

**MINUTES OF THE
SENATE COMMITTEE ON TRANSPORTATION**

**Seventy-Eighth Session
March 17, 2015**

The Senate Committee on Transportation was called to order by Chair Scott Hammond at 8:33 a.m. on Tuesday, March 17, 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

GUEST LEGISLATORS PRESENT:

Senator Greg Brower, Senatorial District No. 15
Assemblyman Tyrone Thompson, Assembly District No. 17

STAFF MEMBERS PRESENT:

Megan Comlossy, Policy Analyst
Darcy Johnson, Counsel
Tammy Lubich, Committee Secretary

OTHERS PRESENT:

Caleb Cage, Director of Military and Veterans Policy, Office of the Governor
Bonnie McDaniel
William High
Terri L. Albertson, C.P.M., Administrator, Division of Management Services and
Programs, Department of Motor Vehicles
Rusty McAllister, President, Professional Firefighters of Nevada

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Sean McDonald, M.B.A., Administrator, Division of Central Services and Records, Department of Motor Vehicles
Doreen M. Rigsby, C.P.M., Division of Central Services and Records, Department of Motor Vehicles
John Fudenberg, D-ABMDI, Assistant Coroner, Office of the Coroner/Medical Examiner, Clark County
Sean Sever, Communications Director, Communications Division, Nevada Department of Transportation

Chair Hammond:

We will open the hearing on Senate Bill (S.B.) 209.

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

Senator Greg Brower (Senatorial District No. 15):

Senate Bill 209 is a cleanup bill. The first veterans driver's license bill that was passed during the 77th Session allowed for veterans of the United States Armed Forces to have on their Nevada drivers' licenses a designation of their veteran status.

This new concept and opportunity has worked well for veterans in our State. The one glitch that brings us here today is that older veterans may not have a United States Department of Defense, Form 214 (DD 214) which confirms veteran status and is required to obtain the designation.

We are presenting S.B. 209 to change the law to provide flexibility to the Department of Motor Vehicles (DMV). This will allow the DMV to accept additional forms of proof a veteran may present and that the DMV deems appropriate.

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

Getting veteran designation on drivers' licenses has been a national best practice for the last 4 or 5 years. With S.B. No. 244 of the 77th Session, Nevada was the 14th state to enact the designation on its drivers' licenses.

Since the implementation in 2013, the DMV and the Office of the Governor regularly field the questions concerning the statute which states a veteran must

submit a copy of his or her DD 214 to the DMV. This wording accommodates more than 90 percent of the veterans.

The DD 214 did not exist when veterans were leaving the service during and after World War II (WWII). There are also 21 other categories of forms for honorably discharged veterans who do not have a DD 214.

The DMV is able to address some of these needs, but adding new language proposed in S.B. 209 would formalize the policy at the statutory level and will enable it to be ingrained in the policies of the Agency.

In addition, the veteran community hosted the Veteran Legislative Symposium last year. Of the 21 identified priorities they would like to pursue, getting the veteran designation on drivers' licenses for older veterans was 17th on the list.

Chair Hammond:

It is not being suggested that the veterans can bring in any form of identification. Senate Bill 209 is enabling DMV to come up with a uniform policy across the State for other forms to be accepted in place of the DD 214. What other forms would be considered as identification for veterans?

Senator Brower:

The intent is to make it as easy as possible for veterans to obtain the designation on their drivers' licenses while ensuring there is no potential for fraud.

Mr. Cage:

I will provide a list to the Committee of 15 documents that have been verified ([Exhibit C](#)). Some of these include the War Department Adjutant General's Office (WD AGO) Form 53 series. There are a total of seven discharge documents for enlisted and commissioned military personnel that were issued prior to the DD 214. Also included is form WD AGO 755, which is an honorable discharge from the Women's Army Auxiliary Corps and form WD AGO 729, which is an honorable discharge from the Army, as well. There is now a broader range of documents used to establish a veteran's active military service.

Senator Brower:

I envision that the DMV, as it attempts to come up with its own list of satisfactory documents, would consult with Mr. Cage and his office to ensure

the perspective of the Governor's Office of Military and Veterans Policy is reflected and the DMV is on the right track in terms of what documents it will accept.

