aging and Disability Services Division, but they can spend it in the first 15 days of the month. If they only have \$35, purchasing additional booklets at \$10 each is a third of their income. I do think there is a valid need to have a conversation

about extremely low-cost transportation for the seniors and disabled members of the community. In northern Nevada, I struggle with this in my daily profession, and I would like to have an option for some of the seniors because it would save me money.

I think it is easy to get the 501(c)(3) tax-exempt status from the IRS. In my experience serving on nonprofit boards, the IRS has been diligent in examining applications. A dance club where there is not a significant amount of revenue or expenses will not be scrutinized as much as a transportation service that is pulling in a lot of revenue. The IRS scrutinizes the revenue before they give the tax-exempt status. I do not want everyone left with the impression that any of these organizations can go online and get a 501(c)(3) tax-exempt status from the IRS overnight and start operating.

**Assemblyman Sherwood:**

I would feel better if my grandparents were picked up by someone who was regulated, but you still have the growing, aging populations, and there is a need for service. We have a few cab companies in Clark County that are geographically restricted. Would the people you represent be comfortable with letting the geographically restricted cab companies who have dedicated vehicles for seniors, the wide doors, wheelchair accessible, et cetera, drop their boundaries for pickups and drop-offs? For example, the senior lives in Summerlin, but the taxi cab is restricted from going to Summerlin, but there is a senior there who needs a ride. Would you be open to that?

**Marc Gordon:**

Let me address that by first saying that all of the taxi companies, restricted or nonrestricted, have "Handivans," which are handicap-accessible, fully operational vehicles for disabled and senior citizens. Our company has 12 of them. All of the geographically restricted companies have an ample number of them as well. We are participating actively in the Senior Ride Program, so that anywhere in Clark County, a senior or disabled person who has the discounted coupons can present them and achieve a 50 percent savings off the normal fare, which is quite a bit less than ITN is proposing to charge, which is \$1.75 per mile. I cannot speak for a company who is geographically restricted because we are not. That is a matter for the Nevada Taxicab Authority to take up. I am trying to speak for the industry; we are certainly willing to work through the Nevada Taxicab Authority and the Legislature on any modifications that would serve the public.

**Assemblyman Brooks:**

What are the requirements you must adhere to in order to be regulated by the Nevada Taxicab Authority? I think Fran Smith said she did not mind being

regulated by the Nevada Transportation Authority, but if I am correct, the Nevada Taxicab Authority would be the right regulation center for this type of activity. Is that correct?

**Marc Gordon:**

Handicab LLC is a nonprofit entity that wanted to operate as a similar-type taxi service in Clark County. They applied before the Nevada Taxicab Authority for a certificate. When you go into that process, everyone in the industry and community gets to speak about what the need is. It is similar to the process for a CPCN. After the Nevada Taxicab Authority spent hours upon hours of research and consideration over the needs of the disabled and elderly, they concluded that the taxi companies' existing certificate holders were providing adequate service together with the Senior Ride Program, and they denied the application of Handicab LLC. They are not related to ITN, but it is obvious to me that ITN is going a different route to try and obtain the same thing Handicab LLC could not from the Nevada Taxicab Authority. In my judgment, there is nobody better in Clark County to understand this industry and the needs of the public than the Nevada Taxicab Authority because they do it every single day.

**Assemblyman Brooks:**

What are the requirements you have to adhere to under the Nevada Taxicab Authority? Is there an example of other nonprofit organizations in other states that have taken advantage of this and are doing it on a large scale and could move into Nevada—one of those anomalies you said could come in and hurt the market not with the same intent of the people who are actually applying?

**Marc Gordon:**

The requirements to be certificated as a taxi service in Clark County are numerous, rigorous, difficult, and costly. They run the gamut. Driver training, every single driver has to have a permit issued by the Nevada Taxicab Authority, and they have to pass all types of tests. Every single vehicle is inspected quarterly if not more often by Nevada Taxicab Authority inspectors. They have a police force of their own, which oversees the industry, the traffic at the airport, and all throughout the community. The insurance requirements are incredibly costly because no company is allowed to underinsure itself; it has to have ample coverage for any possible accident. The owners of each taxicab company have to be found suitable, similar to a gaming license investigation. You cannot own a taxi company without being found to be in good credit standing. The directors and officers of the taxi company have to be directly answerable to the Nevada Taxicab Authority.

