

**MINUTES OF THE  
SENATE COMMITTEE ON TRANSPORTATION**

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

The Senate Committee on Transportation was called to order by Chair Scott Hammond at 8:32 a.m. on Thursday, May 14, 2015, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4404B 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  
Tammy Lubich, Committee Secretary

**Chair Hammond:**

Today there are four bills in the work session, Assembly Bill (A.B.) 143, A.B. 176, A.B. 204, and A.B. 385. Committee, I would like to take a motion and vote on the first three bills at one time.

**ASSEMBLY BILL 143 (1st Reprint)**: Authorizes electronic verification of motor vehicle insurance. (BDR 43-28)

**ASSEMBLY BILL 176 (1st Reprint)**: Requires the regional transportation commission in certain counties to establish and administer the Nevada Yellow Dot Program. (BDR 22-649)

**ASSEMBLY BILL 204 (1st Reprint)**: Revises provisions governing motor vehicle licensing. (BDR 43-571)

**ASSEMBLY BILL 385 (1st Reprint)**: Revises provisions related to tow cars.  
(BDR 58-967)

**Megan Comlossy (Policy Analyst):**

I will read from the work session documents for A.B. 143 ([Exhibit C](#)), A.B. 176 ([Exhibit D](#)) and A.B. 204 ([Exhibit E](#)).

Assembly Bill 143, sponsored by Assemblyman Carrillo, was heard on April 28. Assembly Bill 143 authorizes a motor vehicle insurer to provide evidence of insurance in an electronic format that may be displayed on a mobile electronic device. A person who presents a mobile electronic device to provide such evidence assumes all liability for any damage to the device. Additionally, any peace officer who looks at the evidence on an electronic device must not intentionally view any other content. There were no amendments or testimony in opposition during the hearing.

Assembly Bill 176 requires the regional transportation commission (RTC) in a county whose population is 700,000 or more to establish and administer the Nevada Yellow Dot Program. Assembly Bill 176 was heard on May 5, and is sponsored by Assemblyman Armstrong. The RTC would work in coordination with each regional transportation commission on the Yellow Dot Program to disseminate information about the program to the public and public safety agencies. The commission may apply for and accept any grants, donations and sponsorships for the Program. In addition, A.B. 176 provides immunity for liability for civil damages as a result of any act or omission taken relating to a collision or other emergency in connection with the program. There were no amendments proposed, no opposition and the Department of Motor Vehicles testified that the fiscal note had been eliminated by previous amendments.

Assembly Bill 204, sponsored by Assemblyman Carrillo, was heard on April 28. It requires an authorization letter issued with a special license plate, parking placard or parking sticker to have a picture of the person to which the letter is issued relating to allowing that person to park in a space designated for a handicapped person. This bill requires the owner or operator of a motor vehicle displaying such a plate, placard or sticker to present the authorization letter to law enforcement upon request. There were no amendments proposed to this bill and no testimony in opposition.

SENATOR MANENDO MOVED TO DO PASS A.B. 143, A.B. 176 AND A.B. 204.

SENATOR FARLEY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \* \*

**Chair Hammond:**

Please proceed with A.B. 385.

**Ms. Comlossy:**

I will read from the work session document for A.B. 385 ([Exhibit F](#)).

Assembly Bill 385 is sponsored by Assemblywoman Kirkpatrick; it was heard on May 5 and makes various changes related to tow cars. This bill prohibits a tow car operator from towing and the owner or operator of a vehicle from directing the vehicle to be towed to a location other than the vehicle storage lot designated by the insurance company that provides coverage for the vehicle, unless the owner or operator of the vehicle directs the tow car operator to tow the vehicle to a location that is not a vehicle storage lot. A tow car operator is prohibited from seeking authorization from the vehicle's owner or operator to tow the vehicle to a location other than the designated vehicle storage lot. Assembly Bill 385 imposes civil penalties on a tow car operator who fails to tow vehicles to the vehicle storage lots designated by an insurance company.

