

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

**Seventy-Eighth Session
May 12, 2015**

The Committee on Transportation was called to order by Chair Jim Wheeler at 3:17 p.m. on Tuesday, May 12, 2015, 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/App/NELIS/REL/78th2015. In addition, copies of the audio or video of the meeting may be purchased, for personal use only, through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Jim Wheeler, Chair
Assemblywoman Jill Dickman, Vice Chair
Assemblyman Nelson Araujo
Assemblyman Richard Carrillo
Assemblywoman Victoria A. Dooling
Assemblywoman Michele Fiore
Assemblyman Edgar Flores
Assemblyman Brent A. Jones
Assemblyman P.K. O'Neill
Assemblyman Stephen H. Silberkraus
Assemblywoman Ellen B. Spiegel
Assemblyman Michael C. Sprinkle
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

Assemblywoman Marilyn K. Kirkpatrick (excused)

GUEST LEGISLATORS PRESENT:

Senator Pete Goicoechea, Senate District No. 19

Minutes ID: 1095



STAFF MEMBERS PRESENT:

Michelle L. Van Geel, Committee Policy Analyst

Melissa N. Mundy, Committee Counsel

Joan Waldock, Committee Secretary

Trinity Thom, Committee Assistant

OTHERS PRESENT:

Ann Yukish-Lee, CPM, DMV Services Manager II, Division of Central Services and Records, Department of Motor Vehicles

Sean McDonald, Administrator, Division of Central Services and Records, Department of Motor Vehicles

Craig M. Stevens, Director of Intergovernmental Relations, Government Affairs, Community and Government Relations, Clark County School District

Caleb Cage, Director of Military and Veterans Policy, Office of the Governor

Katherine Miller, U.S. Army Col. (Ret.), Director, Department of Veterans Services

Ernie Adler, Private Citizen, Carson City, Nevada

Terri L. Albertson, CPM, Administrator, Division of Management Services and Programs, Department of Motor Vehicles

Chair Wheeler:

[Roll was called. Protocol and procedures were explained.] I have to testify at the Senate Committee on Education, so I will turn the meeting over to Assemblywoman Dickman, my Vice Chair, but first I will open the hearing on Senate Bill 110 (1st Reprint).

[Assemblywoman Dickman assumed the Chair.]

Senate Bill 110 (1st Reprint): Revises provisions governing the disposal of abandoned recreational vehicles. (BDR 43-609)

Senator Pete Goicoechea, Senate District No. 19:

I am here today to present a bill that was brought on behalf of former Assemblyman John C. Carpenter. This has been a problem in some of the rural areas and even in some urban areas. If someone rents a space, even if it is long term, from the owner of a trailer or recreational vehicle (RV) park, and then abandons the RV, the park owner will want to dispose of it because abandoned RVs often are in pretty rough shape. If you do not have the title, in order to

take it to a landfill, you have to cut it down and disassemble it. If you have the title, you can take it to a landfill and they have to accept it.

Vice Chair Dickman:

Excuse me, Senator Goicoechea. We have to recess our meeting for a short period [at 3:19 p.m.]. Our meeting is resumed [at 3:22 p.m.].

Senator Goicoechea:

The amendment makes two changes. It allows for the DMV to charge the title fee, which is currently \$28.25. The person applying for the title for an abandoned RV would be responsible for paying the title fee. The second piece in the amendment stipulates that only the owner of the private property is authorized to request the title for an abandoned RV. We want to make sure that someone does not rent an RV park and start acquiring titles to all the RVs in the park and then skip town. The bill is fairly straightforward. It still requires notification of the owner through legal posting. Not less than 30 days after the publication of notice pursuant to the law, you can start the process of acquiring the title on an abandoned RV. In some of the rural counties, the RVs that are abandoned hold no value, but it can cost up to \$500 to have one dismantled to haul it out for salvage.

Assemblyman Jones:

Where is the definition of recreational vehicle? Is it in this bill? It seems odd that you would consider trailers and such as recreational vehicles. When I think of recreational vehicles, I think of quads, minibikes, and dune buggies. Where is the definition of recreational vehicle found?

Senator Goicoechea:

I do not believe it is anywhere in the bill. It would be as defined in statute. It would not be off-highway vehicles.