In my experience, and I have been representing corporations for 30 years in southern Nevada, this industry is scrutinized the toughest in Nevada next to gaming companies. The public has the assurance of knowing it is properly run and it is safe. This is the first point of contact that a lot of our visitors receive when they come to Las Vegas, and every effort is made to give the finest impression on behalf of our community as well as take in account the needs of the locals in Clark County, such as our local residents, elderly, and disabled.

I cannot point to a specific instance, but Las Vegas has such a unique market; it is unlike any other transportation market in the country except perhaps Manhattan, New York. There is constantly an effort by unscrupulous, nonlicensable, unethical organizations to come into this market and participate in some fashion. I do not want to allude at all to ITN because I know they are a very fine organization. Nonetheless when you look at the opportunity, A.B. 509 will allow for someone with less-than-honorable intentions to come in, form an organization, obtain members, get members to pay fees, and pay for taxi services without being licensed or overseen by any organization or agency. You are inviting abuse and a chaotic, dangerous situation in our judgment.

**Assemblyman Frierson:**

I did some quick research on A.B. No. 296 of the 75th Session, and there appeared to be some direction at the close of the hearings that work needed to be done in the interim. Are you aware of any work that had been done between last session and now with respect to the change that was made by A.B. No. 296 of the 75th Session?

**Marc Gordon:**

I am not aware of any contact or change. Our companies have been focused on the Senior Ride Program in Clark County, and that is where our efforts have been directed. We have never been contacted by ITN, and I believe they are new to the community.

**Assemblyman Frierson:**

I am talking about the Assembly Committee on Transportation itself, not ITN. You were not involved with A.B. No. 296 of the 75th Session, which was what I was looking for, someone who was involved last session.

**Marc Gordon:**

I was not personally involved with the bill. The only point I want to make is that I understand that the concept was to allow an exemption for nonprofit organizations that do not charge for their services. That is what caused the problem; ITN and Nellis Cab Company charged.

**Assemblywoman Benitez-Thompson:**

I want to make sure I am being fair on both sides with my comments. I want to make sure ITN is charging membership dues and that they do make their rides available to nonmembers. I would be more comfortable if we put language in this bill stating the nonprofit organizations have to have a specific mission to serve a specific population for a specific purpose, and that organization is not allowed to go out of the realm of the mission. If you are going to serve seniors only, only serve seniors. You would not be allowed to serve people out of that age bracket or people out of a certain income bracket if that is who you are trying to target.

**Marc Gordon:**

That is one of the problems with the language as the bill presently exists; any type of charge is too open-ended, and it is too ambiguous. ITN could be the most honorable organization and adhere to their mission statement, but there is nothing as A.B. 509 is written right now that would prevent someone else from acting differently. We know the elderly and disabled are much targeted populations.

**Chair Dondero Loop:**

Thank you. Are there any additional questions from the Committee? [There were none.]

**David Goldwater, representing Desert Cab Incorporated and Nellis Cab Company:**

I want to associate myself with the remarks of Mr. Gordon. I want to let you know that Desert Cab Incorporated and Nellis Cab Company have both spent hundreds of thousands of dollars equipping their vehicles with handicap-accessible equipment. I would certainly be leery putting my parents in a vehicle or any type of transportation that was unregulated. Desert Cab Incorporated and Nellis Cab Company both support a highly regulated, safe transportation industry.

**Chair Dondero Loop:**

Are there any questions from the Committee? [There were none.]

**Tony Greenway, Operations Manager, Nevada Medi-Car:**

Nevada Medi-Car is a wheelchair van service. We have been providing service in Las Vegas for nearly 30 years. We have transported hundreds of thousands of elderly seniors, persons with disabilities, people who are injured, et cetera. We are regulated through the Nevada Transportation Authority. We have a CPCN number. We are a common carrier. In this market there are common carriers and contracted carriers. From what we can gather, A.B. 509 would



allow organizations that are 501(c)(3) tax-exempt to avert the regulations and enter the marketplace that we are in. It is not that we are against competition. We are looking forward to a level playing field, and if we have certain regulations that we have to abide by, we would like everybody in that environment to abide by them. There are certain organizations that do have the 501(c)(3) designation that currently operate in our marketplace, so this is not a commentary against ITN; it is just a cry for fairness and a spotlight on the potential loophole that this legislation would provide.

