

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

**Seventy-Eighth Session  
May 14, 2015**

The Committee on Transportation was called to order by Chair Jim Wheeler at 3:20 p.m. on Thursday, May 14, 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](http://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](mailto: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  
Assemblywoman Marilyn K. Kirkpatrick  
Assemblyman P.K. O'Neill  
Assemblyman Stephen H. Silberkraus  
Assemblywoman Ellen B. Spiegel  
Assemblyman Michael C. Sprinkle  
Assemblywoman Melissa Woodbury

**COMMITTEE MEMBERS ABSENT:**

None



**GUEST LEGISLATORS PRESENT:**

Senator Moises (Mo) Denis, Senate District No. 2  
Senator Scott T. Hammond, Senate District No. 18  
Senator Mark A. Manendo, Senate District No. 21

**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:**

Brian O'Callaghan, Government Liaison, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department  
Michael Buttars, Detective, FCB/VIPER, Las Vegas Metropolitan Police Department  
Jason Daniels, Officer, Police Department, City of Reno  
Tom Allen, Sergeant, Las Vegas Metropolitan Police Department  
Blair Harkleroad, Lieutenant, Headquarters Personnel, Nevada Highway Patrol, Department of Public Safety  
Scott F. Gilles, Legislative Relations Program Manager, Office of the City Manager, City of Reno  
David Cherry, Intergovernmental Relations Specialist, Intergovernmental Relations Division, Public Affairs and Economic and Cultural Development, City of Henderson  
Chad Brown, Sergeant, VIPER, Las Vegas Metropolitan Police Department  
Terri L. Albertson, C.P.M., Administrator, Division of Management Services and Programs, Department of Motor Vehicles  
Traci Pearl, Administrator, Office of Traffic Safety, Department of Public Safety  
Erin Breen, Director, Vulnerable Road Users Project, Transportation Research Center, University of Nevada, Las Vegas  
Ricki Y. Barlow, Member, City Council, City of Las Vegas  
Chuck Callaway, Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department  
John Fudenberg, D-ABMDI, Coroner, Government Affairs, Office of the Coroner/Medical Examiner, Clark County  
David Clyde, Government Affairs Administrator, Government Affairs, Regional Transportation Commission of Southern Nevada

Juanita Clark, representing Charleston Neighborhood Preservation,  
Las Vegas, Nevada  
Vanessa Spinazola, Legislative and Advocacy Director, American Civil  
Liberties Union of Nevada

**Chair Wheeler:**

[Roll was called.] I will be turning the meeting over to my Vice Chair, Assemblywoman Dickman. I will be back for the work session

[Assemblywoman Dickman assumed the Chair.]

**Senate Bill 404 (1st Reprint): Makes certain changes concerning registration of mopeds. (BDR 43-1016)**

**Senator Moises (Mo) Denis, Senate District No. 2:**

I am here to present Senate Bill 404 (1st Reprint) for your consideration. Senate Bill 404 (R1) requires a onetime registration of mopeds with the Department of Motor Vehicles (DMV). Existing law defines a moped as a motor-driven scooter, a motor-driven cycle, or a similar vehicle propelled by a small engine which produces not more than 2 gross brake horsepower, has a displacement of not more than 50 cubic centimeters, or produces not more than 1,500 watts final output. In addition a moped is designed to travel on not more than three wheels in contact with the ground, and is capable of a maximum speed of not more than 30 miles per hour on a flat surface. This term does not include an electric bicycle.

Why is this important? Currently mopeds need not be registered with the DMV; however, moped theft is a serious issue in Clark County and around the state. I have received numerous calls from constituents whose mopeds have been stolen and they have had difficulty recovering their property, if they are able to recover it at all. Tow lots in southern Nevada are literally overflowing with stolen mopeds. The issue is nearly as big a problem for tow lots as it is for the owners. Since the vehicles are not registered, there is little recourse for either party.

What does it do? This bill requires the owner of a moped to register the vehicle with the DMV before operating on any highway of the state. The owner must bring the moped to the DMV for an inspection to verify that the vehicle meets the definition of moped and pay a onetime registration fee of \$33. In addition, the owner must pay required fees and a governmental services tax based on the value of the moped at the time of registration. A moped registration is valid until the owner transfers ownership of the vehicle or cancels the registration

and surrenders the license plate to the DMV. Moped owners must carry a certificate of registration in the tool bag or other convenient receptacle attached to the vehicle. However, moped owners need not maintain liability insurance for the vehicle. The DMV must issue one license plate to the owner of a registered moped, which must be distinct in appearance from the license plate of a motorcycle. This bill also allows disabled vehicle owners to obtain and use special license plates and parking stickers applicable to mopeds.

To be clear, S.B. 404 (R1) simply requires mopeds to be registered with the DMV in an effort to protect Nevadans and ensure that stolen vehicles may be returned to their rightful owner. This does not require insurance for mopeds. It does not require an operator to wear a helmet or have a motorcycle license, nor does it require any sort of class or training in order to ride a moped. The easiest thing would have been to make all mopeds motorcycles, but owners would then need to have motorcycle licenses, insurance, helmets, and all of that. Many moped purchasers have this as their only mode of transportation, and they do not have a lot of money. We wanted to provide a way to reduce the costs and not have an ongoing cost, which is why we are trying to do it as a onetime plate. In order for the DMV to pay for the plates and things, we determined to do a onetime plate.

Much work has gone into Senate Bill 404 (R1), which reflects input from the DMV, the Las Vegas Metropolitan Police Department (Metro), legal counsel, and other police departments throughout the state. The current version of the bill reflects amendments developed in consultation with these stakeholders as well as language from the DMV, which greatly reduces or eliminates the DMV fiscal note. In addition, this will not take effect immediately, as the DMV will have to modify their computer program. As the DMV does other programming, they will do this, which reduces the fiscal note. That concludes my presentation. I urge your support of the bill as it proposes a much-needed solution to the problem of moped theft in southern Nevada. I am happy to answer questions. We have a presentation from Metro and testimony from others.

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

In the south, I have Detective Michael Buttars with our Vehicle Investigations Project for Enforcement and Recovery (VIPER) task force. Trooper Crawford is with him. I will have Detective Buttars begin this presentation. When it gets to the section of the Reno Police Department (RPD), I will have Officer Jason Daniels come up and explain his section. Also testifying in support is Trooper Lieutenant Harkleroad.

**Michael Buttars, Detective, FCB/VIPER, Las Vegas Metropolitan Police Department:**

I have been part of the Auto Theft section since February 2009. I appreciate this opportunity to present to you what we have noticed as an increased issue here in Clark County and in the state of Nevada in regard to moped thefts. After the first slide of the PowerPoint presentation ([Exhibit C](#)), you will see what I am speaking about. I got this [slide 2, ([Exhibit C](#))] from the TaoTao website to give you an idea of what these vehicles look like. There is very little description of the difference between a 49cc up to a 150cc motor. The makes and models will vary by engine; however, the style and design is the same and many times the speed is unknown. We are not talking about bicycles, but true scooters. Many of them would fall under the classification of a motorcycle, but many others are truly still just mopeds.

Slide 3 ([Exhibit C](#)) shows you what we have seen in Clark County for the Las Vegas Metropolitan Police Department. I began gathering this information in 2012, and I have started analyzing it. For the next three-year period—2012, 2013, and 2014—I have listed the statistical data. We saw an increase in thefts of those types of vehicles. In 2012, there were 613 thefts. In 2013, the number was 763. In 2014, 997 mopeds were stolen. That is what we have experienced locally. I reached out to see if this was a problem anywhere else in the state, or if it was just a problem in Las Vegas. At this juncture, I would like to turn it over to my counterpart from the Reno Police Department.

**Jason Daniels, Officer, Police Department, City of Reno:**

I am a former auto theft detective for the Reno Police Department. As you can see by the statistics [slide 4, ([Exhibit C](#))], we have had a similar increase in moped thefts. In 2012, there were 121 thefts; in 2013, it was 160. We had six months representing 2014 at the time we produced this data—there were 45 thefts. We saw a steady increase throughout the three years.

