

**MINUTES OF THE
SENATE COMMITTEE ON TRANSPORTATION**

**Seventy-Eighth Session
April 30, 2015**

The Committee on Transportation was called to order by Chair Scott Hammond at 8:31 a.m. on Thursday, April 30, 2015, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Scott Hammond, Chair
Senator Don Gustavson, Vice Chair
Senator Patricia Farley
Senator Mark A. Manendo
Senator Moises (Mo) Denis

GUEST LEGISLATORS PRESENT:

Assemblyman Richard Carrillo, Assembly District No. 18
Assemblyman Phillip (P.K.) O'Neill, Assembly District No. 40
Assemblyman Stephen H. Silberkraus, Assembly District No. 29
Assemblyman Jim Wheeler, Assembly District No. 39

STAFF MEMBERS PRESENT:

Megan Comlossy, Policy Analyst
Darcy Johnson, Counsel
Martha Barnes, Committee Secretary

OTHERS PRESENT:

Caleb Harris, Chair, United Veterans Legislative Council; Disabled American Veterans; Veterans of Foreign Wars Department of Nevada
Mike S. Marcum, Member, Northern Nevada Confederation of Clubs
Rick Eckhardt, Vice Chairman, Northern Nevada Confederation of Clubs
Fredric Harrell

Chair Hammond:

I will open the hearing on Assembly Bill (A.B.) 250.

ASSEMBLY BILL 250 (1st Reprint): Revises provisions relating to special license plates. (BDR 43-1071)

Assemblyman Jim Wheeler (Assembly District No. 39):

Assembly Bill 250 accomplishes two things. There are existing special license plates for recipients of the Medal of Honor, the Purple Heart Medal and for an ex-Prisoner of War. We are proposing to add the international symbol of disability to these license plates if the veteran is 100 percent disabled and receiving compensation from the United States. The bill also negates the payment of parking fees in certain circumstances.

Senator Denis:

This sounds similar to the bill regarding the Silver Star and the Bronze Star Medal special license plates we heard last week in this Committee.

Assemblyman Wheeler:

The two issues are similar.

Senator Denis:

Is there any difference other than this bill references a veteran who is disabled?

Assemblyman Wheeler:

This is the only difference.

Senator Gustavson:

How many people will this affect?

Caleb Harris (Chair, United Veterans Legislative Council; Disabled American Veterans; Veterans of Foreign Wars Department of Nevada):

The majority of veterans benefiting from the free parking are already exempt from the payment of any parking fees. Instead of displaying a disabled veteran license plate with the disabled placard, the veteran can display the Purple Heart, Medal of Honor, or the proposed Bronze Star Medal or Silver Star of A.B. 103 special license plates with the disabled placard. The veteran will be able to display the disabled symbol with the additional privileges of veteran license plates.

ASSEMBLY BILL 103 (2nd Reprint): Provides for the issuance of special license plates for veterans who are awarded the Silver Star or the Bronze Star Medal with "V" device, Combat V or Combat Distinguishing Device. (BDR 43-22)

Assemblyman Wheeler:

I see you have scheduled A.B. 103 for the work session, and it is a very similar bill. The two bills complement each other.

SENATOR GUSTAVSON MOVED TO DO PASS A.B. 250.

SENATOR MANENDO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond:

I will close the hearing on A.B. 250 and open the hearing on A.B. 131 from our work session.

ASSEMBLY BILL 131 (1st Reprint): Revises provisions governing the Department of Motor Vehicles and registration under the Selective Service System. (BDR 43-624)

Megan Comlossy (Policy Analyst):

Referencing the work session document (Exhibit C), A.B. 131 provides submission of an application for a driver's license, commercial driver's license, driver's permit or identification card to the Department of Motor Vehicles (DMV) by any eligible male authorizing the DMV to register him with the Selective Service System unless the applicant checks a box on the application indicating he is not required to register under federal law. The application must inform the applicant that unless he checks the box, submission of the application indicates he either has already registered with the Selective Service System or he is authorizing the DMV to forward to the Selective Service System the necessary information for such registration. No amendments were proposed for the bill, and it received no opposition during the hearing.

SENATOR GUSTAVSON MOVED TO DO PASS A.B. 131.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond:

We will now hear A.B. 103 from the work session.