**Chair Dondero Loop:**

Thank you. Are there questions from the Committee? [There were none.] Is anyone else opposing this bill? [There was no one.] Is anyone neutral?

**Bruce Arkell, representing Nevada Senior Advocates:**

I was involved with A.B. No. 296 of the 75th Session and the issue revolved around the nonprofit organizations and their ability to move in and out of the community very quickly. That was why that section of the bill was removed. I heard discussion earlier about the Senior Ride Program in Clark County through the Aging and Disability Services Division. It is my understanding that program is going to be terminated. It is one of the programs that is caught up in the budget process. The program has not been well used by the low-income people and the people it was designed for. You might need to check on it though. I thought when A.B. No. 296 of the 75th Session was discussed, ITN did in fact talk about a subscription service. The problem was how to allow it and still get rid of the nonprofit organizations. I asked Andy MacKay, and you might want to ask him about this, but part of the issue is they do not own assets, which all the other cab companies do, and that becomes the issue. If you really want to do this, you can carve it out in a fashion that would allow them to do it. You would have one provider in Clark County. I think there are ways to step around that, but it does need to be regulated, and it should be regulated under the Nevada Taxicab Authority.

**Chair Dondero Loop:**

Thank you. Are there questions from the Committee? [There were none.]

**Andrew J. MacKay, Chair, Nevada Transportation Authority, Department of Business and Industry:**

With respect to the bill in front of the Committee, the Nevada Transportation Authority is neutral concerning this measure. I firmly believe this is a policy decision that is exclusive to the Legislature, and I want to be very clear that we respect that position. I want to answer a few questions that might not have been answered.

I believe the work that took place in the interim was by Nevada Transportation Authority staff and through our applications division, our administrative attorney, the Office of the Attorney General, as well as representatives from ITN and legal counsel. I was not involved in the meetings, but they spent numerous hours in order to try and figure out if there was a potential to find an exemption with respect to statute. That is why this measure is in front of you; because there was no ability to figure out a way around it. In order to solve ITN's problem, they came here to the Legislature. The Legislature will ultimately make the determination if they are exempt. With respect to A.B. No. 296 of the 75th Session, there was a carrier that was exempt prior to last session from obtaining a CPCN, and that company went through the application process and is now a legal certificated carrier. They provide nonemergency medical transportation services within Clark County.

I want to be clear. The proposal from ITN is to be exempted from the regulation of the Nevada Transportation Authority, not the Nevada Taxicab Authority. This in essence is deemed to be a common motor carrier of passengers. Although a taxicab is a common motor carrier of passengers, this does not have the specific provisions to be classified as a "taxicab," thus this falls into the Nevada Transportation Authority's realm.

The requirements to obtain a CPCN from the Nevada Transportation Authority are materially similar to what is required by the Nevada Taxicab Authority. You have to be financially fit, willing, and able. Regulation states that you must obtain a 20 percent equity level of assets. You need to have a one to one current ratio to what the Nevada Taxicab Authority does. Any principals of the corporations or key employees go through criminal background investigations. Comparing them to gaming is a good comparison. It is not quite as stringent as gaming but pretty darn close. I think the Legislature has got it right from that aspect because you are transporting people, it is safety, and lives are at stake. The Legislature got that correct and should be applauded for recognizing that.

The Nevada Transportation Authority is neutral in this matter, and if the Legislature decides to grant an exemption in this case, the Nevada Transportation Authority will do its part in accordance with the bill in terms of ensuring the vehicles are inspected. If the Legislature deems there will be no exemption, then we will enforce the statutes and regulations in accordance with law. If we do observe an individual operating without the requisite authority, that vehicle or entity's vehicle may be impounded pursuant to state law.

**Chair Dondero Loop:**

Are there questions from the Committee?

**Assemblyman Hambrick:**

From a citizen's point of view, would it be better for all industries that provide transportation, whether it is a bus, airplane, taxicab, et cetera to have some type of regulation for public safety?

**Andrew J. MacKay:**

Yes, speaking as a regulator, absolutely. There are two reasons: one, a level playing field; and two, which is a thousand times more important than a level playing field, is safety. Lives are potentially at risk. I think you remember when I gave a brief presentation to the joint meeting of the Assembly and Senate Committees on Transportation, a Hyundai Elantra showed up with a bungee cord holding the door shut at McCarran International Airport, and it was calling itself a limousine service. My point is we need to be concerned about safety, safety, safety.

