

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

**Seventy-Seventh Session
March 14, 2013**

The Committee on Transportation was called to order by Chairman Richard Carrillo at 3:21 p.m. on Thursday, March 14, 2013, 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 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
Assemblywoman Lucy Flores
Assemblyman John Hambrick
Assemblyman Crescent 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)



GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Vance Hughey, Committee Policy Analyst
Sean McCoy, Committee Policy Analyst
Jacque Lethbridge, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

Brian O'Callaghan, representing the Las Vegas Metropolitan
Police Department
Jack Mallory, representing the Southern Nevada Building and
Construction Trades Council
Joanna Jacob, representing the Association of General Contractors,
Las Vegas Chapter

Chairman Carrillo:

[Committee protocol and rules were explained. Chairman Carrillo read Rule No. 54, Testimony, Witnesses and Exhibits, from the "Excerpts of the Assembly Standing Rules, 77th Session (2013)."] We will have a work session on Assembly Bill 21 and Assembly Bill 117. Vance Hughey, Committee Policy Analyst, will walk the Committee through the work session documents.

Assembly Bill 21: Revises provisions relating to public safety. (BDR 43-364)

Vance Hughey, Senior Research Analyst, Research Division, Legislative Counsel Bureau:

Assembly Bill 21 was heard on February 19 ([Exhibit C](#)). During the hearing, the bill was characterized by the Department of Transportation (NDOT) as a "housekeeping measure" made up of several main elements.

One element addresses a federal compliance issue regarding the open container provisions of Nevada law. The National Highway Traffic Safety Administration advised NDOT that Nevada's open container law was out of compliance with federal law. This bill clarifies provisions concerning possession of an open container of an alcoholic beverage by occupants of a motor vehicle that is designed, maintained, or used primarily for the transportation of persons for compensation, or by occupants of the living quarters of a house coach or house trailer while the vehicle is upon the State's highways.

Another element clarifies the crash reporting duties and responsibilities of certain State entities, and increases from \$750 to \$1,500 the threshold in apparent damages for determining when the driver of a vehicle that is involved in an accident is (a) required to forward a report to the Department of Motor Vehicles (DMV), and (b) required to deposit security. The bill also provides that accident reports may be filed electronically.

The NDOT proposed an amendment to the bill and the significant changes are summarized in the work session document.

First, the provisions concerning open containers in section 1 of the bill are amended to address the compliance issue. It essentially clarifies that occupants of certain vehicles, other than the drivers of those vehicles, are allowed to possess open containers while those vehicles are upon the State's highways. NDOT has informed legislative staff that the wording included in the amendment has been approved by the federal agency and would result in Nevada being in compliance with federal law.

In 2001, the Department of Motor Vehicles and Public Safety was split into two agencies: DMV and the Department of Public Safety (DPS). However, testimony was provided to the Committee indicating that the statutes were unclear regarding the reporting responsibilities of the various agencies. The second, third, and fourth items in the work session document are proposed changes concerning the "housekeeping items" that are intended to clarify the crash reporting responsibilities of the affected entities.

The final change included in the proposed amendment relates to the reporting threshold. References to the \$1,500 reporting threshold throughout the bill are proposed to be changed back to the current \$750 threshold. Keeping the threshold at \$750 was originally proposed by the Nevada Justice Association and various representatives from the insurance industry. A copy of a February 20, 2013, memorandum from Mark Wenzel of the Nevada Justice Association in support of the change is included in your work session document.

Finally, NDOT officials have indicated to legislative staff that the DMV and the DPS are in agreement with the changes proposed by NDOT.

Assemblyman Bobzien:

Is it one amendment with all of these components?

Chairman Carrillo:

Yes, that is correct.

ASSEMBLYMAN BOBZIEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 21.

ASSEMBLYMAN ANDERSON SECOND THE MOTION.

THE MOTION PASSED (ASSEMBLYMAN BROOKS WAS ABSENT
FOR THE VOTE.)

Chairman Carrillo:

Assemblyman Bobzien will do the floor assignment on A.B. 21.