Ms. Comlossy:

Referencing the work session document ([Exhibit D](#)), A.B. 103 requires the DMV to design, prepare and issue special license plates honoring veterans who have received the Silver Star or the Bronze Star Medal with "V" device, Combat V, or Combat Distinguishing Device. A veteran who is eligible for these plates and has suffered a 100 percent service-connected disability may have the international symbol of access inscribed on the license plates. The bill specifies no fee in addition to applicable registration and license fees and government services taxes may be charged for the issuance or renewal of these special license plates. Finally, a vehicle on which such plates are displayed is exempt from parking fees charged by the State or any political subdivision or other public body within the State, other than the federal government. There were no amendments proposed for this bill and no testimony in opposition during the hearing.

SENATOR MANENDO MOVED TO DO PASS A.B. 103.

SENATOR GUSTAVSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond:

I would like to thank the veterans in attendance today for your service. We will leave the work session bills for now and open the hearing on A.B. 449.

ASSEMBLY BILL 449 (1st Reprint): Provides for the issuance of special license plates relating to the Boy Scouts of America and the Girl Scouts of America. (BDR 43-1144)

Assemblyman Stephen H. Silberkraus (Assembly District No. 29):

It is my honor today to present A.B. 449, which provides for the issuance of three special license plates; two for the Boy Scouts of America ([Exhibit E](#) and [Exhibit F](#)) and one for the Girl Scouts of America.

The first plate will be in general support of Boy Scouts in Nevada. The license plate will be available to all Nevadans who support the Boy Scouts. The second license plate will be for the men who have obtained the Boy Scouts highest recognition, the Eagle Scout Award. The third license plate will recognize the women who have obtained the Girl Scouts highest award, the Girl Scout Gold Award.

The Boy Scouts of America is one of the Nation's largest and most prominent values-based, youth-development organizations. The Boy Scouts of America provide a program for young people that builds character, trains them in responsibilities of participating citizenship and helps to develop personal fitness. Their motto of "Do a good turn daily" exemplifies the program. For over a century, the Boy Scouts helped build the future leaders of this Country by combining educational activities and lifelong values with fun.

The Boy Scouts of America organization knows that helping youth is a key to building a more conscientious, responsible and productive society. In 2013, surface projects were conducted by more than 2.6 million youth members and more than 1 million adult volunteers. Seventeen million service hours were reported in 2013 through their Journey to Excellence program, which represents approximately \$384.3 million worth of service provided by scouts to communities across America.

The Girl Scouts of America builds girls of courage, confidence and character who make the world a better place. In Girl Scouts, girls discover the fun, friendship and power of girls together. Through a myriad of enriching experiences, such as extraordinary field trips, sports, skill-building clinics, community service projects, cultural exchanges and environmental stewardships, girls grow courageous and strong. Girl Scouting helps girls develop their full individual potential, relate to others with increasing

understanding, skill and respect, develop values to guide their actions and provide the foundation for sound decision-making, and contribute to the improvement of society through their abilities, leadership skills and cooperation with others.

This bill recognizes the hard work, dedication to service and strong moral fiber of the youth, adult members and supporters of scouting in Nevada.

Nevada has roughly 28,000 active youth members of the Boy Scouts and 16,000 youth members of the Girl Scouts, along with roughly 16,500 adult volunteers between both programs. In my best estimate, well over 150,000 Nevadans are or are within one degree of a scout, be they parents, grandparents, community leaders or neighbors.

Speaking with many people in my district, along with Nevadans from across the State, I have seen a strong level of support for the issuance of these special license plates. Let me explain how each of these plates will benefit our State.

The first license plate for general scouting will raise funds to support Scoutreach. Scoutreach provides scouting to boys of all ages who are not able to participate in traditional scouting units. Scoutreach in northern and rural Nevada is a separate district within the Nevada Area Council, with program sites focused in the Reno, Sparks and Fernley areas.

Scoutreach coordinates with other community organizations such as the Washoe County School District through the Team Up Program, the Boys and Girls Club of Truckee Meadows, the Reno Housing Authority, and the Reno Homeless Shelter for Scoutreach program locations. Program aides are hired by the Council and managed by Scoutreach staff to provide programs that provide scouting values and skills to boys at each program site. Boys are taught from a district-wide training program that provides age-appropriate advancement through the scouting ranks. Parent and adult volunteers from each sponsoring organization supplement Scoutreach program aides.