Bonnie McDaniel:

I am a 55-year resident of Las Vegas and have spent 40-plus years as a nurse. I work with many disabled veterans and I support S.B. 209. Many veterans whose service was prior to WWII do not have DD 214 forms. For Mr. Cage's information, there are also different forms for veterans from the Korean War.

William High:

I am in support of S.B. 209.

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

The DMV supports S.B. 209 and will work with Mr. Cage in establishing a list of acceptable documents.

Senator Brower:

I wish to thank the Committee for entertaining S.B. 209. This veteran designation may seem small to many people, but I can tell you that it has been very popular with veterans and veteran groups around the State. The idea is to make this privilege available to more veterans within our State without making it difficult for the veterans who may not have the DD 214, but have another form of verification.

Chair Hammond:

We will close the hearing on S.B. 209. We will open the hearing on Assembly Bill (A.B.) 155.

ASSEMBLY BILL 155: Revises provisions governing the issuance of special license plates for retired professional firefighters. (BDR 43-619)

Assemblyman Tyrone Thompson (Assembly District No. 17):

Assembly Bill 155 will allow for the issuance of special license plates ([Exhibit D](#)) to retired professional firefighters and does not create a new license plate. Currently, the law states that license plates can only be issued to current or former professional, full-time, salaried firefighters employed in this State or

retired as professional firefighters after completing 10 years of creditable service as firefighters within the State. This is in *Nevada Revised Statute* 482.3753.

Assembly Bill 155 will allow the issuance of this license plate to any person who retires as a professional firefighter after completing at least 10 years of creditable service in any jurisdiction in the United States with a fire department or federal or state agency where the duties involve the prevention and suppression of fires. This includes the U.S. Bureau of Land Management and the Division of Forestry within the State Department of Conservation and Natural Resources.

Assembly Bill 155 will also allow the additional funds to support the Professional Fire Fighters of Nevada benevolent association in Las Vegas. This fund helps fallen firefighters and their families. The fund also helps to provide scholarships to students throughout the State and helps assist in recruitment of prospective firefighters.

Assembly Bill 155 will allow the firefighters from out of state who now live in Nevada to be able to get the plate.

Section 1, subsection 4, paragraph (c) states the person's identification is verified through an identification card that is issued by a professional firefighters or chiefs organization or association from any other jurisdiction accepted by the DMV.

Chair Hammond:

What kind of identification will be accepted from veteran firefighters from other states?

Rusty McAllister (President, Professional Firefighters of Nevada):

Most retirees are issued both a badge and identification card signifying they have spent a career with a professional fire department in another part of the Country.

Chair Hammond:

Does everybody have the same understanding of what a career firefighter is, and is a certain number of years actually put on the certificate when the person leaves the department?

Mr. McAllister:

It is not put on the card. A career firefighter has to have a minimum amount of time to collect the retirement. Unless you retire, you do not get the identification card.

Chair Hammond:

Is it assumed that if firefighters retire from another part of the Country, they have at least 10 years of service?

Mr. McAllister:

Yes, that is correct. The Professional Fire Fighters will help the retiree and DMV in getting the required information to send in with their registration.

There is a large enclave of retired firefighters from Los Angeles County and a large contingency of former New York firefighters living in the State who would like to have this license plate.

Assembly Bill 155 will also generate revenue to support the Professional Fire Fighters of Nevada benevolent association. These funds are used to support firefighters and their families when there is a need. Scholarships are also provided for 17 locals in our organization throughout the State. There are two scholarships per local given to students in high schools in their jurisdictions. The American Red Cross is also supported with donations to its program, "Fire Hurts. Red Cross Helps." This program supports individuals who have lost their homes to fires.

Senator Gustavson:

Is there a photo on the ID cards?

Mr. McAllister:

I do not believe that every card would have a photo.

Mr. High:

I am a retired professional firefighter from the City of New York. I have been a resident of Nevada for the past 15 years. I support A.B. 155.

To answer Senator Gustavson's question concerning a photo on the identification cards, my identification card shows the rank, name, badge number and has a photo. On the back it states, New York City Fire Department

Identification Card. Any alteration, duplication or possession of unauthorized card is a felony punishable by New York City Penal Code 170-10 and 170-25. Therefore, anyone who is in possession of my card and uses it falsely will be in violation of the New York City Penal Code.