Assembly Bill 117: Revises provisions governing rules of the road.
(BDR 43-566)

Vance Hughey:

Assembly Bill 117 ([Exhibit D](#)) was heard on February 28. This bill allows a person driving a motorcycle, moped, or trimobile or riding a bicycle or an electric bicycle to proceed into an intersection under certain circumstances. Those circumstances are spelled out in the work session document.

Assemblyman Sprinkle proposed an amendment to clarify the circumstances under which a violation of the provisions of this bill is conclusive evidence of the facts necessary to impose civil liability for any injury that may result to another person as a result of that violation.

The specific wording of the proposed amendment is indicated on page 5 of the mock-up that was prepared for Assemblyman Sprinkle by the Legal Division of the Legislative Counsel Bureau.

ASSEMBLYMAN HAMBRICK MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 117.

ASSEMBLYMAN BOBZIEN SECONDED THE MOTION.

THE MOTION PASSED (ASSEMBLYWOMAN CARLTON VOTED
NO. ASSEMBLYMAN BROOKS WAS ABSENT FOR THE VOTE.)

Chairman Carrillo:

Assemblyman Sprinkle will do the floor assignment on A.B. 117. I am presenting Assembly Bill 166 and need to take the witness stand. We will take a one minute recess. [Committee recessed at (3:30 p.m.).] [Committee reconvened at (3:33 p.m.). Assemblyman Hogan assumed the chair.]

Vice Chairman Hogan:

The Committee on Transportation is called back to order. We will now open the hearing on Assembly Bill 166.

Assembly Bill 166: Revises requirements for the registration of a vehicle that is driven in Nevada by a nonresident who works in Nevada. (BDR 43-707)

Assemblyman Richard Carrillo, Clark County Assembly District No. 18:

I am here to present Assembly Bill 166. Nevada is bordered by California, Idaho, Arizona, and Utah. Many residents of those states live just across the state line, but work in Nevada. This bill would require nonresident commuter workers to register their vehicle with the Department of Motor Vehicles within ten days of commencing employment in Nevada.

Once they are registered they would be given an indicator ([Exhibit E](#)) to be placed in their vehicle. After submitting proof that their vehicle is currently registered and properly insured in their state of residence, the indicator will permit them to drive in Nevada as a nonresident commuter worker.

If their state of residence does not require an emissions test, they would be required to have one done if they work in Clark or Washoe counties.

This bill is not intended to penalize nonresident workers in Nevada. This bill is intended to ensure that those who commute to Nevada to work are driving vehicles that are registered and properly insured.

I am submitting an amendment to this bill ([Exhibit F](#)) regarding the fees imposed. This amendment would bring the registration in line with Nevada's fee of \$33. They would be required to register subsequent vehicles that they drive in Nevada during their employment.

The second amendment ([Exhibit G](#)) adds language that the nonresident indicator would be non-transferrable.

The third amendment ([Exhibit H](#)) adds language that the first offense for violation would be a fine of not more than \$100.

Assemblyman Sprinkle:

This is not to reregister in Nevada, it is a supplement to registration in their own state?

Assemblyman Carrillo:

The nonresident worker will need to maintain insurance and registration in their state of residence. If they had accepted employment in Nevada, they would have to register with the DMV to show they were a commuter worker. They would have that indicator displayed on their vehicle. The registration fee would be the \$33.

Assemblyman Wheeler:

If I understand the intent of this bill, the car has to be registered in their state of residence, where they are paying fees, and we are going to charge them to register it here as well? California has much tougher smog laws, insurance laws, and higher registration fees. Is that not burdensome to someone?

Assemblyman Carrillo:

They are using Nevada roads. Nevada residents have to pay that fee to use our roads. Paying this fee would be their addition to our state.

Assemblyman Wheeler:

They are also buying Nevada gas, about \$1 a gallon cheaper, which is paying Nevada road tax. There are people going to California from Nevada for vacation, or working over there. They are using California roads. Does California, Arizona, or Idaho charge us?