In southern Nevada, Scoutreach goes into inner-city schools and low-income areas to help provide structure and programs to at-risk and minority youth who otherwise could not afford such a program. Whether supplying uniforms, books, programs or other materials, Scoutreach in southern Nevada helps these amazing youth overcome challenges and move forward in their lives.

As for the second license plate, recognizing Eagle Scouts, the funding from this plate will help support our local youth by funding camp scholarships to our local area camps, creating the opportunity for the future scouts to share in the same great experiences that we, as Eagles, were fortunate enough to enjoy.

Lastly, the plate recognizes the girls who have earned the Girl Scout Gold Award. These revenues will help fund girls from low-income families with the costs of participating in the Girl Scouts. Like Scoutreach, these funds will bring the strong structure and support of Girl Scout values to those who need them the most.

I will address the distribution of funds. After working with Nevada's two Boy Scout councils, the Nevada Area Council and the Las Vegas Area Council have agreed that the funds from both proposed license plates will be directed to the Las Vegas Area Council, which will then distribute the funds according to the amount sold in the area of each Council.

The process will be the same for the Girl Scout Councils in Nevada. There are three Girl Scout Councils in Nevada with the largest being in southern Nevada, and they will take in and distribute the funds accordingly. In 2013, 56,841 Boy Scouts across the United States earned the rank of Eagle Scout. From 1912 to 2013, 2.7 million Americans earned the rank of Eagle Scout.

Chair Hammond:

Looking at section 3.5, subsection 6 of A.B. 449, it looks as if the money is being distributed to southern Nevada after being collected statewide. As clarification, the funds will not stay in southern Nevada only. The money will be disbursed to all Councils throughout the State.

Assemblyman Silberkraus:

Because the structures for both the Girl Scout and Boy Scout organizations are larger in southern Nevada, the ability to receive and distribute funds is easier for those entities. I have spoken with leaders from both Council organizations and they are all comfortable with this distribution point. The Las Vegas Area Council for the Boy Scouts and the Girl Scouts of Southern Nevada will receive the funding and break it up in accordance to where the license plates were sold. Each Council will receive its fair share of the distributed funds.

Senator Hammond:

There are three different license plates proposed in this bill. There is a procedure in place that must be followed prior to the DMV approving a design and manufacturing these license plates.

Is there one plate that must receive approval through the Commission on Special License Plates and two plates that will bypass that process?

Assemblyman Silberkraus:

Yes. The license plate for general scouting will be placed in the queue to be approved through the Commission on Special License Plates and the DMV. When the bill was heard in the Assembly Committee on Transportation, there was concern the license plate would skip the queue. I received an opinion from the DMV and the Legislative Counsel Bureau legal staff to ensure the plate will fall into the queue and follow the standard procedure for a specialty license plate.

The Girl Scout Gold Award and the Eagle Scout award license plates will be exempt from being placed in the queue and being heard before the Commission on Special License Plates. These license plates are similar to a hall of fame athlete who is being recognized for exemplary service to the community.

Senator Denis:

Would the Eagle Scout license plates be available immediately?

Assemblyman Silberkraus:

Yes.

Senator Denis:

I will disclose that I served on the Las Vegas Area Council board and am an Eagle Scout. I volunteered for the Scoutreach program with the district, and I know these are great programs that really help kids. The Scoutreach program is innovative by using paid volunteers for these at-risk areas to maintain consistency.

Assemblyman Silberkraus:

Your service made a huge difference to these boys and girls, and the funding from the sale of these license plates will help the programs continue.

Senator Gustavson:

Do you have any idea how many Eagle Scouts are in the State?

Assemblyman Silberkraus:

There is not a good count at this time, and we are hoping the sale of these license plates will provide information about the number of Eagle Scouts so we can bring them back to help support the next generation. I believe we are turning out roughly 600 to 700 Eagle Scouts annually through the two Councils in Nevada.

Chair Hammond:

I will close the hearing on A.B. 449 and open the hearing on work session bill A.B. 175.

