

**MINUTES OF THE
SENATE COMMITTEE ON TRANSPORTATION**

**Seventy-Eighth Session
May 7, 2015**

The Senate Committee on Transportation was called to order by Chair Scott Hammond at 8:32 a.m. on Thursday, May 7, 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

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Paul V. Townsend, CPA, CIA, Legislative Auditor, Legislative Counsel Bureau

Chair Hammond:

I will open the work session with Assembly Bill (A.B.) 189.

ASSEMBLY BILL 189 (1st Reprint): Revises provisions governing special license plates. (BDR 43-529)

Megan Comlossy (Policy Analyst):

Referencing the work session document ([Exhibit C](#)), A.B. 189 makes various changes relating to special license plates. The bill requires an application by a charitable organization for a special license plate to include a budget prepared

by or for the organization if it is not a governmental entity whose budget is already included in the Executive Budget. The charitable organization must annually provide the Commission on Special License Plates with a report on the organization's budget detailing how special plate fees have been expended and include a copy of its most recent federal tax return, if any. The measure also requires the organization to publish the tax return annually on its Website or in a newspaper of general circulation in the county where the organization is based.

The bill further authorizes the Commission to request the Legislative Commission to direct the Legislative Auditor to perform an audit of any charitable organization receiving fees from the sale of special license plates if the Commission on Special License Plates has reasonable cause to believe or has received a credible complaint that the organization has filed records that are inadequate or inaccurate, committed improper practices of financial administration, or failed to use adequate methods and procedures to ensure all money received by the organization from the sale of special license plates is appropriately expended.

Finally, A.B. 189 provides that all records of a charitable organization that receives fees and any person who receives grants from a charitable organization related to the receipt or use of money from the sale of special license plates are public records, available for public inspection.

Proposed Amendment 6890 was submitted by Senator Scott Hammond to clarify only certain documents and information submitted to the Commission on Special License Plates by a charitable organization are public records and available for public inspection.

Chair Hammond:

Would you or other auditors within the Legislative Counsel Bureau (LCB) have access to the personal information on record within each organization? When a member of the public requests documentation from any organization receiving funds from the sale of special license plates, will personal information be redacted?

Paul V. Townsend, CPA, CIA, (Legislative Auditor, Legislative Counsel Bureau):

Once the audit is requested and approved by the Legislative Commission, it moves into a different jurisdiction within the *Nevada Revised Statutes* (NRS). There is an entire chapter, NRS 218G, dedicated to the performance of audits

that deals with access to record information. Once an audit has been directed by the Legislative Commission, the LCB auditors would have access to all records, confidential or otherwise, of the audited entity. We take this responsibility seriously.

We consistently review sensitive records with personal identifying information and medical information. We are cautious with these records, and NRS 218G also provides that the work papers from our audits are confidential. When we conduct an audit, we produce an audit report that becomes a public document. We do not include any personal identifying information in audit reports that will become public. The audits are supported by underlying work papers that will contain some personal information.

There are exceptions to the confidential rule, as the documents can be subpoenaed by a court and the audits can be shared with other governmental officials pertaining to matters before them. It generally means documents are being turned over to the Attorney General or law enforcement regarding some illegal act. Our audit process accounts for the protection of personal information, and this proposed amendment will not be detrimental to the audit.

Senator Denis:

In section 2, subsection 1, paragraphs (a) and (b) there is information regarding the requirements that will trigger an audit. Are the reasons individual? Will an organization have to meet both paragraphs (a) and (b) in order to trigger the need for an audit?

Darcy Johnson (Counsel):

Any of the reasons listed could trigger an audit. The first "or" under section 2, subsection 1, paragraph (a) is reasonable cause to believe or has received a credible complaint. The second "or" acknowledges that some of the documents have to be filed with the Commission on Special License Plates and some documents have to be filed with the Department of Motor Vehicles (DMV). Either one of those entities with which the forms were filed, if the entity did not receive the forms or they were not received in a timely manner, if the forms were inaccurate or inadequate could also trigger a request for an audit.

SENATOR GUSTAVSON MOVED TO AMEND AND DO PASS AS AMENDED A.B. 189 WITH PROPOSED AMENDMENT 6890.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond:

We will return to A.B. 101 on the work session agenda.

ASSEMBLY BILL 101 (1st Reprint): Revises provisions governing motor carriers.
(BDR 58-69)

Ms. Comlossy:

Referencing the work session document ([Exhibit D](#)), A.B. 101 exempts from the definition of "charter bus transportation" buses used to transport workers to and from certain work sites, including construction sites, mines, and renewable energy facilities in counties with populations of less than 100,000, which currently includes all counties except Clark and Washoe Counties. This exemption effectively removes the requirement that drivers of such buses obtain and renew a driver's permit and pay the associated fees. No amendments were proposed, and there was no testimony in opposition to the bill.