Assemblyman Carrillo:

California is the only state that has a commuter worker permit. This is where I got the language. Even if they fill their vehicles with gas in California, they are still utilizing our roads. They are using their cars on our roads five days a week, 52 weeks a year. They take their paycheck to their state of residence and spend their money there. They are taking a job from a Nevadan.

Assemblywoman Swank:

A person needs to register within ten days of getting employment in Nevada. In section 3, subsection 1(a), it talks about when you do not need to register "For a period of not more than 30 days in the aggregate in any 1 calendar year." If you get a job in Nevada, according to this part, you can wait 30 days because you have to be sure you are going to be employed in Nevada for 30 days in a calendar year. That seems to contradict the ten days that was put in the amendment.

Assemblyman Carrillo:

In current statute, if you are moving to Nevada you are required to register, insure, and smog-check your vehicle within 30 days. Territorial workers that work for a drug company in the southwest, including Nevada, might spend more

than 30 days in the aggregate in Nevada. This is existing language that I am not taking away from or adding to. It may not really apply to what I am trying to do as a commuter worker. I will get with Legal and come back to the Committee with that information.

Assemblyman Hardy:

We have people who live on our borders and work in the casinos. Presently we have a project in the Tonopah area with 50 or 60 people from Spain. They are renting Nevada cars. How are we going to track these type of individuals? How are we going to track people who live across the border and carpool into Nevada for jobs?

Assemblyman Carrillo:

If they are driving from California every day to work in Nevada, they would be covered under this bill. Workers that carpool from California must register the vehicle as a commuter worker vehicle. Each vehicle used in the carpool would require the registration as a commuter worker vehicle.

Assemblyman Hardy:

That answers part of my question. On the enforcement side, how do we track that?

Assemblyman Carrillo:

We have a great law enforcement system. They would make sure commuter workers are registered. Sometimes law enforcement officers will drive through employee parking lots checking for out-of-state vehicles. These vehicles might be out-of-state workers or new residents who have not yet registered their vehicle in Nevada because they are waiting for the tag to expire in the state they moved from. If they see a vehicle on a regular basis with an out of state license, they may stop it to determine if the driver is a commuter worker or someone who has not registered their vehicle in Nevada.

Assemblywoman Spiegel:

This might also provide some relief to folks who are snowbirds who live in Nevada for four months a year and out of state for the other eight months of the year. I have received a number of calls from constituents who have said, "Once I have been in Nevada for 30 days I have to register my car and then I go back home and I have to reregister my car and they keep playing with the registration every year going back and forth." Have you contemplated the possibility that something like this could be used for people who are in Nevada on a part-time basis every year, but not long enough to consider Nevada as their primary residence?

Assemblyman Carrillo:

I have a bill that will address the snowbird issue. During the interim, I had people who lived in Illinois, but are in Nevada for five months out of the year, get cited by the constable's office. They had the snowbird registration through DMV, but there was nothing on their vehicle. If they have a sticker to put on their vehicle, law enforcement would know this vehicle is registered through DMV and has shown proof of registration, insurance, and has been smog tested.

Assemblyman Anderson:

I have jobs where we send folks out of state for two or three weeks at a time. If that were the reverse and somebody had to come into Nevada, would these folks be required to pay this registration fee?

Assemblyman Carrillo:

My concern is the people who are commuter workers; they have a job they come to every day in Nevada, five days a week, and then go home to their state of residence. I do not consider a temporary worker, who might be doing a job for a couple of weeks, a commuter worker.

Assemblyman Anderson:

Maybe it is appropriate to better define who is a commuter worker. Switch Communications has a large number of workers who fly in from California because the technology skills they need are not present in Nevada. They rent cars so this would not apply. If they decide to travel with their own vehicle, this would apply. Either you better define commuter worker, or exclude those folks who have temporary employment, are consultants, or people in the entertainment industry who work on the strip.

Assemblyman Carrillo:

A broad definition of a commuter worker is anybody who goes across the border for work. My definition is somebody who works five days a week.

