

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

**Seventy-Seventh Session
February 21, 2013**

The Committee on Transportation was called to order by Chairman Richard Carrillo at 4:02 p.m. on Thursday, February 21, 2013, 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 nelis.leg.state.nv.us/77th2013. 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 Richard Carrillo, Chairman
Assemblyman Joseph M. Hogan, Vice Chairman
Assemblyman Paul Anderson
Assemblyman David P. Bobzien
Assemblywoman Maggie Carlton
Assemblyman John Hambrick
Assemblyman Cresent Hardy
Assemblyman James W. Healey
Assemblywoman Ellen B. Spiegel
Assemblyman Michael Sprinkle
Assemblywoman Heidi Swank
Assemblyman Jim Wheeler
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

Assemblyman Steven Brooks (excused)
Assemblywoman Lucy Flores (excused)



GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Vance Hughey, Committee Policy Analyst
Scott McKenna, Committee Counsel
Jacque Lethbridge, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

Doreen M. Rigsby, Manager, DMV Processing Center, Central Services
Division, Department of Motor Vehicles
Donnie Perry, Administrator, Division of Compliance Enforcement,
Department of Motor Vehicles
Wayne A. Frediani, representing Nevada Franchised Auto
Dealers Association
Troy L. Dillard, Interim Director, Department of Motor Vehicles
Rhonda Bavaro, Administrator, Division of Central Services and Records,
Department of Motor Vehicles
Neena Laxalt, representing Nevada 150 Planning Committee

Chairman Carrillo:

[Roll was taken. Committee protocol and rules were explained.] Please mark Mr. Brooks and Ms. Flores absent, excused. Mark members present as they arrive.

BDR 43-707—Revises requirements for the registration of a vehicle that is driven in Nevada by a nonresident who works in Nevada. (Later introduced as [Assembly Bill 166](#).)

ASSEMBLYWOMAN CARLTON MOVED TO INTRODUCE
BDR 43-707.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN BROOKS AND FLORES
WERE ABSENT FOR THE VOTE.)

BDR 43-708—Revises requirements for the registration of certain vehicles that are driven in Nevada and owned by a nonresident business. (Later introduced as [Assembly Bill 167](#).)

ASSEMBLYWOMAN CARLTON MOVED TO INTRODUCE
BDR 43-708.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN BROOKS AND FLORES
WERE ABSENT FOR THE VOTE.)

BDR 43-995—Limits the purposes for which the Director of the Department of Motor Vehicles is allowed to release certain personal information. (Later introduced as [Assembly Bill 165](#).)

ASSEMBLYWOMAN SPIEGEL MOVED TO INTRODUCE
BDR 43-995.

ASSEMBLYMAN HEALEY SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN BROOKS AND FLORES
WERE ABSENT FOR THE VOTE.)

Chairman Carrillo:

[Chairman Carrillo read Rule No. 54, Testimony, Witnesses and Exhibits, from “Excerpts of the Assembly Standing Rules, 77th Session (2013)”.] We will open the hearing on [Assembly Bill 14](#).

[Assembly Bill 14](#): Makes various changes relating to motor vehicles.
(BDR 43-369)

**Doreen M. Rigsby, Manager, DMV Processing Center, Central Services Division,
Department of Motor Vehicles:**

The bill we are presenting today is on behalf of the Department of Motor Vehicles (DMV). Section 4 gives the DMV authority to reduce or remove the additional fine amount when we find that a vehicle is dormant or has a mechanical issue ([Exhibit C](#)). The need for this came up when [Senate Bill No. 323 of the 76th Session](#) was not clear that we had the authority for the additional fine, just the fee.

**Donnie Perry, Administrator, Division of Compliance Enforcement,
Department of Motor Vehicles:**

Nevada law currently requires denial of an application of a salesperson issued a temporary permit if the person was terminated and does not obtain subsequent employment. If an application is denied, a salesperson must wait six months before reapplying. This creates an undue hardship on the person in this occupation. [Read from written testimony ([Exhibit C](#)).]

Assemblywoman Spiegel:

In section 4 on page 8, there seems to be a lot of discretion on the part of DMV whether or not fines are going to be waived. Is there a process in place to determine in what instances fines will be waived so that we know they are being done fairly? Will there also be a mechanism for a consumer to come to DMV proactively and say, "I am taking this car off the road and I would like to have everything waived so I do not have to have insurance?"