Senator Denis:

Is this the bill where drivers would not have to obtain a special license if they are just driving employees back and forth to the mines, but if a driver takes any other runs, he would have to get the other license?

Chair Hammond:

Yes.

SENATOR GUSTAVSON MOVED TO DO PASS A.B. 101.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond:

We will move on to A.B. 251.

ASSEMBLY BILL 251: Revises provisions governing vehicle dealers.
(BDR 43-129)

Ms. Comlossy:

Referencing the work session document ([Exhibit E](#)), A.B. 251 authorizes a used vehicle dealer to sell a new vehicle if the vehicle has been substantially modified by the used vehicle dealer or a third party for the benefit of a person with a disability.

"Substantially modified" is defined as equipped or adapted to aid or allow a person with a disability to operate, travel in, enter, exit, or load a vehicle. The term includes: mechanical or structural changes; a device or mechanism used for loading or unloading a wheelchair or scooter mounted on the roof, in the passenger area, in the trunk, or other storage area of a vehicle; and mechanical or electrical adaptive control devices installed to enable a person with mobility restrictions to control the accelerator, foot brake, turn signal or dimmer switch, steering wheel, or parking brake of a vehicle. No amendments were proposed, and no testimony was provided in opposition.

Chair Hammond:

We discussed how this process evolves and how the vehicles end up in Nevada.

SENATOR MANENDO MOVED TO DO PASS A.B. 251.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond:

We will move on to A.B. 422.

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

Ms. Comlossy:

In reference to the work session document ([Exhibit F](#)), A.B. 422 provides the handlebars on a motorcycle or moped may not extend more than six inches above the driver's shoulder. The bill also prohibits a local authority from enacting an ordinance governing the operation and equipment of a motorcycle or a moped that conflicts with existing State laws. No amendments were proposed, and no testimony was provided in opposition to the bill.

SENATOR DENIS MOVED TO DO PASS A.B. 422.

SENATOR GUSTAVSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond:

We will move to A.B. 449, which is the last bill on the work session agenda.

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)

Ms. Comlossy:

In reference to the work session document ([Exhibit G](#)), A.B. 449 provides for the issuance of a special license plate supporting the Boy Scouts of America. Fees from these license plates are to be used to assist boys from low-income families with the costs of participating in Boy Scouts and to promote the Boy Scouts of America in schools. The bill also provides for the issuance of a special license plate recognizing a person who has achieved the rank of Eagle Scout. Fees from these plates are to be used to assist boys with the costs of participating in local area camps sponsored by the Boy Scouts of America.

Similarly, A.B. 449 provides for the issuance of special license plates recognizing a person who has been awarded the Girl Scout Gold Award by the Girl Scouts of America. Fees from these license plates are to be used to assist girls from low-income families with the costs of participating in Girl Scouts and to promote the Girl Scouts of America in schools.

Finally, the bill provides that special license plates recognizing a person who has achieved the rank of Eagle Scout in the Boy Scouts of America or has been awarded the Girl Scout Gold Award by the Girl Scouts of America are exempt from the general requirements that a special license plate must: be approved by the DMV, based on a recommendation from the Commission on Special License Plates; is subject to a limitation on the number of separate designs of special license plates that the DMV may issue at any one time; and may not be designed, prepared, or issued by the DMV unless a certain minimum number of applications for the license plate is received. The license plate is exempt from all of the requirements. There were no amendments proposed, and no testimony was provided in opposition of the bill.

Senator Denis:

Will there be a license plate for the Boy Scouts, one for the Girls Scouts and one for the Eagle Scouts? Are there three or four plates to be designed from this bill?

Ms. Comlossy:

There are only three license plates. There is one for the Boy Scouts of America, one for the Eagle Scout and one for the Girl Scout Gold Award.

Senator Denis:

Are the Eagle Scout and the Girl Scout Gold Award the recognition award license plates? There should not be a wait to purchase these plates once the design has been approved.

Ms. Comlossy:

Yes. The Eagle Scout and the Girl Scout Gold Award license plates are both exempt from the requirements of entering the queue and receiving the recommendation by the Commission on Special License Plates. The general Boy Scouts of America plates will have to go into the queue.

SENATOR DENIS MOVED TO DO PASS A.B. 449.

SENATOR FARLEY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond:

That concludes our work session for today. There being no further business to come before the Committee, we are adjourned at 8:52 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	1		Attendance Roster
A.B. 189	C	11	Megan Comlossy	Work session document
A.B. 101	D	1	Megan Comlossy	Work session document
A.B. 251	E	1	Megan Comlossy	Work session document
A.B. 422	F	1	Megan Comlossy	Work session document
A.B. 449	G	1	Megan Comlossy	Work session document