**Brian O'Callaghan:**

I will keep the officer up here for questions after the presentation.

**Michael Buttars:**

Slide 5 ([Exhibit C](#)), showing statistics from Sparks, is similar to the statistics we received from at-that-time Detective Daniels of the Reno Police Department on their thefts. An interesting thing is that in May of 2013, they had a whopping 11 thefts. I had no idea Sparks even had that many mopeds. Mopeds are being stolen throughout the state.

Slide 6 ([Exhibit C](#)) shows thefts both northern and southern Nevada. Please keep in mind that for Reno and Sparks, the concluding quarter of 2014 had not been completed, so these are lowball data. The total number of reported moped thefts by these four agencies is 2,945. We are at approximately 3,000 thefts for that three-year period, but at an increase.

What does that represent? Slide 7 ([Exhibit C](#)) is a picture of one of our tow yards in southern Nevada. These are not all stolen mopeds; some are there after being privately towed unbeknownst to the owner. This is how many mopeds were stolen in the City of Henderson in the three-year period. If I had a victim standing next to each one of those mopeds, those would be the victims for the City of Henderson during that period.

Slide 8 ([Exhibit C](#)) shows the number of victims in northern Nevada: the Reno and Sparks police departments reported roughly 400 thefts. Slide 9 ([Exhibit C](#)) shows one year's thefts in the Las Vegas Metropolitan Police Department jurisdiction, which excludes the City of North Las Vegas and the City of Henderson police departments. Our one-year average was 800 thefts and the number is rising. Slide 10 ([Exhibit C](#)) represents total thefts in Nevada for that three-year period.

What does that mean? Slide 11 ([Exhibit C](#)) is from the National Insurance Crime Bureau motorcycle theft report put out in 2014 for the year 2013. They rank Nevada eleventh in motorcycle thefts for the country. Slide 12 ([Exhibit C](#)) shows an interesting part of that report. The report noted the highest increases in motorcycle thefts. The TaoTao Group, manufacturers of moped scooters, ranked sixth in thefts, with an 84.9 percent increase. Below them, Astronautic Bashan shows an increase of 25.6 percent. Number 12, Jonway Group, shows an increase of 59.7 percent. Not only does the motorcycle theft report show an increase in stolen motorcycles, it shows that what made Nevada rise to number 11 was the increase in stolen mopeds and scooters.

Slide 13 ([Exhibit C](#)) shows what is reported to the Federal Bureau of Investigation under the Uniform Crime Reporting Program. I would like to draw your attention to the western region, where the statistics are broken down to autos, trucks and buses, and other vehicles. Other vehicles would include trailers, boats, motorcycles, and mopeds. As part of the western region, Nevada should be at about 8 to 10 percent. Las Vegas Metro has experienced reported thefts of mopeds at 20 percent, second only to mid-1990s Hondas.

Slide 14 ([Exhibit C](#)) shows the costs of model 50s with 49cc motors at local dealerships—hundreds to thousands of dollars. Slide 15 ([Exhibit C](#)) shows you a cheaper model for about \$650. Others listed sell for around \$1,000. Slide 16 ([Exhibit C](#)) shows the losses suffered by victims of moped thefts. mopeds are fairly new. They became popular after the crash of the stock market, around 2012, when gas prices were very high. With incomplete statistics from the City of North Las Vegas, Reno, and other jurisdictions, the 3,000 number is a lowball figure. Taking that number and the low or high average cost of a moped, victims of moped theft have lost millions of dollars.

Slide 17 ([Exhibit C](#)) shows what would help solve the problem. Currently, many owners are unable to report their vehicles stolen. Those who purchased from dealerships have a manufacturer's statement of origin, similar to a "Dealer Report of Sale" or green slip, which would be sent to the DMV for titling purposes or for a certificate of ownership, proving ownership. Without that record or registration through the DMV, with a certificate the owner carries, we are very limited in what we can enter into the National Crime Information Center as a stolen vehicle. If you reported your vehicle stolen, there would be a record verifying that you are the owner so that we can enter your vehicle as stolen. Without proof of ownership, it would be negligent on our part to enter a vehicle identification number (VIN) as stolen, then recover it, and give it to another person. That is based on the standard for National Crime Information Center and the Nevada Criminal Justice Information System, through their link in the state system.

Slide 18 ([Exhibit C](#)) shows why the solution is registration of mopeds. Some of the issues that we run into and the solutions are in enforcement and recoveries. We are unable to identify many of these mopeds or their owners. Those would be from abandoned property, from arrests, from various mopeds that have not come to us with proper paperwork to show that they are stolen. Also, when we have suspects on a moped that has been listed with us as stolen, once we go to the level of prosecution, without that record in the DMV there are very low prosecution levels for moped thefts. The district attorney's office looks at it as, unless you can prove there is a true victim of the crime, no crime has occurred. Many times suspects walk away with a slap on the wrist after having stolen our citizens' mopeds and sold them to another unsuspecting purchaser.

The last issue that we see as auto theft detectives is those assumed stolen mopeds we showed earlier. If they were able to get a report from us, then once we recover it and their name is on a recovery, their moped is returned to them because they have proven ownership. Many owners are unable to have a report taken because they are not able to state that the moped is theirs. If that moped is ever found or impounded, whether under a private tow or a police tow, it sits

in the lot. The tow companies that do a lien title sale would normally send a letter to the registered owner's address notifying him or her that their vehicle is there for them to pick up, and they quickly get it back to them. That is not the case with these mopeds; they sit there. Within a couple of months, they go through the lien sale process. That is what you saw pictured—a bunch of mopeds in a lien sale process.

Slide 19 ([Exhibit C](#)) has some outdated figures, but it shows what we hope we can do for victims, and your constituents, often thousands of them, and the number will increase. Hopefully, we can get this registration set up so they will be able to verify and say that it is their vehicle. I broke it down to a cost that we hope is minimal. I looked at gas prices just today. We are at around \$3.20 per gallon. If you broke it down monthly, the registration fee equals a gallon of gas per month. Hopefully it is lower than that. In contrast, they are out hundreds, even thousands, of dollars from the initial theft if they are unable to make a report. They will never have that vehicle brought back to them because they have no record stating that it is truly their vehicle. They are not only going to be out the hundreds and thousands of dollars from the initial purchase, but also from any subsequent purchase of a vehicle they purchase to replace it.

**Vice Chair Dickman:**

Are there any questions from the Committee?

**Senator Denis:**

Madam Chair, before we do questions, I have Senator Hammond here. We have a Senate committee hearing to attend. If we could get his comments on the record, it would be helpful.

**Senator Scott T. Hammond, Senate District No. 18:**

I am Chair of the Senate Committee on Transportation. The reason I came is to support the work Senator Denis has done in this area. As you have heard from the presentation, this has become a huge problem in southern and northern Nevada. As a result of much work, Senator Denis has been able to find a solution that we can use immediately. It comes with a minimal cost for those who would like to protect their investment. A lot of people who buy mopeds use them as their primary vehicle. They use them to get to school and back home or to work and back home. For a minimal investment, depending on where you live in the state, this is a practical solution that can solve the problem immediately, instead of waiting another three years for the DMV to be



able to get around to making the necessary corrections in the database. I am in full support of this bill. If Committee members have any questions, you can come to us offline, if need be, or ask your questions in the hearing. This is something I believe needs to be handled immediately.

**Vice Chair Dickman:**

Does anyone have any questions for Senator Hammond? [There was no one.]

Does anyone have any questions for Mr. Buttars? [There was no one.] Does anyone have any questions for Senator Denis?

**Assemblyman Sprinkle:**

I do not have too much issue with the policy behind this. I am curious about the exemption for smog checks and insurance.