Doreen Rigsby:

There are processes in place for an individual if they know their vehicle is going to have mechanical work done and they feel they need to take it off the insurance. A consumer can cancel the vehicle registration and put it in the status of surrender. This holds the plate for the consumer to put it back on. There are DMV regulations already in place. Seasonal is defined in *Nevada Administrative Code* 485.028 as "extended period," "mechanical circumstances," and "seasonal circumstances." It allows DMV to look at the dates on which the vehicle insurance lapsed. We will look at the mechanical processes to make sure the vehicle was not available to drive. If it was a flat tire, we will look at that a little differently than a blown engine.

Assemblywoman Carlton:

What are we trying to solve? Is it the initial licensure that is on a temporary status and then converts to permanent, but the salesperson loses their job while they are in the temporary status?

Donnie Perry:

There was an influx of temporary people from out of state selling vehicles as part of an auto show. Once the auto show was done, the salesperson would return to their home state and have a pending application for a temporary license in Nevada. This was causing problems because we would issue a permanent license to the dealership and then cause those licenses to be in a denied status. Opposed to having these licenses in a denied status, we would like to do away with what we were requiring them to do. Initially the salesperson would get a temporary license for a background check completed within six months. They would conduct the auto show, go out of the state, and

we would have all of these temporary licenses. This was put into place to address the situation earlier of having these pending temporary licenses. If they did not get a license within 30 days, we would put them in a denial status. Because of the economy, we are finding that portion of the law is having an adverse impact on Nevada residents who would like to have this done. In the event they would move from one business to another business, and their license is still in a temporary status, we do not think it would be advantageous to deny those individuals for six months.

Assemblywoman Carlton:

Is the license tied to the place of employment? Would the ultimate fix be having a license good for a four-year period of time rather than having to change the license every time you change employment? It seems you are tying that person's livelihood to one employer rather than allowing them to have the opportunity to go to work somewhere else. They might not want to take the opportunity if they lose the license.

Donnie Perry:

Ultimately, that might be the best course of action.

Chairman Carrillo:

Are there any questions from the Committee members? [There were none.]
Is there anyone wishing to speak in support of A.B. 14?

Wayne A. Frediani, representing Nevada Franchised Auto Dealers Association:

We are in support of A.B. 14 as it was presented, especially as it relates to the issue on the temporary permit and relicensing and not having to wait a period of six months get employment at another dealership.

Assemblywoman Carlton:

Does my proposal from earlier seem to be a better way to handle these employees?

Wayne Frediani:

The period would be fine. We have supported a salesperson being licensed at one particular dealership and transferring the license if he or she were to go to work for another dealership. The six-month waiting period is a little harsh. What they are trying to correct is the right process so we can keep people employed.

Assemblywoman Carlton:

Why tie someone's license to his or her employer? What was the original idea? At one time, you wanted to make sure you had good people that were not going

to abuse the public; you were trying to upgrade the profession. I think it has gotten there.

Wayne Frediani:

That is part of it. You want to make sure background checks are being done. You want consumers to be safe, especially as it relates to test drives. There are some privacy issues that an employer has with consumer information. If the salesperson desires to leave that dealership or is terminated, he has the opportunity, provided everything checks out, to transfer and go to work for another dealer.

Chairman Carrillo:

Is there anyone wishing to speak in opposition of A.B. 14? [There was no one.] Is there anyone wishing to speak neutral for A.B. 14? [There was no one.] Is there any public testimony on A.B. 14? [There was none.] We will close the hearing on A.B. 14. We will open the hearing on Assembly Bill 24.

Assembly Bill 24: Makes various changes to provisions relating to license plates. (BDR 43-367)

Troy L. Dillard, Interim Director, Department of Motor Vehicles:

This bill would enact the license plate commemorating the State's 150th anniversary, known as the sesquicentennial anniversary.