**Assemblyman Hambrick:**

The matter before us deals with a private corporation or entity, so we are going to have to use one as an example. During testimony from the author of the bill, ITN said they would have volunteers in their own cars or paid staff in the corporation's cars. I am concerned when we hear volunteers are in their own cars because that might be the Hyundai with the bungee cords wrapped around the door. This is why I am concerned about the regulation and inspection process of safety.

**Andrew J. MacKay:**

I will respond in a circuitous fashion and with a disclaimer; as it relates to ITN, I have not seen any evidence that they would utilize an individual such as the Hyundai example, but it is a good example. I would be remiss if I did not comment with respect to the provision of the bill that specifically states on page 3, lines 23 and 24, "Such carrier is not exempt from inspection by the Authority to determine whether its vehicles and their operation are safe." There is quasi built-in safety insurance in the bill itself, and that language is applicable to those entities that are currently exempt from law. The first one that comes into my head is the house cars or limousines of resort gaming properties. They are not required to obtain a CPCN by the state. That is an example to where that language is in place and being utilized.

**Assemblyman Hambrick:**

With the provision you just read, would that apply to a privately owned volunteer vehicle, or are we talking about corporate vehicles?

**Andrew J. MacKay:**

Reading the bill as currently drafted, I believe it is both.

**Chair Dondero Loop:**

Just to clarify, if the hotel resorts within Nevada have limousines or Escalades that have their logo on them, they can drive them without regulations.

**Andrew J. MacKay:**

That is correct, without regulation from the Nevada Transportation Authority.

**Assemblyman Hammond:**

You used the word "quasi." You basically said the bill has a built-in quasi-regulatory provision. Quasi seems to be one of those vague words, so what you are saying is even if ITN is a reputable company, you may be leaving the door open for a company to come in and not follow the rules. There might be companies who get a license and not follow through with regulations. Is that what you are saying?

**Andrew J. MacKay:**

Yes, and I apologize for using that cliché, but that is an accurate statement. To Mr. Gordon's point from Yellow Checker Star, there is the potential to open Pandora's box.

**Assemblyman Brooks:**

You do not have a problem with the service ITN wants to provide for seniors, but you have a problem with the fact that this bill opens the door for a gateway of opportunity for nonprofit organizations to come and potentially pick up passengers with bungee cords sticking out of the side of the vehicle, and they are unregulated, and they can do whatever they want basically. Is that what you are saying?

**Andrew J. MacKay:**

Yes and no. I say yes and no, but it will make sense. I am dancing around the question for the fact that I do not want to appear as if I am endorsing this bill or not. We are neutral. As it relates to ITN specifically, from what my staff has told me, they are probably a very reputable entity. The million dollar question is by exempting the nonprofit organizations, what do you open the door for?

To Nevada Medi-Car's point, that was the primary reason for A.B. No. 296 of the 75th Session. There was an entity that was following all of the requisite provisions of state law, and there were entities that were not following them; they did not necessarily have to. That exemption or loophole was closed. I think that is a key element with respect to last session. There was an entity, specifically ITN, that was no longer exempted, and here we are now. Whatever the pleasure of this respective body is, I can assure the Committee that the Nevada Transportation Authority will enforce and regulate the laws accordingly.

**Assemblyman Sherwood:**

I want to make sure two categories of providers are not excluded presently: a volunteer working for Meals on Wheels for seniors, which is 100 percent volunteer effort with no hybrid model; or a senior home, whether it is a large model with multiple beds or a social model with two beds in a residential home, where part of the fee for living there includes rides to doctors appointments et cetera. Obviously those people should be excluded, so they do not have to follow the same kind of regulations as a taxicab company. Is that correct?

**Andrew J. MacKay:**

Yes, they are exempted. That is pursuant to the statutory definition of what a common motor carrier is. A common motor carrier is anybody who is holding themselves out to provide transportation services to the public. A retirement home or a rest home is not a common motor carrier because it is not holding itself out to the public for hire. As it relates to Meals on Wheels, that is a new one. I have never been asked that, but it is accurate to say, yes, they are exempt; they are not subject to regulation by the Nevada Transportation Authority. They are not transporting passengers or household goods, so therefore they are no longer subject to the requisite requirements.