**Senator Denis:**

We are not changing any of that; it is existing statute. We did not put any insurance in there because currently there are laws in place for mopeds to drive that do not require insurance. I did not put in a requirement for moped drivers to wear helmets or to have a motorcycle license either. The big problem we have right now is theft. If we can get mopeds registered, that is the first step that we need to take. After that, we can look at transportation issues as we move on to the future.

**Assemblywoman Spiegel:**

Would mopeds now be subject to the governmental services tax?

**Senator Denis:**

Correct.

**Assemblywoman Spiegel:**

Is that in addition to the registration?

**Senator Denis:**

The moped owner would pay the \$33 registration fee. For most mopeds of between \$500 and \$1,500 in value, there would be a tax of approximately \$30. We estimated it would be around a \$60 onetime fee. They would not have to pay the governmental services tax every year like they would have to with a car or a motorcycle.

**Assemblyman O'Neill:**

This is a great bill. There is one problem with it—you did not allow me to put my name on it as cosponsor. We have been trying to address this issue for several sessions. I think this is a very fair and simple solution to the problem.

The one question I have, if I understand the bill correctly, does the moped owner have to take his moped down to the DMV to get an inspection? Right now with my motorcycle or car, I can take my dealer's report of sale, which the DMV accepts as the VIN check. If I read this correctly, I have to take a brand-new moped in to have it inspected.

**Senator Denis:**

In whatever way registration of a new motorcycle is done, you would register a moped. If you have the paperwork, you would take that with you. If you are buying it used, you would have to take it to the DMV to be inspected.

**Assemblyman O'Neill:**

That is what I wanted to make clear.

**Senator Denis:**

The issue of not having you listed as a cosponsor of this bill can be changed.

**Assemblyman O'Neill:**

If you would allow me, I would love to be a cosponsor.

**Assemblyman Carrillo:**

A lot of the rural counties do not have DMV offices. I cannot picture the owner of a moped driving it to the DMV to be inspected.

**Senator Denis:**

Whatever is the current means of having inspections done in the rural areas would not be changed by this bill. There must be a method of doing that already in place.

**Assemblyman Carrillo:**

Mr. Buttars, we have worked on these issues in the past. This is the first time we have discussed registration only. In the past, we have included helmets and insurance. I figure it is just a matter of time before we tack those on.

I want to understand what you are telling the Committee. In Metro's jurisdiction you currently have 2,336 mopeds in recovery yards. Do you hold auctions? If you sell them, do you issue some type of paperwork? If this bill were to go through, how would you address that?

**Michael Buttars:**

It sounds like there are two questions. The hard data for moped thefts is for all of Nevada. In that three-year period, we had 2,945 thefts reported. If we recovered those stolen mopeds, they would be released to the victims.

The issue that we see is with those who are unable to have a report taken because they do not have proper proof of ownership. When those mopeds are recovered there is no theft record and they go through the lien sale. Another problem is that many others—I would go as far as to say it is double the number—go unreported as stolen. Those we will never get back to the victim. We do not have any record that they are victims.

**Tom Allen, Sergeant, Las Vegas Metropolitan Police Department:**

Many mopeds are towed on a daily basis. They are not registered, so we cannot return them to their owners. Also, on a daily basis, we have people come to the police station wanting to report their mopeds stolen, but they either do not know their VIN or they have no record for proving their VIN so we cannot take a report. These are the ones ending up in the tow yards. The picture that Detective Buttars showed you is representative of the many victims that are coming to the substation without proper paperwork for making theft reports.

**Assemblyman Carrillo:**

A lot of these go through a chop shop where their VINs have been removed or replaced. A chop shop may have multiple stolen mopeds with new VINs that do not match what the DMV has on file. How would you return them to their owners?

**Michael Buttars:**

Part of our job, and duty, is to do the best that we can to identify these vehicles. We have methods we can use to restore VINs. If we are able to do that and we can match the VIN to an actual victim, we will return it to the owner.

However, with an altered VIN under *Nevada Revised Statutes* (NRS) 482.553, the moped would be considered unidentified, and it would be destroyed, similar to what we do with a vehicle in a chop shop—if there are no serial numbers to identify it through our means, it will never be identified and is destroyed. The process is similar to what we do with firearms with obliterated serial numbers—they are destroyed. If we can reidentify a moped, we will return it to the owner. If there is no record of who owns it, it sits in the tow yard.

**Vice Chair Dickman:**

Do we have any more questions?

**Senator Denis:**

I just received a note regarding inspections in the rural areas. Law enforcement helps there, doing some of the inspections. There is some sort of mechanism already in place.

**Assemblyman Carrillo:**

What do they do? Can verification be done through a law enforcement officer?

**Jason Daniels:**

That is correct. At the Reno Police Department, we have a form that can be filled out. I am sure that rural agencies are similar. We can do a VIN inspection for them, which they can take to the DMV to register the vehicle.

**Vice Chair Dickman:**

I will take testimony in support of Senate Bill 404 (1st Reprint).

**Blair Harkleroad, Lieutenant, Headquarters Personnel, Nevada Highway Patrol,  
Department of Public Safety:**

We are here in support of Senate Bill 404 (R1).

**Scott F. Gilles, Legislative Relations Program Manager, Office of the City  
Manager, City of Reno:**

The City of Reno supports this legislation.

**David Cherry, Intergovernmental Relations Specialist, Intergovernmental  
Relations Division, Public Affairs and Economic and Cultural Development,  
City of Henderson:**

I am here to express the support of the City of Henderson Police Department for the passage of S.B. 404 (R1). As you heard, this is legislation that will help allow the City of Henderson Police Department to return mopeds to their rightful owners and to help residents of Henderson recover their stolen property. As you saw in the photo, that is 200 lost or unclaimed mopeds in a three-year period of time.

**Vice Chair Dickman:**

Are there any questions? [There were none.] Is there any more testimony in support of the bill?

**Chad Brown, Sergeant, VIPER, Las Vegas Metropolitan Police Department:**

I have been in charge of the VIPER auto theft task force since 2008. I am definitely in support of this bill. I have seen thousands of victims wanting to get their property back. It is time that we get mopeds registered and get their

property back to the victims of theft. I have a couple of victims who have had three mopeds stolen. They have spent thousands of dollars. All they are looking for is to get their property back.

**Vice Chair Dickman:**

Do we have anyone else in support of the bill? [There was no one.] Is there testimony in opposition? [There was none.] Is there neutral testimony?

**Terri L. Albertson, C.P.M., Administrator, Division of Management Services and Programs, Department of Motor Vehicles:**

We want to thank Senator Denis for working with us on this bill. As amended, it removes the fiscal impact as far as the computer programming is concerned. What will remain in the fiscal note is the revenue that we anticipate will be generated from the registration and governmental services tax.

**Vice Chair Dickman:**

Are there any questions? [There were none.] Is there any more neutral testimony? [There was none.] Senator Denis, do you have any closing comments?

**Senator Denis:**

In having a discussion with the DMV, apparently there is an issue with the inspection being done by law enforcement because of the way the bill is written. The bill says the inspection must be done by the DMV. In the rural areas, that would be difficult to do. I would propose that we amend that part. I do not want to slow anything down so that we do not miss deadlines. It would be helpful to clarify that. We could not amend it and have owners go to the DMV, but in many areas that might be difficult. It would be helpful if we could fix that.

**Assemblyman O'Neill:**

Could we make a conceptual amendment to add my name as a cosponsor of the bill and to mirror VIN inspections done on other motor vehicles, which allows law enforcement officers to do that?

**Terri Albertson:**

In section 1, subsection 4, the bill language requires that the applicant for registration of a moped allow the Department to inspect the moped for verification that it meets the definition of moped. This distinguishes the VIN inspection and the requirement for meeting the definition of a moped. Perhaps we could allow either the Department or law enforcement to verify the vehicle definition is met prior to providing that information to the Department for registration. I think Senator Denis could work on a conceptual amendment and

accomplish that without having to place an unnecessary burden on those in the rural areas if law enforcement is willing to do the VIN inspections and also is allowed to do the verification that it meets the definition of a moped.