Ann Yukish-Lee, CPM, DMV Services Manager II, Division of Central Services and Records, Department of Motor Vehicles:

Chapter 482 of *Nevada Revised Statutes* (NRS) defines recreational vehicles.

Assemblyman Jones:

Does that refer to RVs or trailers?

Ann Yukish-Lee:

It would be RVs, fifth-wheels—those types of vehicles.

Vice Chair Dickman:

Assemblyman Jones, would you like legal counsel to read the definition for you?

Assemblyman Jones:

Yes.

Melissa N. Mundy, Committee Counsel:

The definition of recreational vehicle is found in NRS 482.101: "'Recreational vehicle' means a vehicular-type unit primarily designed as temporary living quarters for travel, recreational or camping use, which may be self-propelled, mounted upon, or drawn by, a motor vehicle. The term includes a recreational park trailer."

Assemblyman Sprinkle:

Currently, if someone abandons a vehicle on private property, private property owners are responsible for tearing down the vehicle, getting rid of it, and all the costs associated with that, but they are not able to make a claim toward ownership to reimburse themselves?

Senator Goicoechea:

That is correct. They cannot obtain title, but can go through the process to establish a lien against it and have it removed. Towing companies do not want to touch abandoned RVs because the cost of moving them is far greater than private property owners could afford to pay them. If you just give it to a salvage company, they will not come and get it because the value is not there. Presently, technically, you can have it moved. That is established through the rental process and you can put a lien on it just like you could any other piece of property. However, you cannot dispose of it at a landfill unless you have the title, and there is no way to get a title just by filing a lien on it. This bill actually started in the Senate Committee on Health and Human Services because it was focused on trying to get landfills to take abandoned RVs. Ultimately, we realized that you have to have a title in order for a landfill to take it, and that is why we are here in front of the Assembly Committee on Transportation today.

Assemblyman Sprinkle:

How did you determine that 30 days was a long enough period of time for the RV owner to have to respond to the public notice? It seems a little short to me.

Senator Goicoechea:

Section 1.2 goes through the notification process—you publish a notice of the lien in a newspaper of general circulation. In that lien, the claim must be itemized; the amount of the claim must be stated in the notice. An attempt must be made to notify the owner by certified mail at their last known address. This avoids the conflict in acquiring title to a vehicle that you do not own. The Department of Motor Vehicles (DMV) is comfortable with this process. They would be the ones issuing the title. They want to make sure they have all the holes plugged, so to speak, so that they are not liable for having a private property owner haul someone else's property to the landfill.

Vice Chair Dickman:

Are there any other questions for Senator Goicoechea?

Assemblyman Carrillo:

Why does this bill require a two-thirds majority in order to be adopted?

Senator Goicoechea:

I believe it no longer does. With the amendments ([Exhibit C](#)) we have proposed, the bill does not have a fiscal impact.

Vice Chair Dickman:

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

**Sean McDonald, Administrator, Division of Central Services and Records,
Department of Motor Vehicles:**

We worked with Senator Goicoechea to find a framework that would fit with DMV processes that we currently have in order to integrate this. We are neutral on the bill as a Department, but this is a workable solution. The initial piece had a sizable fiscal note, but we were able to cut that out, other than some regulations that we might have to establish. What you see before you today fits exactly within our framework.

Vice Chair Dickman:

Are there any questions from the Committee? [There were none.] We will now take testimony in support of the bill. [There was none.] Is there any other neutral testimony? [There was none.] Is there any opposition? [There was none.] Senator, do you have any final comments?

Senator Goicoechea:

No, I do not.

Vice Chair Dickman:

We will now close the hearing on S.B. 110 (R1), and we will open the hearing on Senate Bill 410 (1st Reprint).

Senate Bill 410 (1st Reprint): Revises provisions relating to motor vehicles. (BDR 43-705)

Senator Pete Goicoechea, Senate District No. 19:

Senate Bill 410 (1st Reprint) is a fairly simple bill. It was brought forward on behalf of a Moapa Valley school in Logandale. In Clark County, there are a number of school districts that do not have white activity buses and are running the standard yellow school buses. It was brought to our attention that under statute, a yellow school bus is not allowed to exceed 55 miles per hour. When they were on activity trips to Tonopah, Nevada, to Needles, California, or wherever, they could not exceed 55 miles per hour. It became a public safety issue—they were running on Interstate 15, which has a posted speed limit of 75 miles per hour. Trucks were blowing them off the road. On behalf of the principal in Moapa Valley and the principals of a number of other rural schools, we have brought this bill forward. There was one simple amendment offered by Clark County School District. It says that any activity bus, not a route bus, can travel the posted speed limit. There is not any amendment language that has been proposed to your Committee. It replaces the restriction for a school bus when transporting pupils to and from school activities to not exceed the posted speed limit. An activity bus can drive at the speed limit, rather than the 55 miles per hour required by the older law.