**Assemblyman Frierson:**

Did you notice a decrease in the number of violations since 2009 when A.B. No. 296 of the 75th Session was passed? I know safety seems to be paramount. Were there increasing violations before A.B. No. 296 of the 75<sup>th</sup> Session was passed that have since gone down since the exemption has gone away?

**Andrew J. MacKay:**

I am pretty certain to say, no, there has not been a precipitous drop-off. I would say it is static as it relates in this very narrow aspect of transportation of senior citizens vis-à-vis nonemergency medical transportation.

**Chair Dondero Loop:**

Are there additional questions from the Committee? [There were none.] Is anyone else testifying neutral? Fran Smith, would you like to follow up?

**Fran Smith:**

Yes, I appreciate the opportunity. First of all I want to say Mr. MacKay's testimony, as neutral as it was, was very helpful in clarifying what I thought were some confusing and misleading points during the testimony from Marc Gordon. I am glad he clarified that I am talking about Nevada Transportation Authority regulation, and this is not a Nevada Taxicab Authority matter. The bill does not amend the provisions of the statute that relate to the Nevada Taxicab

Authority. Secondly, we would be more than happy to work with the Committee to tighten safety regulations for exempt and nonexempt carriers, even if this bill prevails.

There were a couple of statements in Marc Gordon's testimony that were incorrect, and I want to correct them. Primarily, we do have a fare structure in place and it varies according to time of day and reservation, but there is no part of our fare that charges \$1.75 per mile. I really appreciate the comments from Assemblywoman Benitez-Thompson that it is not easy to get a 501(c)(3) tax exemption from the IRS, and it is increasing difficult. We are in no way related to Handicab LLC and the organization that was trying to get a medallion from the Nevada Taxicab Authority for a handicab taxicab. It has always been in our model to charge; we are not just now deciding to charge, and so we want to be exempt from the law. I would be happy to answer any more questions.

**Chair Dondero Loop:**

Thank you. Are there additional questions from the Committee? [There were none.] I will close the hearing on A.B. 509. I will open the hearing on Assembly Bill 511.

**Assembly Bill 511:** Revises certain provisions governing transportation.  
(BDR 43-1109)

**Chair Dondero Loop:**

This measure is a combination of two requests for bill drafts received by this Committee. One related to qualified plug-in electric drive vehicles and the other is autonomous vehicles. We will have two different groups introducing their sections of the bill, but consider the bill as a whole.

**Mike Draper, representing General Motors Company:**

Assembly Bill 511, as Madam Chair pointed out, is actually two distinct, separate, worthwhile ideas that I think, by virtue of the fact that they both initially included some Department of Motor Vehicles (DMV) administration, got lumped together in this bill. Today I will present sections 1 and 6 through 9 of the bill, which deal with an electric car parking program, and then Mr. Goldwater will discuss the other concept presented in this bill.

Nevada has made a commitment to being a worldwide leader in the development, production, and use of green energy and alternative fuels. I know you have heard many presentations to this point over the last several weeks, so there is no need for me to belabor this point. It is imperative that we continue to encourage and promote the use of green and alternative energy sources wherever possible. Sections 1 and 6 through 9 of A.B. 511 do just that; they

are designed to promote and encourage the use of electric vehicles in Nevada. Currently, all but two states, Hawaii and Alaska, already have or are working on incentives, programs, rebates, and services designed to promote the use of electric and hybrid vehicles. In the 2011 State of the Union Address, President Obama made it his goal to have 1 million electric vehicles on the road by 2015. It is a lofty and ambitious bill, but certainly a worthwhile one. [Continued to read from [Exhibit I](#), which discussed [Exhibit J](#) and [Exhibit K](#).]

**Assemblyman Hambrick:**

We are a policy committee, but there is some financial information put down as a possible fiscal impact. Would it be proper to ask is the fiscal note equally shared? Does one portion go with Mr. Draper's part of the bill and the other portion go with Mr. Goldwater's part of the bill? I would like to know, so we can have balance of where the fiscal note is going.

**Chair Dondero Loop:**

I think we will discover that as Mr. Goldwater speaks.

**David Goldwater, representing Google Inc.:**

If the Chair will allow, Mr. Dillard will introduce an amendment that will eliminate any fiscal impact the bill will have to the DMV. If you will allow him to submit the amendment, we can speak to the amendment, and I can make my presentation accordingly.