**Assemblyman Carrillo:**

The term "enable" has been popular this session. Section 16 of the bill says that the act becomes effective upon passage and approval for purposes of adopting regulations and preparatory administrative tasks necessary to carry out its provisions. For all other purposes, it becomes effective January 1, 2017, or the date the DMV provides notification that sufficient resources are available to enable the Department to carry out the act's provisions. My question is, what kind of education campaign is going to be put in place to inform the public that mopeds must be registered in order to not be ticketed by Metro?

**Senator Denis:**

I would envision the campaign to be similar to what took place with the driver's authorization card. We would work with law enforcement, the DMV, and community groups to get the word out. I do not know that the law specifically talks about a period of time in which drivers will not be issued citations. We will have to work with law enforcement on that.

**Assemblyman Carrillo:**

The reason I asked the question is that not everyone is on social media, watches television, or reads the paper. People go about their lives, do their daily jobs, but may not be aware that this bill is passing. They might be told by other moped riders in their community. Will Metro have a campaign to let people know? Will unregistered moped drivers get a warning ticket the first time? We have 2,945 mopeds that have been recovered. That could be a lot of riders being pulled over by Metro or other jurisdictions.

**Brian O'Callaghan:**

You are absolutely correct. We will do the same thing we did with driver use of cellphones. There was education involved—we were on television, we were on the radio. I am sure there are some radio outlets up in Reno that would carry the information. There is going to be a time period when warning citations will be given out. With anything new, there is a process of educating the public. This act will not be implemented until 2017.

**Vice Chair Dickman:**

Are there any more questions?

**Senator Denis:**

Thank you for the opportunity to speak about this important issue. Hopefully, we can figure out how to fix that one issue and add Assemblyman O'Neill as a cosponsor as it moves forward.

**Assemblyman Carrillo:**

I hate to be hogging the hearing, but these are questions I feel should be put on record to ensure the process. What about those who own mopeds now, but do not have the documentation? How can they prove ownership?

**Brian O'Callaghan:**

The same way that is done with an off-highway vehicle (OHV). If I have an OHV, I still have to fill out the paperwork. That becomes mine. If there is no DMV record of the vehicle having been stolen, and they go through the whole process, ownership is established. Ms. Albertson can probably elaborate on that procedure.

**Assemblyman Carrillo:**

We have had conversations regarding title washing. I wonder if that is a concern regarding registration versus titling.

**Terri Albertson:**

The provisions that are currently in statute as far as registering and titling a vehicle apply to mopeds as well. The individual would have to provide the documentation to show they want to be the registered owner of that vehicle. In some cases, similar to OHVs, someone can register a vehicle but cannot title it because they do not have ownership documents. They would be able to obtain the license plate, which is the current practice, but may not be able to obtain the title unless they can actually prove ownership by having the appropriate documents. That would happen more in the case of private party sales, where vehicles have transferred ownership multiple times without a record.

**Vice Chair Dickman:**

We will now close the hearing on S.B. 404 (R1). We will open the hearing on Senate Bill 144 (1st Reprint).

**Senate Bill 144 (1st Reprint):   Revises provisions governing traffic laws.  
(BDR 43-72)**

**Senator Mark A. Manendo, Senate District No. 21:**

Early this session, we brought forward this bill. Six weeks into the year, there were 12 pedestrian deaths in Clark County, 9 deaths within the jurisdiction

of the Las Vegas Metropolitan Police Department. That is a 350 percent increase over the same period last year. A lack of basic infrastructure such as sidewalks, crosswalks, and signals as well as a person's age and the crossing distance are parts of the deadly equation. The most recent traffic data released from the Las Vegas Metropolitan Police Department shows that half of the deaths this year are due to pedestrian errors. I am going to give a little introduction, and then Ms. Traci Pearl will speak, and Erin Breen in Las Vegas will walk us through the bill. After that, I can try to answer some of your questions.

The average age of pedestrians being hit has also increased. A few years ago, pedestrians between the ages of 36 and 46 were most likely to be killed on Las Vegas roadways. Now, pedestrians in their 50s and 60s are dying more often. An average walker travels approximately 3.5 feet per second. A large segment of our elderly population cannot walk fast enough to cross the street. Officers are targeting intersections and crosswalks throughout the valley. Police and safety advocates state that it is the responsibility of everyone to reduce roadway deaths; thus the Pedestrian Education and Legislation Task Force and the state's Strategic Highway Safety Plan Pedestrian Critical Emphasis Area Team have been working over the last two years to craft Senate Bill 144 (1st Reprint).

I want to commend the City of Las Vegas for working on secondary lighting for sidewalks that will help keep pedestrians visible at night. They have also adjusted the timing of traffic signals to give pedestrians more time to cross the street. In southern Nevada beginning in March, there is a \$40 million project on Flamingo Road. For those of you unfamiliar with Flamingo Road, it is a very long stretch that has been a huge problem area for decades. We are working on that because Flamingo has such a high volume of pedestrian traffic, being right by the University of Nevada, Las Vegas (UNLV). There will be 100 new transit shelters, traffic signal upgrades, flashing lights, crosswalk signals, and additional crosswalks. All these things are working together to help make our roadways safer. We have had a coalition working on S.B. 144 (R1). I will yield. Ms. Pearl is going to talk about a few of the figures, Ms. Breen will walk us through the bill, and then I will have some additional comments.

**Traci Pearl, Administrator, Office of Traffic Safety, Department of Public Safety:**

I am here to provide data on who, what, why, and where regarding these crashes in Nevada. One of the handouts ([Exhibit D](#)) is a pinpoint map of the Las Vegas area, showing pedestrian crashes from 2008 to 2011. It also breaks those into three distinct groups: residents, visitors, and the homeless.



The second page is a blowup of that map, and I have provided the enlarged map by itself ([Exhibit E](#)). You can see definite corridors that have these problems. As Senator Manendo indicated, it has been a problem on Flamingo Road for decades.

The next handout is from the University of Nevada School of Medicine's Center for Traffic Safety Research and is a fact sheet ([Exhibit F](#)) they produced earlier this year. This information on crashes from 2008 to 2012 is strictly from Nevada trauma centers—one in northern Nevada and three in southern Nevada—also telling you the who, what, why, and where. This is a different five-year period with more recent data. It says that the median age group, the most common person to be killed in a pedestrian crash, is a male between 45 and 54 years old, during the months of August, March, and April. The most common body regions affected in pedestrian crashes were extremities, followed by head and/or neck and chest injuries. The second page gives you some cost figures in regard to pedestrian crashes and suspected alcohol use by either the driver or the pedestrian. It should be noted that 60 percent of all fatal pedestrian crashes involve either an impaired driver or an impaired pedestrian. It shows the median hospital charges at trauma centers in Nevada for pedestrian crash patients where alcohol use is suspected, as well as an interesting distinction between pedestrian crashes and hospital costs between northern Nevada and southern Nevada trauma centers. Hospital charges for the 35 percent of patients who did not have medical insurance was an average of \$5.8 million annually, or a median cost of \$47,034.

The final handout ([Exhibit G](#)) is a newsletter also from the Center for Traffic Safety Research. It is information only from the trauma centers. This is extended data from 2005 to 2012. All of these show similar information. Fifteen percent of the pedestrians killed were tourists. Tourists in Nevada have significantly higher injury severity scores, longer hospital lengths of stay, longer intensive care unit lengths of stay and accrue higher hospital charges and have more severe abdomen injuries in these pedestrian crashes. It is interesting to note the difference in the median costs. The median cost for a tourist is \$40,604, while for a Nevada resident, the median cost is \$30,747. Those are median costs for a pedestrian patient at a trauma center after one of these crashes. Is there any other information I can give you?