ASSEMBLY BILL 175 (1st Reprint): Revises provisions relating to the use of safety belts in taxicabs. (BDR 43-703)

Ms. Comlossy:

Referencing the work session document ([Exhibit G](#)), A.B. 175 removes certain legal limitations and expressly provides that failure by a passenger in a taxicab to wear a safety belt may be considered as negligence or as causation in certain legal actions, or as misuse or abuse of a product or as causation in any action brought to recover damages for injury to a person or property resulting from the manufacture, distribution, sale or use of a product. No amendments were proposed for the bill.

Assembly Bill 175 is the same as Senate Bill 304, which was considered in the Senate Committee on Judiciary and unanimously passed by the Senate on April 14.

SENATE BILL 304 (1st Reprint): Revises provisions relating to the use of safety belts in taxicabs. (BDR 43-774)

SENATOR DENIS MOVED TO DO PASS A.B. 175.

SENATOR MANENDO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond:

We will now hear the last work session bill, A.B. 188.

ASSEMBLY BILL 188: Revises provisions governing certain equipment for motor vehicles. (BDR 43-626)

Ms. Comlossy:

Referencing the work session document ([Exhibit H](#)), A.B. 188 allows a motor vehicle, motorcycle or moped, to the extent not preempted by federal law, to be equipped with high-intensity discharge headlamps if the headlamps have a correlated color temperature of not less than 5,000 Kelvins and not more than 6,000 Kelvins. There were no amendments proposed for this bill and no testimony in opposition of the bill during the hearing.

Chair Hammond:

There were some questions asked during the hearing of A.B. 188, and Assemblyman Carrillo got right back to us with the answers needed for the Committee to feel comfortable with the bill.

SENATOR FARLEY MOVED TO DO PASS A.B. 188.

SENATOR MANENDO SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond:

I will close the work session and open the hearing on A.B. 422.

ASSEMBLY BILL 422: Revises provisions governing the operation and equipment of motorcycles and mopeds. (BDR 43-1073)

Assemblyman Richard Carrillo (Assembly District No. 18):

Being an avid rider in the motorcycle community, there are times when laws change from county to county or from city to city when a rider travels throughout the State. Assembly Bill 422 proposes to correct this problem.

Mike S. Marcum (Member, Northern Nevada Confederation of Clubs):

I am speaking in favor of A.B. 422, representing the Northern Nevada Confederation of Clubs. We represent bikers from the northern half of the State: women's motorcycle clubs, family motorcycle clubs, veterans' motorcycle clubs and traditional motorcycle clubs. We all unite and stand up for motorcycle rights. My original intent was to change the standard height of motorcycle handlebars to be no more than 6 inches above the shoulder to match the law in California and other states. During my research, I learned various municipalities throughout Nevada have their own statutes regarding the definition of a motorcycle. It seemed truly important to have one standard throughout Nevada that is easily defined and easily enforceable for the definition and operation of a motorcycle.

The California law, as written, allows the handlebars on a motorcycle to be no more than 6 inches above the rider's shoulder. For most of us, there is about 6 inches between our eyes and our shoulders. The current law in Nevada is for handlebars to be no higher than the shoulder. Some of the municipalities have old standards based on the design of the motorcycle such as the seat to the handlebar height ratio. That law may have worked well in the 1970s. There is a photo of a motorcycle I owned in the 1970s ([Exhibit I](#)) versus a brand new, off-the-showroom-floor, Harley-Davidson. Motorcycle designs have changed.

The California law does not allow people to ride motorcycles with "Handlebars so positioned that the hands of the driver, when upon the grips, are more than six inches above his or her shoulder height when sitting astride the seat." It is reasonable. The law allows everyone to have pretty good control of his or her motorcycle. We are not asking for the handlebars to be really high.

Chair Hammond:

You keep mentioning the law in California, would you say this language is also being used in other states and becoming more standardized.

Mr. Marcum:

The national trends have been to relax the laws, and some states have eliminated old laws. A number of members who live at Lake Tahoe in California, are affected by these differences in the law when they participate in our motorcycle club functions.

Chair Hammond:

Basically, these riders want to be able to travel back and forth from California to Nevada, where they are allowed to have the "ape hangers," and travel anywhere in Nevada legally.

Mr. Marcum:

Absolutely; uniform laws would be helpful.