**Chair Dondero Loop:**

Mr. Dillard, will you speak about the amendment please?

**Troy Dillard, Deputy Director, Department of Motor Vehicles:**

In conjunction with the testimony provided here today, we did speak with Mr. Goldwater addressing the fiscal note impact as a result of the way the bill was written. The bill requires a new classification of driver's licenses for the autonomous car. With the amendment we submitted ([Exhibit L](#)), we are requesting the new classification simply be changed to an endorsement type of license rather than a separate license altogether for this type of vehicle. Changing the implementation day to March 1, 2012 and in conjunction with the amendment that was offered by Mr. Draper, the fiscal note the DMV submitted would basically be defunct, and we would be able to implement this without additional fiscal resources.

**Chair Dondero Loop:**

Thank you. Mr. Goldwater, would you like to make your presentation now?

**David Goldwater:**

Yes, thank you. I am asking you to imagine a time when we will be able to call our public transportation on our cell phones or smart phones and tell it to come to our door to pick us up, without anybody in it, take us to our job, and be released to go perform the same service for somebody else. I ask you to imagine a time when we may be driving on a road with trucks and large transportation vehicles that are equipped with safety devices and technology that allows them to drive on our roads with 360 degree sight alerting you to what is going on and taking out all human error elements of driving. I am asking you to imagine a time when we may be able to have on our key chain, on our current cars, the ability to hit a button and have our car drop us off in front of our destination and go find a parking space. I do not have to ask you to imagine a time when we have technology that warns us when we switch lanes or warns us when we are inevitably going to have a rear-end collision. That technology exists. As I keep bringing you further and further into the present, I am going to take your imagination to the law, and now we are going to ask you to imagine a state that can get the law in front of this kind of technology, and I think Nevada can do it.

I have provided a brief PowerPoint ([Exhibit M](#)). What I am talking about is a self-driving car that uses artificial intelligence. It uses artificial intelligence through global positioning satellite, radar, laser, camera, internal sensors, and detailed maps to basically do what we do, drive. This is not a flying saucer; this is not some crazy vehicle; it is the Toyota Prius and Audi, normal cars equipped with this technology.

The amended version of A.B. 511, as described by Mr. Dillard, simply calls for the DMV to work on a regulation to create an endorsement for this kind of vehicle. All the safety concerns, public convenience concerns, everything will be addressed just like every other driving license class by the DMV. I think we are only going to make this available in counties with populations of 400,000 or more.

Why Nevada? This is a great opportunity for economic development. Getting the law ahead of technology allows us to potentially attract manufacturing, engineering, and development aspects of this kind of technology. We are not asking for any money or grants, tax breaks that are not currently available, or carve outs. All we are asking for is the right to ask the DMV for the endorsement.

In the small PowerPoint presentation ([Exhibit M](#)) I have some pictures of what the technology looks like. The first picture is the sensor on top of the car that looks around and makes a three-dimensional picture of the road. The next



picture is a Toyota Prius with the apparatus from the first picture on top of it. You can see it is just a normal car. There is a third picture showing the car driving head on.

It is very similar to the technology that is currently in cars. You may find it in a Lexus like lane assist or pre-collision breaking. There are all kinds of applications for this kind of technology, and getting Nevada ahead of it is going to put our state in the forefront of using this kind of technology. There are some wonderful things that will happen with this kind of technology; it is looking forward. It is safer and more fuel-efficient. You will have more safe cars, cars that will drive the speed limit, and cars that protect us.

In summary, A.B. 511 promotes economic development without question. Getting the law ahead of technology is a good thing. There is no burden or expense to the state, and the DMV will continue to ensure public safety as they have for every other kind of vehicle. We look for your approval. Thank you for hearing me.

**Chair Dondero Loop:**

Thank you. Are there questions from the Committee?

**Assemblyman Kirner:**

Are we to understand that this technology is going to be developed in Nevada, and there is a commitment to Nevada by General Motors or whomever to develop it here? If we in fact move forward on this legislation, are we going to see it develop in California, Arizona, Utah, and Michigan, or is it exclusive to Nevada?

**David Goldwater:**

In today's global economy, you can go anywhere to test things out, use them, or do whatever; it is hard to commit to be somewhere or do something. One thing is for sure, states that are aggressive and get the law ahead of technology, not just in transportation but in any aspect of business, are going to be more likely to attract business and create an environment for industries of the future. When the laws and regulations are looking forward, it does not matter what the business is; companies will look to move there, be there, and locate there. They will locate to an environment that is positive for them, and that is any business.