**Assemblyman Jones:**

Flamingo Road has a lot of accidents because it runs through high density residential areas. I drive around there occasionally. I often see people crossing through traffic in the middle of the road, not in the crosswalks. I do not know that building more crosswalks will make a difference. There are separate crosswalks for the students with safe zones on Maryland Parkway.

Do the people in these accidents care about using the safety precautions? Will building more safety precautions be effective? Do you have any statistics that show if these pedestrians were crossing in the middle of the roads, not at the intersections? Or, were they mostly at the intersections?

**Traci Pearl:**

I do not have that specific data with me; however, I believe Ms. Breen has more differential information on them. I do know that the most common pedestrian fatality involves a mid-block crossing—in other words, not crossing in the crosswalk. In Las Vegas, that is a significant problem. I think because of the long distances between traffic lights, the long distance of blocks, or the long distance between crosswalks, those people that get off the bus at a bus stop that is not at a crosswalk tend to want to cross right there. They do not want to walk half a mile down to the next crosswalk. Those are problems that the Department of Transportation (NDOT) Engineering Division and the pedestrian task force Senator Manendo referred to are working on. You mentioned the pedestrian islands on Maryland Parkway—those have significantly reduced pedestrian crashes in front of UNLV. Those kinds of improvements are expensive.

**Assemblyman Carrillo:**

Thank you for bringing this bill forward. At night sometimes you do not see pedestrians because they are wearing dark clothes, making them nearly invisible. You can have a near miss or even hit somebody and not realize it. Do you have information regarding the times of day when these pedestrian injuries happen? Do you break down the statistics into different times of day? If you go down Flamingo Road at 4 to 6 p.m. in the summertime, you are basically blinded by sunlight. It is not always necessarily the fault of the pedestrian, but it could be that the driver cannot see the pedestrian who may be out of a crosswalk or near a crosswalk.

**Traci Pearl:**

We do have that information, but I do not have it with me. I can certainly get that to the Committee. I do know that the pedestrian problem is the fault of both pedestrians and drivers. Right now it is pretty much fifty-fifty. We are working to educate pedestrians as well as drivers. This is just one piece of that puzzle. In educating pedestrians, we have conducted a lot of outreach and are conducting even more because of the spike in Nevada. In northern Nevada, it is a similar problem in regard to nighttime crashes when pedestrians are wearing dark clothes. In Washoe County, the problem streets are in urban areas with insufficient lighting and sidewalks, and having 35 to 40 miles per hour speed limits. Working with NDOT on those kinds of engineering issues, we are trying to hit the problem from all angles.

**Assemblyman Carrillo:**

When I cross Stewart Street behind this building, there are bright LED flashing lights. That is the safest I ever feel crossing a street, but I still wait to see if cars are going to stop. It is not as if I cannot be seen, but it might be nighttime when I am walking across the street. I know there is an area in front of the Eastside Cannery Hotel on Boulder Highway where there have been multiple crashes. The Department of Transportation has been doing some pedestrian crosswalk modifications. You can see cars coming at you. The flashing lights here seem as if they get drivers' attention and drivers react to them.

**Assemblywoman Spiegel:**

It is kind of shocking for me to look at the map and see so much of my district in it. My district covers the Flamingo corridor as well as the Maryland corridor. I have a question about section 1, subsection 4 of the bill. I think it is important that we have these safe pedestrian zones; however, it says in this section that somebody would be subject to an additional penalty even if the sign is not there. How can we make people be responsible for a violation that we do not ever tell them is a violation?

**Senator Manendo:**

Our intent would be that the signs would have to be posted. We can fix that.

**Assemblyman Jones:**

Looking at your handout ([Exhibit G](#)) about pedestrian injuries among tourists in Nevada, we have 76.6 tourists admitted to trauma centers annually as a result of pedestrian crashes. Out of 42 million visitors, that is a pretty low number, compared to other high-tourism areas like Los Angeles or Miami, is it not?

**Traci Pearl:**

I do not know the figures for the other cities. A big misconception in Nevada is that our traffic problems would involve a significant number of tourists because we have so many. The facts are not there. This tells you that it is not tourists. Crashes where people are not wearing seat belts are mostly Nevadans. The 24-hour lifestyle, three-shift work schedule, has a lot to do with that. Yes, that is a fairly low number for a tourist state like Nevada.

[Assemblyman Wheeler reassumed the Chair.]

**Chair Wheeler:**

Are there any further questions? [There were none.] We will take testimony in support of S.B. 144 (R1).

**Erin Breen, Director, Vulnerable Road Users Project, Transportation Research Center, University of Nevada, Las Vegas:**

I will walk the Committee through S.B. 144 (R1). I am here today representing the Southern Nevada Pedestrian Safety Education and Legislation Task Force, which requested this bill and firmly believes that this bill has the potential to save lives. There are several components in the bill. Do not let the weight of the bill scare you. It is mostly enabling language.

Section 1 speaks to government entities and to the Department of Transportation to establish pedestrian safety zones when research has been conducted and it has been determined by the entity that there is potential to correct a situation dangerous to pedestrians, thereby reducing crashes. The pedestrian safety zones would be treated much like a work zone and be clearly signed at the beginning and end. There is also the potential to increase fines within pedestrian safety zones if that enhancement is chosen. If it is chosen, that, too, must be clearly signed just like a work zone is signed. Sections 2 through 17 are enabling language, and are conforming language to existing law.

**Chair Wheeler:**

We do not need a walk-through of the bill. Members the Committee read our bills. If you could wrap it up, we would appreciate it.

[Assemblywoman Dickman assumed the Chair.]

**Erin Breen:**

Let me go over a couple of points that have been made and reasons that we have requested certain parts of the bill, such as the school zone language, the no U-turns in a school zone and a school crossing zone, and a no overtaking of another car in a school zone or a school crossing zone. We have school zones in the state that range anywhere from 15 to 25 miles per hour, depending on the street configuration and the age of the students. I would like to point out that at 15 miles per hour, 15 percent of the population struck will be killed. The majority of those will be small children and the elderly. If we look at raising the speed limit to 30 miles per hour—which can easily happen in a school zone because there are drivers who feel that as long as they lower their speed, they are being compliant in a school zone—then at 30 miles per hour, 50 percent of the population struck will die of their injuries. Speed is a critical problem. That is why we requested that part of this language.

One of the questions that was asked this afternoon was, what is the breakdown of who is at fault? If we are looking at pedestrian injuries, 50 percent of the time it is the pedestrian's fault, and 50 percent of the time it is the driver's fault. If we move to fatalities, 75 percent of the time in the last five years it is the pedestrian's fault. Last year, it might have been closer to 80 percent of the time it was the pedestrian's fault. It is also most often when it is dark and due to low lighting and fast streets. There is a push in Europe that has now hit 23 cities in the United States called "Vision Zero." This puts people over vehicles, safety over efficiency, and says that saving pedestrian lives is cheap. I do not know that we always think of pedestrian safety as being cheap, but when we are looking at lives—tourist lives or resident lives—they matter. Whatever the cost is to help them, we should be bearing it because we are losing more people as they cross streets. As everybody in Clark County knows, whether you are on Boulder Highway, Flamingo Road, or Maryland Parkway, lighting plays a huge role in pedestrian injuries and fatalities. The City of Las Vegas is currently looking at adding pedestrian-specific lighting in corridors where they have determined that lighting is low and foot traffic is high. With us today is Councilman Ricki Barlow. He would like to speak a little bit about the City of Las Vegas's efforts and his own support of this bill.

**Ricki Y. Barlow, Member, City Council, City of Las Vegas:**

I am pretty sure you all are very well aware of the issues that we have faced as a city and as a community as it relates to vehicular as well as pedestrian fatalities. I am in total support of the efforts moving forward because one life is too many to lose out on our city streets when we have an opportunity to take care of our citizens and put measures in place to protect vehicles as well as those precious lives that cross our streets on a daily basis. Thank you for your time and diligence as we address this very important matter.

**Vice Chair Dickman:**

Are there any questions from the Committee?