Assemblyman Anderson:

I would agree that if it could be broadly defined, certainly each individual could be defined differently. It is a point that needs to be addressed.

Assemblyman Carrillo:

I will get back to the Committee with the definition of a commuter worker so we have a good understanding.

Assemblyman Hardy:

This bill fits really well with the Laughlin area. Nearly 80 to 90 percent of the employees for gaming, teaching, and firefighting live on the other side of the river and commute every day. The Laughlin area has not grown in the last 25 years where the other side of the river, because of the activities on the Laughlin side, has grown 30,000 to 40,000 people. This could benefit Nevada.

We have a situation that can be a little confusing when we exclude individuals that may live in Tonopah during the week and are gone on the weekend. We have the same situation in Mesquite. Individuals come from across the border, stay with family members during the week and then go home for the weekend. They are not a daily commuter, they are a weekly commuter. The same is true of our firefighters that work in the Las Vegas area. They commute weekly. Is this the same type of commuter?

Assemblyman Carrillo:

Are they gainfully employed here in Nevada?

Assemblyman Hardy:

Yes, they are.

Assemblyman Carrillo:

That would qualify then.

Assemblyman Healey:

How do we communicate this registration fee to those out-of-state workers? If I live in Bullhead City, California and I get a job at a casino in Laughlin, how do I know I have to pay this registration fee in Nevada?

Assemblyman Carrillo:

Education is everything. If an employer knew that their worker was from out of state, they might tell the employee. The fine is at the discretion of the judge. Law enforcement might give you a warning. We gave warnings when we started the cell phone law.

Assemblyman Healey:

From an employer's standpoint, this could potentially harm the ability for those businesses that have to reach out of the state to gain employees to do the work. It will add an additional \$150 expense to that employee in order to be able to work in that job.

Assemblyman Carrillo:

One of the amendments ([Exhibit F](#)) will reduce that fee from \$150 to \$33. The commuter worker uses our roads. Maybe the Department of Transportation can tell us what kind of wear and tear a daily commuter puts on our roads. If they lived in Nevada they would be paying their fair share through the registration fee.

Assemblywoman Flores:

How do you envision the length of registration to work? They are considered nonresidents employed in Nevada. Within ten days they must get their registration. Is the registration temporary? Is it \$33 for a period of time? A year?

Assemblyman Carrillo:

The registration will be for one year from the date of purchase. It is just like a car registration. They would require renewal. It is not going to go up or down. It is set at \$33. If you look at your vehicle registration, that is the registration itself. Everything else is governmental services tax or whatever taxes are put on the registration.

Assemblywoman Flores:

How would we verify who has been here beyond ten days? If we see a license plate from another state that does not have that registration, how are we supposed to identify a visitor versus a nonresident who is employed here? Based on our declining tax revenues, I agree commuter workers need to contribute to our infrastructure if they are going to be using it.

Assemblyman Carrillo:

Most of the out-of-state workers are probably working in the casino industry. Enforcement is up to law enforcement to make that determination. If they pull somebody over for speeding and they have on a uniform and their car has Arizona plates, there is a good chance they would qualify as a commuter worker. I do not think we are going to see an onslaught of people rushing to get their vehicle registered because of the education part of it. It is something that will come with time as people get the word out.

Assemblywoman Swank:

Do you know how much California charges?

Assemblyman Carrillo:

California charges \$19. I tried to keep it in line with what Nevadans pay.

Assemblyman Wheeler:

There is a fiscal note of \$15 million on this. Am I correct in assuming that is based on \$150 per registration? Based on the amendment, would that bring it down to \$33 million?

Assemblyman Carrillo:

That is correct. The fiscal note was based on a registration fee of \$150, not \$33.

Assemblywoman Carlton:

Thank you for discussing the definition of commuter worker. I think that would be very helpful.

Assemblyman Healey:

In a state where tourism is huge, we love it when guests come for a longer time period than the average three-day stay. I do not want to see Nevada get a bad reputation for harassing tourists because law enforcement has seen this plate over the past couple of weeks, pulls them over, and gives them a ticket. We do not want the tourist or family member to spend time in court proving they are a visitor and not a commuter worker. What kind of provisions do we have to protect tourism?