**Assemblyman Frierson:**

My question is with respect to the insurance requirements and why this proposes to have the Department of Transportation set it as opposed to the

DMV like every other vehicle? I believe the policies are set in statute for insurance on a normal car.

**David Goldwater:**

I would have no problem with insurance policies being set in statute. That was a drafting issue I think. If it was set in statute like everything else, that is fine.

**Assemblyman Frierson:**

In section 5, subsection 2(d) it says the Department of Motor Vehicles must provide for the testing. I would imagine the Department would have something to say if there was a problem, but is the intention for the Department to provide for the testing or allow for it? It seems to me if they are providing for it, they are actually doing it, organizing it, or setting up a location for it as opposed to allowing Google Incorporated, or any other company for that matter, to petition or request that they be allowed to test it.

**David Goldwater:**

The vision for the bill is to have the Department lay out what regulations or testing scenario would be required for this new type of technology.

**Assemblyman Frierson:**

Provide for the regulations or the policy?

**David Goldwater:**

Yes.

**Assemblyman Hammond:**

How far can the self-driving car go right now? Even if you are not in the car, but there is a camera on it, so you can see where the car is going. Is it hooked up to a computer, so you can sit and watch where the car is going?

**David Goldwater:**

It can go as far as the global positioning satellite can map it out.

**Assemblyman Hammond:**

For example, if I want to send the kids to grandma's house and I do not want to go with them, I can put them in the car . . . I am thinking about the future.

**David Goldwater:**

In the future, that will be the case. Technology will be such that it will be safer for you to put them in the autonomous self-driving vehicle than it would be for you to drive them.

**Assemblyman Hammond:**

We would have to pass regulations. You can put the dog in the car, send it to the groomer, and have someone come out, get the dog . . .

**David Goldwater:**

It is not "if" it happens, it is "when" it happens, and it will happen someday. Assembly Bill 511 contemplates that happening and developing sooner in Nevada rather than some place else.

**Assemblyman Hammond:**

I am all for it; I like it. Right now it is powered by volts, but I would much rather have a KITT from *Knight Rider*.

**David Goldwater:**

This will happen in our lifetime. Sooner than we think, it is happening now. The applications are mind blowing: the thought of a trucking industry driving around, the thought of being able to take the kids, the thought of being able to go to work, the thought of driving to Carson City from Las Vegas reading a newspaper or book.

**Assemblyman Hambrick:**

Not if, but when. When is when? If we are asking the Department to start looking at regulations, how far down the road are we talking? Five years? You are talking about economic development, right? It would be nice to know.

**David Goldwater:**

That is an argument that billionaires have with engineers. Engineers push and want this to happen sooner, and billionaires want to keep working, developing, and finding more commercial applications. How are we going to introduce this technology into the world of commerce? I think the one thing policymakers can say is that they will create an environment for this to happen. That is what A.B. 511 contemplates: a statutory and regulatory environment that says when you are ready, it will happen. We are ready for you.

**Assemblyman Hambrick:**

I would appreciate when that meeting takes place if you can invite the Committee. I think we would like to be in that room.

**David Goldwater:**

Absolutely.

**Chair Dondero Loop:**

Are there additional questions from the Committee? [There were none.] Is anyone in support of A.B. 511?

**Chris Ferrari, representing City of Reno:**

The City of Reno has embraced the idea of being the next green city in the West, and one of the City Council's priorities is to ensure the City of Reno is doing everything it possibly can to reduce its impact on the environment and improve its residents' quality of life. We are in full support of this bill, and we believe it will enable us. We are very excited to use some of our solar powered kiosks that are forthcoming, and we think it pairs nicely with what we are trying to do at the city level. We want to thank the sponsors for bringing this bill forward.

**Chair Dondero Loop:**

Are there any questions from the Committee?

**Assemblywoman Benitez-Thompson:**

I just want to make sure for someone who frequently uses the parking meters, because I live close to downtown Reno and I spend a lot of time down there, the meter rate my constituents pay will not suddenly go up to offset the people who are in the green energy cars.

**Chris Ferrari:**

I do not believe they will. That is an entirely separate endeavor; thank you for clarifying.