**Assemblyman O'Neill:**

How will I know that I am in a pedestrian safety zone on a highway?

**Erin Breen:**

First of all, pedestrian safety zones would never be established on a highway, unless we are talking about something like Boulder Highway in Clark County. If we were to look at something like Boulder Highway, we would probably be looking at trying out lowering the speed limit. The reality is that you would know because it would be clearly signed at the beginning of the zone and

clearly signed at the end of the zone, much like a work zone is. If there were increased penalties in a pedestrian safety zone, it would be very clearly marked.

**Senator Manendo:**

I see what you are talking about here. I saw that in the bill as well. I do not know if it is true in other parts of Nevada, but in Las Vegas, there are a lot of roads that go right through neighborhoods that will parallel an elementary school. Those roads are maintained by NDOT, not by the local jurisdictions. I think that was put in the bill to capture that, but it is permissive—they do not have to do it. As an example, in Assembly District No. 18, Nellis Boulevard goes from Tropicana Avenue all the way to Boulder Highway, cutting straight through. There are two churches, an elementary school, and mostly residences on that stretch, but NDOT maintains the road. If, for some reason, they wanted to put in a pedestrian safety zone, they could do that because they own that road, not the county.

**Assemblyman O'Neill:**

Would these zones be in effect 24/7? There are two different speeds through school zones, depending on whether the warning lights are on or off, when school is in session and when it is not. Would pedestrian safety zones be in effect all the time?

**Senator Manendo:**

If a pedestrian safety zone was put in place, it would be just like a work zone. As long as there is construction from point A to point B, that work zone is in place until it is removed. We have First Friday in Las Vegas. There may be an area where they would want to create a pedestrian safety zone. Because more and more pedestrians are spending time downtown, they might want to create zones on a road or two. Another example that comes to mind is that I have heard Carson Street in front of the Legislative Building is going to have a major makeover. I have heard it will be taken down to one lane in each direction, possibly from Highway 50 all the way to Fifth Street. Some of the side streets might be cut off and turned over for pedestrians to come out and eat and mingle and bring community and families together. Planners may want to create those as pedestrian safety zones. That example might stay in place, but it would be up to Carson City to determine that. Our thought was to give everyone an opportunity to do something if they wanted to, but certainly not mandate it.

**Vice Chair Dickman:**

Are there any more questions? [There were none.] Is there testimony in support?

[Assemblyman Wheeler reassumed the Chair.]

**Chuck Callaway, Police Director, Office of Intergovernmental Services,  
Las Vegas Metropolitan Police Department:**

We are here in support of S.B. 144 (R1). As you know, we are at around 104 fatalities in the state. That is 104 families that have been directly impacted by having their loved one killed in an accident. Anything we can do to curb that number is important. In Las Vegas, we have areas in the city that we call "hot spots" that are high in accident rates. This bill is permissive, allowing local jurisdictions to look at particular hot spots. If there is an excessive number of accidents in the area, that may be an area where we would want to create a pedestrian zone. Having that ability is a good thing.

One thing I would mention is that I have heard comments about the bill, saying that this bill could cause someone to go to prison for a year for making a U-turn. Under current law, traffic offenses are misdemeanors. Someone could spend six months in jail for any traffic offense—running a stop sign or making a U-turn—but in my 26 years of law enforcement experience, I am not aware of anyone serving a jail term for making a U-turn. It just does not happen. Usually people pay a fine for that type of thing. I am not saying it has never happened or that it could not happen, but I am not aware of anyone spending a significant amount of jail time for doing U-turns. I do not believe that is a good argument against this bill.

**Chair Wheeler:**

Are there any questions?

**Assemblyman Jones:**

If this bill is enacted, do you have any estimation of what type of additional revenue would be generated?

**Chuck Callaway:**

I have no idea but would speculate that it would not be significant because there would probably be few spots deemed as pedestrian safety zones.

**Chair Wheeler:**

Are there any further questions? Do you see this as basically creating zones much like a construction zone where there are hazards to people in them?

**Chuck Callaway:**

That is the way I envision it. The local jurisdictions could say that there have been a lot of accidents—pedestrians tend to run across this street because the Greek food festival is held here every month and there is a shopping center over here—so maybe we need to look at making this a pedestrian safety zone.

We could use that in conjunction with other things, such as determining if we need more crosswalks in the area. It is one tool the locals would have to deal with the high rate of accidents and crashes.

**Chair Wheeler:**

Are there any further questions? [There were none.] Is there any further testimony in support?

**John Fudenberg, D-ABMDI, Coroner, Government Affairs, Office of the Coroner/Medical Examiner, Clark County:**

I am representing Clark County. I was considering testifying in opposition to this bill. As the coroner of Clark County, this could affect our business. But, because I am representing Clark County as whole, I want to state for the record that we are in full support of this bill.

**Scott F. Gilles, Legislative Relations Program Manager, Legislative Team, Office of the City Manager, City of Reno:**

I am representing the City of Reno. The City of Reno supports this bill and appreciates the sponsor's efforts in addressing this issue. Washoe County has seen a number of pedestrian fatalities over the last several years. This is a big priority for our city council. We support the bill and the council thinks this is a good step in the right direction.

**Chair Wheeler:**

Are there any questions for Mr. Gilles? [There were none.] Is there any more testimony in support of S.B. 144 (R1)?

**David Clyde, Government Affairs Administrator, Government Affairs, Regional Transportation Commission of Southern Nevada:**

I will keep my testimony brief. As the regional transportation planning agency for southern Nevada, pedestrian safety is one of our top priorities. We support this bill.

**Chair Wheeler:**

Is there any further testimony in Las Vegas in support of S.B. 144 (R1)? [There was none.] Is there any testimony in opposition to S.B. 144 (R1) in Las Vegas?

**Juanita Clark, representing Charleston Neighborhood Preservation, Las Vegas, Nevada:**

We have some questions to pose. We are not neutral on the Department of Transportation. We are very, very concerned that NDOT has been charged with this responsibility because of things we see not happening and things we see happening. First of all, I will bring up bus stops. As you know,



a pedestrian running across the street usually is one person, but at bus stops, we are able to have a whole slew of them crossing, with a variety of injuries and deaths.

Not too long ago we had a bus stop moved in our area. These people sit on the width of a sidewalk. Behind them, the first four feet is cement block. The next five feet is chain-link fence. This is on a turn lane, so people turning into that turn lane might cause an accident, might make an error, might get pushed in there. We went to our county commissioner with collected signatures after asking people if they felt safe at this bus stop. Some younger people had not given it much thought, but some people did sign it. We did not get any response from our county commission.

Then NDOT widened U.S. Highway 95 again. At Westcliff Drive there is a place where if you leave Rainbow and you want to get on U.S. 95, clearly coming from the south you would make a turn at the Westcliff light and head down there thinking that you were going to get on U.S. 95, especially at night. At night the lights coming to the west look like the westbound lanes of the freeway, and they are. If you want to go south, the alternative is you would just go and it does not say Westcliff is very, very close to the exit so it is a very, very easy thing to do if you are not very familiar with the area. We have had crashes there for years. Some people from NDOT came up and we went with them on a little bus with people from our neighborhood, especially one man whose back fence has been crashed into.

**Chair Wheeler:**

Are you saying basically that there are areas and places where this law may not be able to be applied because of geographical circumstances?

**Juanita Clark:**

No, not exactly. This law might not apply. I am not sure it would be administered correctly. We are really, really concerned about this. When they come out and see these things for themselves and nothing is done as far as prevention is concerned—this sounds like it is a preventative thing, and we are concerned about the administration of this. Thank you.

**Chair Wheeler:**

We thank you. We are under quite a time crunch here, so we will take any other testimony in opposition.