Vice Chair Dickman:

Are there questions? [No response.] I have a question. What does section 1, subsection 3, paragraph (b), refer to? It changes from "the speed limit set by law for school buses" to "55 miles per hour." Does that apply to young drivers?

Senator Goicoechea:

When we put this legislation in, we wanted to make sure that there is a provision in state law that allows for students driving to and from school in rural areas. They have a restriction that they not exceed 55 miles per hour. We wanted to make sure that remained in statute. We are maintaining the 55 miles per hour speed limit for those students driving to and from school if that is a requirement on their licenses.

Vice Chair Dickman:

Are there any questions?

Assemblyman Carrillo:

In section 1, subsection 1(a), there is language about a population cap. Are the only ones able to modify their school bus speed limits those who are in rural areas, or would this apply to larger population areas as well?

Senator Goicoechea:

That is existing language. Our intent is that a yellow bus used for an activity bus would be allowed to drive at the posted speed limit.

Vice Chair Dickman:

Are there any other questions? [There were none.] We will now take testimony in support of S.B. 410 (R1).

Craig M. Stevens, Director of Intergovernmental Relations, Government Affairs, Community and Government Relations, Clark County School District:

First of all, I want to thank Senator Goicoechea for working with us on this. When my risk management people first saw the original bill, they were concerned that our costs would go up because getting every bus to the speed limit could increase the accidents and damages. He understood that issue right away. We worked out this amendment, which only allows for activity buses to increase their speed. We are in full support. We hope this bill goes forward. As far as Assemblyman Carrillo's question, the first section addresses students driving. The part regarding the speed limit for school buses is in section 2.

Vice Chair Dickman:

Are there any questions? [There were none.] Is there testimony in opposition to the bill? [There was none.] Is there any neutral testimony? [There was none.] We will close the hearing on S.B. 410 (R1). We will now open the hearing on Senate Bill 209.

Senate Bill 209: Revises provisions governing a designation of veteran status on drivers' licenses and other documents issued by the Department of Motor Vehicles. (BDR 43-1009)

Caleb Cage, Director of Military and Veterans Policy, Office of the Governor:

I am assisting Senator Greg Brower's office in presenting this bill. I have with me Director Katherine Miller from the Department of Veterans Services. Senate Bill 209 is pretty cut-and-dried. I have a couple of background notes I would like to go over.

The Legislature passed Senate Bill No. 244 of the 77th Session that allowed for the veterans designation on driver's licenses, permits, et cetera, issued by the Department of Motor Vehicles (DMV). In the interim it was brought to our attention through the public convenings around the state that veterans were having difficulty because of a requirement that stated DMV would only accept DD Form 214, which is the discharge document for members exiting the military. The form describes the type of service and whether it was an honorable or dishonorable discharge. There are at least 15 other documents that World War II veterans received that show the disposition of discharge and would allow for the same sort of benefits, such as the veterans designation we are discussing here. These include several other documents that came from each of the branches of the military prior to the issuance of the DD Form 214, as well as National Guard Bureau documents. This bill removes the language from statute that requires the DD Form 214 specifically and replaces it with language that leaves it open to "evidence satisfactory to the Department" to ensure the applicant is honorably discharged. When we originally presented this bill, there was a question of whether the Department of Veterans Services, the Office of the Governor, and others would work with the DMV to ensure that the documents were the appropriate documents. We would be happy to do so.

Vice Chair Dickman:

Are there any questions from the Committee? I have a question about the wording, "an honorable discharge or other document...." Is a list of documents that will be acceptable going to be provided? How would someone know what documents they need to present?