**Chair Dondero Loop:**

Are there additional questions from the Committee? [There were none.] Is anyone else in support? [There was no one.] Is anyone opposed? [There was no one.] Is anyone neutral? [There was no one.] We will close the hearing on Assembly Bill 511, and I would encourage the sponsors to make sure all the amendments are clear. We are going to take a recess and come back to our work session. We need to gather up a couple of people who are in briefings. We are recessed [at 5:25 p.m.].

This meeting is reconvened [at 5:40 p.m.]. We will start our work session now. It is not customary for the Committee to take testimony or otherwise rehear the bills during the work session, but rather to take action on the bills. If a technical issue arises, the Chair, at her discretion, may ask a witness for clarification. Our Committee Policy Analyst will take us through the work session document. Please start with Assembly Bill 27.

**Assembly Bill 27:** Imposes additional fees for the production of certain identification cards. (BDR 43-490)

**Jennifer Ruedy, Committee Policy Analyst:**

If you will recall this measure was originally requested by the Department of Motor Vehicles (DMV). On February 18, 2011, the DMV advised the Chair of the Committee that they wished to withdraw the bill from consideration this legislative session. [Continued to read from [Exhibit N.](#)]

The amendment specifically adds an additional exclusion to the "total loss vehicle" statute for electronic components and towing charges. It excludes recovered theft vehicles with no structural damage, only missing tires, wheels, and audiovisual system components from the definition for a "total loss vehicle." The proponent for the bill pointed out tires, wheels, et cetera might be expensive to replace but do not affect the safe operation of the vehicle as structural damage would. It also adds "fender" to the list of items that must be replaced for older vehicles that are repairable. Subsequent to the hearing, Ms. Lockard advised the Committee Policy Analyst that Nevada Collision Industry Association would like this measure to be effective as of July 1, 2011.

**Chair Dondero Loop:**

Thank you. I would like to entertain a motion.

ASSEMBLYMAN HAMBRICK MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 27.

ASSEMBLYMAN HAMMOND SECONDED THE MOTION.

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

I will assign Mr. Hammond to do the floor statement. We will move on to Assembly Bill 204.

**Assembly Bill 204:** Revises provisions regarding salvage vehicles. (BDR 43-265)

**Jennifer Ruedy, Committee Policy Analyst:**

Assembly Bill 204 was heard on March 24, 2011. It requires that a licensed automobile wrecker, upon obtaining a motor vehicle that is to be processed as parts or scrap metal, submit to the Department of Motor Vehicles within two business days, electronically or via facsimile, a report that includes: the make, model, vehicle identification number and registration number, if applicable, of the motor vehicle; and an affirmation signed by the licensed automobile wrecker

that the motor vehicle has been designated for processing as parts or scrap metal. [Continued to read from [Exhibit O.](#)]

**Chair Dondero Loop:**

Thank you. I would like to entertain a motion.

ASSEMBLYMAN BROOKS MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 204.

ASSEMBLYMAN KIRNER SECONDED THE MOTION.

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

I will assign the floor statement to Mr. Brooks. Is there any public comment?  
[There was none.] Are there any comments from the Committee? [There were  
none.] We are adjourned [at 5:51 p.m.].

RESPECTFULLY SUBMITTED:

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Janel Davis  
Recording Secretary

RESPECTFULLY SUBMITTED:

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Jordan Neubauer  
Transcribing Secretary

APPROVED BY:

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Assemblywoman Marilyn Dondero Loop, Chair

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

**EXHIBITS**

**Committee Name:** Committee on Transportation

**Date:** April 7, 2011

**Time of Meeting:** 3:24 p.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
A.B. 508	C	Brian O'Callaghan	Written Testimony
A.B. 508	D	Brian O'Callaghan	Pictures
A.B. 508	E	Richard Fletcher	Written Testimony
A.B. 508	F	Matt Boyle	Written Testimony
A.B. 509	G	Fran Smith	Written Testimony
A.B. 509	H	Marc Gordon	Written Testimony
A.B. 511	I	Mike Draper	Written Testimony
A.B. 511	J	Mike Draper	Proposed Amendment
A.B. 511	K	Mike Draper	Application
A.B. 511	L	Troy Dillard	Amendment
A.B. 511	M	David Goldwater	PowerPoint
A.B. 27	N	Jennifer Ruedy	Work Session Document
A.B. 204	O	Jennifer Ruedy	Work Session Document