Rhonda Bavaro, Administrator, Division of Central Services and Records, Department of Motor Vehicles:

This bill will allow the Department of Motor Vehicles (DMV) the authority to develop a new license plate celebrating Nevada's sesquicentennial. This plate will be available for a limited time. The termination will be when it is determined the funds for the sesquicentennial are no longer necessary. The fee for the plate will be \$32.50 with an annual renewal fee of \$10. Twenty-five dollars of that fee will be deposited in a special fund established for the celebration of the 150th anniversary of Nevada's admission to the Union. [Read from written testimony ([Exhibit D](#)).]

Additionally, this bill allows the DMV Director the authority for flexibility on the sequence of our license plates by adding a number or letter at the beginning or end. Statute is specific for each plate type. For example, it will say it must have three letters followed by three numbers or the type of plate, classic vehicle or National Guard, followed by three or four numbers. We are running out of number sequences to keep up with the needs of Nevada.

I do have a draft sample of the sesquicentennial plate ([Exhibit E](#)).

Assemblyman Wheeler:

How many do you project to sell?

Rhonda Bavaro:

We based our projections on the Las Vegas commemorative plate. That Las Vegas commemorative plate came out in 2005. This plate would be a state commemorative plate. We anticipate there would be more. We were looking at 200,000 for Las Vegas but anticipate there would be more for the Nevada sesquicentennial plate. This bill allows us to keep the plate in function until we determine it is no longer necessary. Other plates, like the 125th Anniversary, were specific to a two-year period.

Troy Dillard:

We will provide you with the statistics we used to base those projections.

Assemblywoman Carlton:

The Director of DMV will decide when you are going to stop issuing the plate. Do you have any idea of when that might be?

Troy Dillard:

We have not had any discussions about when that plate would stop selling. It is a very nicely designed plate and we anticipate that it is going to look as good on an actual license plate as the graphic does, hopefully even better. We are still working on some enhancements. We anticipate a bulk of the sales will probably come in the first two years since 2014 is the 150-year anniversary. We have the ability to produce the plate this year in anticipation of sales starting very quickly after approval of the bill through the legislative process. There may not even be a reason to discontinue the plate unless sales completely fall off and it becomes a problem.

Assemblywoman Carlton:

The Las Vegas plate was for the birthday year. It was approved based on being a temporary commemorative plate. Now it has become part of the established plate list. You are asking for a special provision for the sesquicentennial to be outside the cap for special license plates. I am willing to support this plate for the first two years and I would like to see DMV make money. If it is allowed to continue on, then it will have jumped the legislative process that was put into place for special license plates. This is not fair to others who have waited six or seven years to get their special plate, even though this is a special occasion.

I think you are selling yourself short on the pricing, especially after seeing the plate. I think you could probably raise the price and still sell a lot of them.

The renewal price seems to be rather low. With the special license, we do not have the same authority with the audit provision on the money.

Assemblyman Bobzien:

I am in accord. It may be that a two-year term is not long enough. There needs to be some finality to it.

Chairman Carrillo:

Are there any questions from the Committee members? [There were none.]
Is there anyone wishing to testify in support of A.B. 24?

Neena Laxalt, representing Nevada 150 Planning Committee:

I was cochair of the planning committee with Bob Brown and staff of DMV and the Governor's office who developed this beautiful plate. I want to go on record supporting the plate. We are very proud of the design we have developed.

Chairman Carrillo:

Are there any questions from the Committee members? [There were none.]
Is there anyone wishing to testify in opposition of A.B. 24? [There was no one.]
Is there anyone wishing to testify neutral for A.B. 24? [There was no one.]
Is there any public testimony? [There was none.] We will close the hearing on A.B. 24.

Is there any public comment? [There was none.]

The meeting is adjourned [at 4:34 p.m.].

RESPECTFULLY SUBMITTED:

Jacque Lethbridge
Committee Secretary

APPROVED BY:

Assemblyman Richard Carrillo, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Transportation

Date: February 21, 2013

Time of Meeting: 4:02 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 14	C	Doreen Rigsby, Manager, DMV Processing Center, Central Services Division, Department of Motor Vehicles	Testimony
A.B. 24	D	Rhonda Bavaro, Administrator, Division of Central Services and Records, Department of Motor Vehicles	Testimony
A.B. 24	E	Rhonda Bavaro, Administrator, Division of Central Services and Records, Department of Motor Vehicles	Sesquicentennial License Plate sample