Assemblyman Carrillo:

I do not think law enforcement likes to hassle out-of-state people. We do have individuals who have timeshares on the strip and stay for multiple weeks. If an officer sees a guy on the strip in shorts and flip flops, more than likely he is not a commuter worker. How many people would be driving from out of state every week to work as a maid? I do not think that is going to be an issue. It is mostly the outlying areas where you will see more commuter workers. You have people from Lake Tahoe that work in Nevada. They are considered a commuter worker; those are the ones that will be affected.

Assemblyman Healey:

That may be true on the strip. One of my friends had an out-of-state license plate. He got pulled over and the officer said, "I have seen your truck go by here a few times and it has Texas plates, and that is why I pulled you over." A lot of astute officers do notice these things. They are very good at what they do because they are detail-oriented. A lot of workers may change before they drive home so they will look like a tourist. This is a great opportunity for everybody to pay their fair share. If they are going to use our roads, particularly in the condition that our roads are in, they should have to contribute to that. I want to make sure we are not setting something up that

will potentially be a big problem. It is a great avenue for additional revenue and have everybody pay their fair share.

Assemblyman Carrillo:

If you move to Nevada, you have 30 days to change your registration and insurance. We are not trying to hurt tourism. Law enforcement is on board with this bill. It is to help Nevada.

Assemblyman Hardy:

Does this in any way become a profiling tool? Does it put law enforcement in jeopardy of being sued because of profiling? A major minority group on two of the borders comes back and forth every day to work.

Brian O'Callaghan, representing the Las Vegas Metropolitan Police Department:

No. When you talk about targeting people on the roadway just because they are from out of state, there are other factors that come into play. What they are trying to get at is where your main residence is, where you get your mail.

Assemblyman Hardy:

I know it is not profiling, but could it be used for that? Sometimes law enforcement gets accused of situations. Would this put law enforcement into any type of lawsuit situation when you are trying to enforce these types of laws?

Brian O'Callaghan:

I do not think so because there are other factors. When you run the plate, you know they have not been living in Nevada for so many days.

Vice Chairman Hogan:

Are there any other questions from Committee members? [There were none.] Is there anyone wishing to testify in support of A.B. 166?

Jack Mallory, representing the Southern Nevada Building and Construction Trades Council:

We rise in support of this bill. In the last construction building boom in Southern Nevada, we saw a large influx of workers from out of state. They came from Alaska and Florida and everywhere in between. They would come to Nevada, earn Nevada dollars and ultimately leave. To a certain extent, when they came here they never intended to become permanent residents. They come temporarily to make good money and then go home. In some cases that temporary stay ended up being extended. There are a number that never did change their vehicle registration. The only time they would do it is if they bought a new vehicle. Then they would have to comply with Nevada's laws.

This bill would catch those individuals, but you have the issue of the definition of what is a commuter worker, and whether or not this specific scenario would fit within that definition.

Assemblyman Carrillo:

At one time I worked as a business representative for the UA Local 525 Plumbing, Pipefitting and Refrigeration union. One of the things we have through our local is travel cards. Travel cards come from other locals throughout the country. They are not considered residents of Nevada but they enjoy all of the rights and privileges of being a resident. A commuter worker is somebody who comes every day back and forth from another border state. In Mr. Mallory's example, they would not be considered commuter workers. Law enforcement may stop someone with a Nevada driver's license and out-of-state plates on their vehicle. That has been an ongoing problem since I moved here in 1987.

Jack Mallory:

I appreciate the clarification from Assemblyman Carrillo. I know there are individuals that work out of the local I represent who live out of state and work in Nevada. I would be happy to work with Assemblyman Carrillo on the definition of a commuter worker.

Vice Chairman Hogan:

Is there anyone wishing to testify in opposition to A.B. 166? [There was no one.] Is there anyone wishing to testify neutrally on A.B. 166?