**Vanessa Spinazola, Legislative and Advocacy Director, American Civil Liberties Union of Nevada:**

I am here in opposition only to the terms of imprisonment language, and to the new offenses that are in section 22. We believe that traffic offenses are best prevented by engineering solutions that we have talked about on the record today, and the accountability should be through civil penalties, not through jail time. Everyday Nevadans may have issues with even one single overnight stay in jail. They could lose a job, they could have a family member they are caring for, they could be a single mom—it does not have to be a year; just a day can have a significant impact on somebody. Right now, our rural indigent defense is in crisis. Lots of people go to public defenders in our rural communities. They have no representation and have no ability to contest the legality of traffic stops, so they end up pleading and paying fines that they might not necessarily have had to pay. We would not be in favor of adding new misdemeanors to the books. The creation of the new traffic violations in section 22 creates yet another pretext for law enforcement to stop individuals, and we are concerned about the disproportionate racial impact of such things. We would, and do, support Assemblywoman Fiore's traffic study to change all misdemeanor traffic offenses to civil penalties, and would ask that you take the terms of imprisonment conditions out of this bill.

**Chair Wheeler:**

Is there any further testimony in opposition to S.B. 144 (R1)? [There was none.] Is there any neutral testimony on S.B. 144 (R1)? [There was none.] We will close the hearing on S.B. 144 (R1). We are going to take a recess due to a last-minute amendment popping up that we need to discuss. We are in recess [at 4:49 p.m.].

**Chair Wheeler:**

This meeting is called back to order [at 5:32 p.m.]. We will start with the work session.

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

**Michelle L. Van Geel, Committee Policy Analyst:**

The first bill on the work session is Senate Bill 110 (1st Reprint) ([Exhibit H](#)), which was heard in Committee on Tuesday. It revises provisions governing the disposal of abandoned recreational vehicles (RV). It was sponsored by Senator Goicoechea and essentially provides that a person who owns or occupies private property on which a recreational vehicle is abandoned has a lien on the recreational vehicle. The measure establishes a procedure by which a person may obtain title to a recreational vehicle abandoned

on private property after attempting to notify the owner. In addition, the bill specifies the requirement for such a notification. The bill also requires a municipal solid waste landfill to accept a recreational vehicle for disposal under certain circumstances. Senator Goicoechea offered two clarifying amendments. Section 1, subsection 3, amends the bill to allow the Department of Motor Vehicles to charge and collect the established title fee, which is currently \$28.25. The second amendment would remove all references that authorize an occupant of the private property to process the request for an abandoned RV title; this would authorize only private property owners to request a title and dispose of the RV abandoned on their property.

**Chair Wheeler:**

I will accept a motion to amend and do pass.

ASSEMBLYWOMAN FIORE MOVED TO AMEND AND DO PASS  
SENATE BILL 110 (1ST REPRINT).

ASSEMBLYWOMAN DICKMAN SECONDED THE MOTION.

**Chair Wheeler:**

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

**Chair Wheeler:**

Assemblywoman Dickman will make the floor statement.

We will now move on to the tough one. We will not be entertaining any amendments on Senate Bill 183 (1st Reprint).

**Senate Bill 183 (1st Reprint): Makes various changes relating to the Nevada Transportation Authority. (BDR 58-717)**

**Michelle L. Van Geel, Committee Policy Analyst:**

Senate Bill 183 (1st Reprint) was heard in Committee on May 7, sponsored by Senator Gustavson and others. [Referred to ([Exhibit I](#)).] The bill revises the legislative intent regarding the regulation and licensing of motor carriers to provide fair and impartial regulation and promote safe service in motor transportation. The bill eliminates certain requirements in the application process for a motor carrier certificate of public convenience and necessity (CPCN) to reflect the legislative intent. In addition, S.B. 183 (R1) allows a person to intervene in a hearing on a CPCN application only if the person has actual or constructive knowledge that the applicant poses a threat to the physical safety of the traveling public.

**Chair Wheeler:**

I will entertain a motion to do pass.

ASSEMBLYWOMAN DICKMAN MOVED TO DO PASS  
SENATE BILL 183 (1ST REPRINT).

ASSEMBLYMAN SILBERKRAUS SECONDED THE MOTION.

**Chair Wheeler:**

Is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN ARAUJO, CARRILLO,  
KIRKPATRICK, SPIEGEL, AND SPRINKLE VOTED NO.)

**Chair Wheeler:**

Assemblywoman Dooling will make the floor statement.

**Senate Bill 188: Revises provisions relating to vehicle collisions. (BDR 43-674)**

**Michelle L. Van Geel, Committee Policy Analyst:**

Senate Bill 188 ([Exhibit J](#)) was heard in Committee on April 14, sponsored by Senator Manendo. It replaces the word "accident" or "collision" with "crash" in the *Nevada Revised Statutes* (NRS) where the term is used to refer to motor vehicle accidents. The bill also directs the Legislative Counsel to make conforming changes to the *Nevada Administrative Code*.

Two amendments have been offered on Senate Bill 188. First, for the purposes of the Nevada Insurance Code (Title 57 of NRS), the terms "accident" and "crash," as they are used in reference to motor vehicles, have the same meaning. The second amendment states that the amendatory provisions of the bill must not be construed to affect the interpretation of any existing case law concerning a motor vehicle accident or collision.

**Chair Wheeler:**

I will entertain a motion to amend and do pass with both amendments.

ASSEMBLYMAN SILBERKRAUS MOVED TO AMEND AND DO  
PASS SENATE BILL 188.

ASSEMBLYMAN O'NEILL SECONDED THE MOTION.

**Chair Wheeler:**

Is there any discussion on the bill?

**Assemblyman Flores:**

I will vote yes, but would like to reserve my right to change my vote. I need a few points clarified.

**Chair Wheeler:**

Is there any further discussion?

**Assemblywoman Dickman:**

I reserve my right to change my vote.

**Chair Wheeler:**

Assemblyman Jones is reserving his right to change his vote. Is there any further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN FIORE VOTED NO.)

**Chair Wheeler:**

Assemblywoman Kirkpatrick will have the floor statement.

**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)**

**Michelle L. Van Geel, Committee Policy Analyst:**

Senate Bill 209 ([Exhibit K](#)) was heard in Committee on May 12, sponsored by Senators Brower and Hardy. Senate Bill 209 removes the requirement that an honorably discharged veteran of the Armed Forces of the United States submit a copy of the DD Form 214 in order to have a designation of veteran status placed on his or her driver's license or instruction permit. Instead, this bill requires a veteran to submit satisfactory evidence of an honorable discharge or other document of honorable separation to the Department of Motor Vehicles. One amendment was proposed by Ernie Adler to expand the provisions of the bill to include identification cards and commercial driver's licenses.

**Chair Wheeler:**

I will take a motion to amend and do pass.

ASSEMBLYWOMAN DICKMAN MOVED TO AMEND AND DO PASS  
SENATE BILL 209.

ASSEMBLYMAN SILBERKRAUS SECONDED THE MOTION.

**Chair Wheeler:**

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

**Chair Wheeler:**

Assemblyman O'Neill will take the floor statement.

**Senate Bill 376: Revises provisions relating to motor carriers. (BDR 58-632)**

**Michelle L. Van Geel, Committee Policy Analyst:**

Senate Bill 376 ([Exhibit L](#)) was heard in Committee on May 5, sponsored by Senator Settlemeyer. Senate Bill 376 provides that any decision or action by the Nevada Transportation Authority which has the effect of substantially impairing, restricting, or rescinding the ability or authorization of a fully regulated carrier to operate in this state, or which refuses an applicant the ability or authorization to operate in this state as a fully regulated carrier is a final decision and may be appealed directly to a court of competent jurisdiction for judicial review. In addition, any person aggrieved by a final decision of the Taxicab Authority is entitled to judicial review, rather than requiring such a person to appeal to the Nevada Transportation Authority. Chair Wheeler has offered an amendment to change the effective date from October 1, 2015, to January 1, 2016.

**Chair Wheeler:**

I will take a motion to amend and do pass.

ASSEMBLYMAN O'NEILL MOVED TO AMEND AND DO PASS  
SENATE BILL 376.