This bill further requires the operator of a tow car to retain any documents provided by a law enforcement officer indicating the identity of the insurance company that provides coverage for the vehicle and provide copies of such documents to a vehicle storage lot upon delivery of the vehicle. If an owner or operator of a vehicle directs a tow car operator to tow the vehicle to a location other than a vehicle storage lot designated by the insurance company, the owner or operator of the vehicle must confirm in writing that he or she directed the tow car operator to tow the vehicle to such a location; and that the tow car operator did not solicit the owner or operator of the vehicle. In addition, the tow car operator is required to retain such written documentation.

*Nevada Revised Statute* (NRS) 706.4489 states that if a law enforcement officer requests a tow car operator to tow a vehicle after an accident or upon recovery of a stolen vehicle, the law enforcement officer must make a good-faith effort to determine the identity of the insurance company that provides coverage for the vehicle.

Assembly Bill 385 requires that if the law enforcement officer does not inform the tow car operator of the insurance company, the tow car operator must also make a good-faith effort to determine the identity of the insurance company from either the law enforcement officer or the owner or operator of the vehicle.

Finally, A.B. 385 requires the tow car operator to record the insurance company of each vehicle towed, if such information is known.

There are three amendments proposed to A.B. 385. The first amendment, [Exhibit F](#) proposed by Assemblywoman Kirkpatrick during the presentation of A.B. 385, provides that a law enforcement officer, if on the scene, must confirm the owner directed the tow car operator to tow the vehicle to a location other than the insurance-designated vehicle storage lot without improper solicitation by the tow car operator, instead of requiring the owner or operator to confirm in writing that he or she directed the diversion. The law enforcement officer must also note the owner or operator's decision in any report of the incident, and the tow car operator must retain a copy of that documentation.

The second and third amendments were proposed by Scott Scherer, representing Quality Towing. The first amendment, [Exhibit F](#), by Scott Scherer retains the language requiring a tow car operator to have the owner or operator of a vehicle confirm in writing that he or she directed the tow car operator to tow the vehicle to a location other than the designated location. There is a second option offered if a law enforcement officer is available at the scene. The amendment provides the option to have the officer confirm the decision of the owner or operator of the vehicle and make a note in any report that is prepared.

The final amendment, [Exhibit F](#), relates to the good-faith effort provision. This aims at defining good-faith effort and provides more information as to what good faith does and does not include. It states that a good-faith effort does not require the tow car operator to perform specific tasks including searching the vehicle for evidence of insurance, interrupting a law enforcement officer in the

course of his or her duties or questioning the owner or operator of a vehicle if he or she is unavailable.

**Chair Hammond:**

After reviewing all of the amendments and speaking with the sponsor of A.B. 385, the sponsor of the bill noted it is not necessary to include the amendments from Mr. Scherer because the information is already included in A.B. 385. I would entertain a motion, recognizing the second and third amendments are unnecessary in A.B. 385.

**Senator Denis:**

After reading through the second and third amendments, we are accomplishing the goal with Assemblywoman Kirkpatrick's amendment. In some of the cases, the second and third amendments would make it harder for the owner or operator of the vehicle.

SENATOR DENIS MOVED TO AMEND AND DO PASS AS AMENDED  
A.B. 385 WITH THE AMENDMENT SUBMITTED BY  
ASSEMBLYWOMAN KIRKPATRICK.

SENATOR FARLEY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

\* \* \* \*

Senate Committee on Transportation  
May 14, 2015  
Page 6

**Chair Hammond:**

There being no public comment, the meeting is adjourned at 8:45 a.m.

RESPECTFULLY SUBMITTED:

---

Tammy Lubich,  
Committee Secretary

APPROVED BY:

---

Senator Scott Hammond, Chair

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

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	2		Attendance Roster
A.B. 143	C	1	Megan Comlossy	Work Session Document
A.B. 176	D	1	Megan Comlossy	Work Session Document
A.B. 204	E	1	Megan Comlossy	Work Session Document
A.B. 385	F	5	Megan Comlossy	Work Session Document