Joanna Jacob, representing the Association of General Contractors, Las Vegas Chapter:

I wanted to step forward to express a willingness to work with Assemblyman Carrillo to further define what a commuter worker is and see how it would impact the construction industry.

Vice Chairman Hogan:

Are there any others wishing to testify neutrally on A.B. 166? [There was no one.]

Assemblyman Carrillo:

Assembly Bill 166 is not about penalizing the nonresident worker who makes their paycheck daily here in Nevada. They are making Nevada part of their daily schedule. California has the nonresident commuter permit which is for people from bordering states commuting to California for work. This bill will help ensure that people using our streets and highways are registered with the

DMV and have the proper insurance coverage. I will work on issues that are of concern to the Committee.

Vice Chairman Hogan:

We will close the hearing on A.B. 166. We will open the hearing on Assembly Bill 167.

Assembly Bill 167: Revises requirements for the registration of certain vehicles that are driven in Nevada and owned by a nonresident business. (BDR 43-708)

Assemblyman Richard Carrillo, Clark County Assembly District No. 18:

While driving around my district in Las Vegas, I noticed that there are a lot of business vehicles being used without Nevada state license plates. This bill is intended to curb what I have seen; that is, out-of-state businesses doing business in Nevada while utilizing vehicles registered in other states.

Many times, I have seen vehicles with out-of-state plates and advertisements for the business in question with a Nevada area code and phone number. Pictures have been uploaded onto NELIS ([Exhibit I](#)). These pictures will give you a better idea of what it is I am seeing throughout my district in Las Vegas.

This bill will allow a business to purchase an indicator ([Exhibit E](#)) for their vehicle after providing proof of current registration, insurance and emission testing, and provides fines for those businesses who are not compliant.

I am submitting two amendments to this bill. The first amendment ([Exhibit J](#)) is to ensure that the indicator is non-transferrable and that it stays with the vehicle that is listed with the Department of Motor Vehicles (DMV).

The second amendment ([Exhibit K](#)) would be added to "exempt" licensed short-term lessors, like rental car companies, from provisions of section 1.

Assemblywoman Carlton:

Do the amendments adjust the fees?

Assemblyman Carrillo:

The fees do not change. This is not just a registration fee for the vehicle. If the business does not want to register their vehicles in Nevada, they would have to pay the fee of \$200 for the indicator.

Assemblywoman Carlton:

Does this go to the registered owner of the vehicle or the business owner who carries the car? Sometimes you will get a job with a company and the company puts the decals on the car. You may have a Nevada driver's license, but they give you a car from Washington to work out of. How do we track this back to the person who is responsible for the car? I do not want to put the employee in the position of being fined for driving something he is being told to drive and the ticket goes on his record when it is not his responsibility.

Assemblyman Carrillo:

As an example, an independent contractor may come to work for Cox Communications and place a magnetic sign on their vehicle. I do not consider them a commuter worker. They are probably going to work here for more than 30 days and should go through the same process as everybody else registering, insuring and smog-checking their vehicle in Nevada. The vehicle could be a leased vehicle.

If you look at the picture showing Expert Mechanical, I confirmed with the State Contractors' Board that they are licensed in Nevada. They have a 702 and 408 area code. The 408 area code is an Arizona number. The vehicle has an Arizona license plate. They are licensed, bonded, and insured as a contractor. I would expect them to do their fair share and register their vehicle in Nevada or get the nonresident indicator tag. The business may be bringing two or three vehicles into Nevada until they can get them registered. We do not know how long this vehicle has been in Nevada. The contractor has ten days to get either Nevada plates or the nonresident indicator tab.

We also have contractors from Utah who work in our schools, pull a lot of money out of Nevada and take it back to Utah. They use our roads, just like you do, and what do we ask Nevada residents to do? We ask them to pay their fair share to help keep our infrastructure intact.

The last picture shows a vehicle with Utah plates and signage indicating they sell health insurance in Nevada. They have a Nevada telephone number. Is it one of those pay-as-you-go or disposable phones. I do not know if they are a legitimate business. Do they sell health insurance and then leave the state with your money?