Caleb Cage:

Currently we have a list of 15 documents that would show the honorable disposition of service for the veteran as required in statute. We would be happy to sit down with our counterparts at the Department of Motor Vehicles and to reach out to the veteran community throughout the state to let them know which documents can be used going forward.

Assemblyman Sprinkle:

You said this came up during the interim. Do you know approximately how many people were rejected because they lacked the DD Form 214?

Katherine Miller, U.S. Army Col. (Ret.), Director, Department of Veterans Services:

I have personally been contacted by five individuals who were discharged pre-1950 when the DD Form 214 came out. One of them, who is still driving, asked me if we could make sure the rule changed before he died. There are some National Guardsmen who have other forms of official documentation that

show honorable discharge. I can only anecdotally tell you of the five. I have heard from many other veteran service community members that this is true.

Assemblyman Sprinkle:

Was the situation alleviated for those five?

Katherine Miller:

Not yet. At this point, the law requires that they provide the DD Form 214, which only came into existence in 1950. I have their names, so if this rule changes I can contact them.

Assemblyman O'Neill:

I think Ms. Miller just answered my question. I received an email from a World War II veteran a week or two ago. He had been denied his veteran status. Do you have a list of those who have been affected?

Katherine Miller:

I do. I have the list of the five who contacted me. I will send an email to you to get that name to add to the list. Should the statute change, I will reach out to them.

Assemblyman O'Neill:

I am sure it will change. Nevada is not unique. Can we copy the language other states use on these requirements? The gentleman who emailed me quoted another state's statute.

Caleb Cage:

That is probably the same gentleman I was in contact with recently. He provided me a website for Massachusetts that had quite a few. We have those in there and will certainly be digging to make sure we have all of them. The fact that it is open language allows it to be adjusted as new documents come out.

Vice Chair Dickman:

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

Caleb Cage:

I want to add one more thing. Just prior to this hearing, Mr. Ernie Adler pointed out that this only deals with driver's licenses, and not with identification cards. That is an oversight that should be addressed. The DMV-issued identification cards are something we support. I spoke to the Department of Motor Vehicles representative, and they support it as well.

Vice Chair Dickman:

Is there any testimony in support of S.B. 209?

Ernie Adler, Private Citizen, Carson City, Nevada:

I am testifying in support of the bill. While talking with Bradley Wilkinson at the Legislative Counsel Bureau on Monday, I discovered that S.B. 209 does not cover identification cards for veterans. I think that is critical because these are the people who cannot drive. Making it harder for them to get this designation on their personal identification is probably a more important issue than the driver's license case. I believe the only thing you need to do to fix this is include *Nevada Revised Statutes* (NRS) 483.852, which addresses identification for veterans through DMV.

Vice Chair Dickman:

Let us check with legal. Would that work, Ms. Mundy?

Melissa N. Mundy, Committee Counsel:

I will take a closer look at that section to make sure. Regardless, that should be an easy change to include.

Vice Chair Dickman:

Do we have any questions for Mr. Adler? [There were none.]

Terri L. Albertson, CPM, Administrator, Division of Management Services and Programs, Department of Motor Vehicles:

The Department of Motor Vehicles is here today in support of S.B. 209. We would be more than happy to work with Mr. Cage and Ms. Miller in formulating the list of acceptable documents. Mr. Cage discussed with me the oversight in not including the identification cards in this bill. We would also want to consider adding this provision to the commercial driver's license section as well, since there is a bill that is going to allow a waiver of the commercial driver's license test for those coming out of the military who have proven they have the appropriate training. We would suggest that Legal correct that oversight also.

Vice Chair Dickman:

Are there any questions for Ms. Albertson? [There were none.] Do we have any testimony in opposition to the bill? [There was none.] Is there any testimony in neutral? [There was none.] Are there any closing comments? [There were none.] We will now close the hearing on S.B. 209. I would like to move this today, but we have amendments that need to be written, and the Chair is not present. Is there any public comment? [There was none.] This meeting is adjourned [at 3:49 p.m.].

RESPECTFULLY SUBMITTED:

Joan Waldock
Committee Secretary

APPROVED BY:

Assemblyman Jim Wheeler, Chair

DATE: _____

EXHIBITS

Committee Name: Assembly Committee on Transportation

Date: May 12, 2015

Time of Meeting: 3:17 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 110 (R1)	C	Senator Pete Goicoechea	Proposed Amendments