Senator Denis:

You mentioned there is a standard in Nevada, but there are differences in the municipalities. How will A.B. 422 address these differences?

Assemblyman Carrillo:

Looking at the handout, [Exhibit I](#), and the photo on page 2 of the 2015 Harley-Davidson, everyone has two arms and two legs that can be utilized during the operation of a motorcycle with use of the handlebars, and putting your feet down. There may be a person who is disabled through an injury or the loss of a limb. We are proposing to create a standard as outlined in A.B. 422, but the height on the handlebars of a standard motorcycle will not change.

I might have a longer torso than someone else, and someone who is shorter could be considered illegal when riding a motorcycle if the handlebars are at shoulder height based on what is in statute right now. By creating standards similar to California and Arizona, the people who visit or work in Nevada do not have to worry about being cited when crossing into Nevada because the law is comparable.

Senator Denis:

Using the 2015 Harley-Davidson as an example, will the handlebars be at the same height no matter who rides the motorcycle? If someone has a shorter torso, will that person have a problem with the standard factory 2015 Harley-Davidson?

Assemblyman Carrillo:

Just because the motorcycle comes from the factory at a specific height, the rider still may modify the bike, but it cannot be modified more than 6 inches above the shoulder of the rider. This is the standard we want in Nevada.

Senator Denis:

If someone has a shorter torso, could there be 8 inches between the shoulder and handlebar position?

Rick Eckhardt (Vice Chairman, Northern Nevada Confederation of Clubs):

A factory Harley-Davidson motorcycle right from the showroom floor is in violation of a law that exists in Elko, which says the handlebars must be 17 inches from the seat to the top of the handlebars. As motorcycles have changed, the Harley-Davidson Company has lowered the seat height for a woman who may be 5 feet 1 inch in height. The manufacturer can place a 12-inch handlebar on the stock. That is not very high but when the seat is lowered, the motorcycle is now in violation of the old law in Elko that requires the handlebars to be 17 inches above the height of the seat of the motorcycle. Standards have not kept up with the different manufacturers that are now building motorcycles with 12-inch handlebars and lower seats for shorter people. I have provided a letter of support ([Exhibit J](#)).

Senator Denis:

For someone with a lower seat and 12-inch handlebars on a 2015 Harley-Davidson, would the handlebars need to be changed in order to be in compliance with the law?

Mr. Eckhardt:

Yes. The law states the height of the handlebars can only be 6 inches above the shoulders, so a shorter woman of 4 feet 9 inches would have her hands way above her shoulders, and a basketball player would have his hands on the handlebars way below his chest. The bill will standardize the law for everyone, so it does not matter what make or model of motorcycle is purchased. The question is, Can an officer write the rider a ticket if the handlebars exceed the height of 6 inches above the shoulder? In the interest of safety, people are not exceeding the limit.

Senator Denis:

This bill will provide consistency regardless of the height of the rider.

Senate Committee on Transportation
April 30, 2015
Page 14

Fredric Harrell:

I am speaking in support of A.B. 422. I have been a motorcyclist for almost 50 years and at one time represented motorcycle riders and dealers as a lobbyist. The bill clarifies and provides consistency for the riders coming into Nevada.

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Senate Committee on Transportation
April 30, 2015
Page 15

Chair Hammond:

I will close the hearing on A.B. 422. There being no further business to come before the Committee, we are adjourned at 9:20 a.m.

RESPECTFULLY SUBMITTED:

Martha Barnes,
Committee Secretary

APPROVED BY:

Senator Scott Hammond, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	2		Agenda
	B	5		Attendance Roster
A.B. 131	C	1	Megan Comlossy	Work session document
A.B. 103	D	1	Megan Comlossy	Work session document
A.B. 449	E	1	Assemblyman Stephen H. Silberkraus	Eagle Scout license plate handout
A.B. 449	F	1	Assemblyman Stephen H. Silberkraus	Boy Scout license plate handout
A.B. 175	G	1	Megan Comlossy	Work session document
A.B. 188	H	1	Megan Comlossy	Work session document
A.B. 422	I	2	Michael S. Marcum / Northern Nevada Confederation of Clubs	Letter of support
A.B. 422	J	1	Rick Eckhardt	Letter of support