Assemblywoman Carlton:

The first car is \$200 and you are calling that a business fee. Then it is \$150 per vehicle after that. Was there any discussion about the discrepancy in the money? Was there an issue charging more for the first vehicle and a different amount for the second vehicle? Is there a problem with that?

Assemblyman Carrillo:

Are you referring to why it is different than the first vehicle?

Assemblywoman Carlton:

Yes, the first vehicle is a \$200 business fee and then the other one is listed as a vehicle fee. I am trying to make sure we do not treat different people differently.

Assemblyman Carrillo:

Section 1, subsection 2(d) says, "Pays a fee of \$200. The owner must pay a fee of \$150 for each vehicle the owner registers pursuant to this section." Where do you see the business fee?

Assemblywoman Carlton:

I am looking at the fiscal note of a \$200 business fee and a \$150 vehicle fee. I am confused on the tracking of that and why would we have a \$200 business fee. Business fees are left to the Secretary of State. I want to make sure we are calling it what it should be and we are capturing the correct money in the correct fund.

Assemblyman Carrillo:

Section 1, subsection 4 says, "all fees paid pursuant to subsection 2 must be deposited with the State Treasurer for credit to the State Highway Fund and expended pursuant to subsection 2 of NRS 408.235." It is good you brought that point up because we want to make sure the money goes to the right fund.

Assemblywoman Spiegel:

In the digest it says it does not apply to apportioned vehicles and other certain motor carriers, but I could not find it in the text of the bill.

Assemblyman Carrillo:

Apportioned vehicles pay taxes to states they go through. It is an exemption and they are not part of this equation.

Assemblywoman Spiegel:

I understand that, but I could not find it in the bill.

Assemblyman Carrillo:

Section 1 says, "Except as otherwise provided in NRS 482.390 and 706. 801 to 706.861, inclusive, a nonresident who" They would not be grouped into nonresident businesses.

Vice Chairman Hogan:

Are there any other questions from Committee members? [There were none.]
Is there anyone who wishes to testify in support of A.B. 167.

Jack Mallory, representing the Southern Nevada Building and Construction Trades Council:

We support this bill.

Vice Chairman Hogan:

Is there anyone else wishing to testify in support of A.B. 167? [There was no one.] Is there anyone wishing to testify in opposition to A.B. 167? [There was no one.] Is there anyone wishing to testify neutrally on A.B. 167? [There was no one.]

Assemblyman Carrillo:

Assembly Bill 167 is about ensuring businesses currently operating in Nevada using vehicles without state plates are registered in our state. This will ensure that they comply with requirements and have the proper documentation and insurance.

Vice Chairman Hogan:

We will close the hearing on A.B. 167. Is there any public comment? [There was none.]

The meeting is adjourned [at 4:48 p.m.].

RESPECTFULLY SUBMITTED:

Jacque Lethbridge
Committee Secretary

APPROVED BY:

Assemblyman Richard Carrillo, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Transportation

Date: March 14, 2013

Time of Meeting: 3:21 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 21	C	Vance Hughey, Senior Research Analyst, Research Division, Legislative Counsel Bureau	A. B. 21 Work Session Document
A.B. 117	D	Vance Hughey, Senior Research Analyst, Research Division, Legislative Counsel Bureau	A.B. 117 Work Session Document
A.B. 166	E	Assemblyman Richard Carrillo, Clark County Assembly District No. 18	Nonresident Indicator
A.B. 166	F	Assemblyman Richard Carrillo, Clark County Assembly District No. 18	Amendment
A.B. 166	G	Assemblyman Richard Carrillo, Clark County Assembly District No. 18	Amendment
A.B. 166	H	Assemblyman Richard Carrillo, Clark County Assembly District No. 18	Amendment
A.B. 167	I	Assemblyman Richard Carrillo, Clark County Assembly District No. 18	Photos
A.B. 167	J	Assemblyman Richard Carrillo, Clark County Assembly District No. 18	Amendment
A.B. 167	K	Assemblyman Richard Carrillo, Clark County Assembly District No. 18	Amendment