ASSEMBLYWOMAN DICKMAN SECONDED THE MOTION.

**Chair Wheeler:**

Is there any discussion?

**Assemblywoman Kirkpatrick:**

I was not here on the day this bill was heard. I have some concern with some of the language that is being stricken. I will vote to get it out of Committee, but I reserve my right to change my vote. From my perspective, the part where you change the parameters needs to be clarified.

**Assemblyman Sprinkle:**

I will be voting no on this. Primarily, I cannot get past the fact that I do not think they should be bypassing the Nevada Transportation Authority in reviewing these Taxicab Authority decisions.

**Assemblyman Araujo:**

I will be voting yes, but reserve my right to change my vote.

**Chair Wheeler:**

Is there any further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN SPRINKLE VOTED NO.)

**Chair Wheeler:**

Assemblywoman Woodbury will take the floor statement.

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

**Michelle L. Van Geel, Committee Policy Analyst:**

Senate Bill 410 (1st Reprint) ([Exhibit M](#)) was heard in Committee on May 12, sponsored by Senators Goicoechea and Hammond. Senate Bill 410 (R1) authorizes a school bus to travel at the posted speed limit when transporting students to and from school-related activities. The bill also clarifies that a student between 14 and 18 years of age who has a restricted license for driving to and from school in a rural area may not exceed a speed of 55 miles per hour. No amendments were offered on the bill.

**Chair Wheeler:**

I will accept a motion to do pass S.B. 410 (R1).

ASSEMBLYWOMAN DICKMAN MOVED TO DO PASS  
SENATE BILL 410 (1ST REPRINT).

ASSEMBLYMAN SILBERKRAUS SECONDED THE MOTION.

**Chair Wheeler:**

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

**Chair Wheeler:**

Assemblyman Araujo will take the floor statement.

**Senate Bill 457 (2nd Reprint): Creates the Nevada High-Speed Rail Authority.**  
**(BDR 58-1106)**

**Michelle L. Van Geel, Committee Policy Analyst:**

Senate Bill 457 (2nd Reprint) (Exhibit N) was heard in Committee on April 30, sponsored by the Senate Committee on Transportation. Senate Bill 457 (R2) creates the Nevada High-Speed Rail Authority, which is responsible for pursuing the implementation of the Nevada High-Speed Rail System connecting southern Nevada and southern California. The Authority must select a franchisee to construct and operate the high-speed rail system based on specific criteria. The franchisee may, with the assistance of the Authority, acquire land for rights-of-way, conduct studies, issue debt, and enter into governmental agreements for the construction and implementation of the system. The Authority may issue bonds, notes, or obligations and enter into agreements, among other things. No formal amendments were offered on the bill.

**Chair Wheeler:**

I will accept a motion to do pass.

ASSEMBLYMAN SILBERKRAUS MOVED TO DO PASS  
SENATE BILL 457 (2ND REPRINT).

ASSEMBLYMAN O'NEILL SECONDED THE MOTION.

**Chair Wheeler:**

Is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN CARRILLO AND SPIEGEL  
VOTED NO.)

**Chair Wheeler:**

Assemblyman Flores will make the floor statement.

**Senate Bill 404 (1st Reprint): Makes certain changes concerning registration of mopeds. (BDR 43-1016)**

**Michelle L. Van Geel, Committee Policy Analyst:**

Next is Senate Bill 404 (1st Reprint), which was just heard in Committee today and was sponsored by Senator Denis. I will not go through the summary. Two amendments have been offered on the bill. One amendment would clarify on page 2, line 30 of the bill, following the word "Department," adding "law enforcement," and a population cap. In counties other than Washoe and Clark,



people could go to the Department of Motor Vehicles or to a law enforcement agency for the vehicle identification number inspection. The second amendment would be to add Assemblymen O'Neill and Silberkraus and Senator Hammond as sponsors to the bill.

**Chair Wheeler:**

I will accept a motion to amend with both amendments and do pass.

ASSEMBLYMAN SILBERKRAUS MOVED TO AMEND AND DO  
PASS SENATE BILL 404 (1ST REPRINT).

ASSEMBLYMAN ARAUJO SECONDED THE MOTION.

**Chair Wheeler:**

Is there any discussion?

**Assemblyman Sprinkle:**

Do we not need to suspend Rule No. 57 of Assembly Resolution 1?

**Chair Wheeler:**

I believe the rules were suspended on the floor yesterday.

**Assemblywoman Kirkpatrick:**

The rules were suspended on the floor only for the measures that were heard yesterday.

**Chair Wheeler:**

That is my mistake. I will ask for the withdrawal of the motion regarding S.B. 404 (R1). [Assemblyman Silberkraus withdrew the motion, and Assemblyman Araujo withdrew the second.] Do I have a motion to suspend the rule?

ASSEMBLYWOMAN WOODBURY MOVED TO SUSPEND  
RULE NO. 57 OF ASSEMBLY RESOLUTION 1.

ASSEMBLYWOMAN KIRKPATRICK SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chair Wheeler:**

I will accept a motion to amend and do pass.

ASSEMBLYMAN SILBERKRAUS MOVED TO AMEND AND DO  
PASS SENATE BILL 404 (1ST REPRINT).

ASSEMBLYMAN CARRILLO SECONDED THE MOTION.

**Chair Wheeler:**

Is there any discussion?

**Assemblyman Jones:**

I think this is a great bill and will pass it out of Committee, but I reserve my right to change my vote due to the tax pledge implications.

**Assemblyman Flores:**

I had a conversation with constituents pertaining to this bill. I talked with you about the possibility of voting no because of the implications about money that were there. It is a onetime fee, and I think this will create a pathway for recovery of a stolen moped, so that it is a benefit to the owner. For that reason I will be voting yes.

**Assemblywoman Fiore:**

I will vote this out of Committee, but reserve my right to change my vote.

**Assemblywoman Dooling:**

I will vote this out of Committee, but reserve my right to change my vote.

**Chair Wheeler:**

Is there any further discussion?

THE MOTION PASSED UNANIMOUSLY.

Assembly Committee on Transportation

May 14, 2015

Page 35

**Chair Wheeler:**

Assemblyman Sprinkle will take the floor statement.

Is there any public comment? [There was none.] This meeting is adjourned [at 5:51 p.m.].

RESPECTFULLY SUBMITTED:

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Joan Waldock  
Committee Secretary

APPROVED BY:

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Assemblyman Jim Wheeler, Chair

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

**EXHIBITS**

**Committee Name:** Assembly Committee on Transportation

**Date:** May 14, 2015

**Time of Meeting:** 3:20 p.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
S.B. 404 (R1)	C	Michael Buttars, Las Vegas Metropolitan Police Department	PowerPoint presentation
S.B. 144 (R1)	D	Traci Pearl, Department of Public Safety	Pinpoint Map of Las Vegas Area Pedestrian Crashes
S.B. 144 (R1)	E	Traci Pearl, Department of Public Safety	Enlarged Map
S.B. 144 (R1)	F	Traci Pearl, Department of Public Safety	University of Nevada Medical School Center for Traffic Safety Research Fact Sheet
S.B. 144 (R1)	G	Traci Pearl, Department of Public Safety	TREND Newsletter, Department of Public Safety
S.B. 110 (R1)	H	Michelle Van Geel, Committee Policy Analyst	Work Session Document
S.B. 183 (R1)	I	Michelle Van Geel, Committee Policy Analyst	Work Session Document
S.B. 188	J	Michelle Van Geel, Committee Policy Analyst	Work Session Document
S.B. 209	K	Michelle Van Geel, Committee Policy Analyst	Work Session Document
S.B. 376	L	Michelle Van Geel, Committee Policy Analyst	Work Session Document
S.B. 410 (R1)	M	Michelle Van Geel, Committee Policy Analyst	Work Session Document
S.B. 457 (R2)	N	Michelle Van Geel, Committee Policy Analyst	Work Session Document