The retired professional firefighters in Nevada are a resource. When they can be identified by a special license plate, they become an asset.

Sean McDonald, M.B.A. (Administrator, Division of Central Services and Records, Department of Motor Vehicles):

The DMV is neutral concerning A.B. 155 and will work with Assemblyman Thompson and Mr. McAllister to move it forward.

Doreen M. Rigsby, C.P.M. (Division of Central Services and Records, Department of Motor Vehicles):

In response to your concerns regarding the identification of firefighters, the bottom of the DMV application states that the applicants for the plates understand what is required and certify they qualify as professional firefighters.

Chair Hammond:

Is there a penalty associated if people fraudulently portray themselves as something they are not?

Ms. Rigsby:

Yes, there is a penalty.

John Fudenberg, D-ABMDI (Assistant Coroner, Office of the Coroner/Medical Examiner, Clark County):

Clark County is in support of A.B. 155.

Ms. McDaniel:

I am in full support of A.B. 155.

SENATOR MANENDO MOVED TO DO PASS A.B. 155.

SENATOR GUSTAVSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond:

We will begin the work session on S.B. 2.

SENATE BILL 2: Increases the maximum speed at which a person may drive or operate a vehicle. (BDR 43-13)

Megan Comlossy (Policy Analyst):

The Committee heard S.B. 2 on March 10. I will read from the work session document ([Exhibit E](#)). Senate Bill 2 increases the maximum speed at which a person may drive or operate a vehicle from 75 miles per hour (mph) to 85 mph. The Nevada Department of Transportation (NDOT) may also establish speed limits for motor vehicles on highways up to 85 mph. The bill expands the imposition of a limited \$25 fine for speeding violations within certain incremental parameters up to 90 mph. No amendments for this measure were proposed, but there is a conceptual amendment at this point.

Senator Gustavson:

The purpose of the proposed conceptual amendment is to enable legislation and relieve concerns about enabling NDOT to raise the speed limit. The verbal conceptual amendment would change the 85 mph maximum speed to 80 mph to be more in line with the neighboring states.

Sean Sever (Communications Director, Communications Division, Nevada Department of Transportation):

The NDOT is still opposed to S.B. 2 due to safety reasons.

Chair Hammond:

I want to remind the Committee that this is enabling legislation only. If this legislation is passed, NDOT would have full control over whether or not to raise the maximum speed limit, based on NDOT studies.

Senator Manendo:

I am extremely concerned about high rates of speed. For the people that are listening and may read about this in the paper and think that they can now go 80 mph on U.S. Highway 95 or Interstate 15, this is not the case. If these

standards are adopted later on, this is not a solid brush sweep across the board. Drivers still need to watch the speed limit signs. This is only enabling the NDOT, if it chooses to change speed limits upon follow up of studies.

Chair Hammond:

I agree. The perception is that Nevada will have new autobahns and that people will be going whatever speeds they want, but this is not the intent of the bill. The intent of S.B. 2 is enabling legislation only that would allow NDOT to determine which stretches of four-lane highways, if any, in the State would be able to support increased speeds of up to 80 mph. That could be none right now. There could be a situation where they do research and determine that there is no stretch of highway that is suitable for an 80 mph speed limit due to safety risks. If there is any stretch of highway that would benefit, it will be clearly marked 80 mph.

Senator Denis:

Currently, NDOT has the ability to set the speeds limits, but is there only a maximum speed limit to which they can go?

Senator Gustavson:

Yes.

Senator Denis:

Senate Bill 2 states that if the NDOT wants to set a speed limit higher, it can. Can NDOT still continue to set speeds based on traffic studies?

Senator Gustavson:

Correct. This is only enabling legislation. Senate Bill 2 does not mandate anything.

Chair Hammond:

In section 3, subsection 1, paragraphs (d), (e) and (f), will the conceptual amendment still increase those speed limits?

Senator Gustavson:

In the conceptual amendment, paragraph (f), the posted speed limit is 85 mph not to exceed 90 mph; this would not apply and would be eliminated. Section 3, subsection 1, paragraphs (d) and (e) would stay.

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SENATOR FARLEY MOVED TO AMEND AND DO PASS S.B. 2.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Chair Hammond

The work session is closed on S.B. 2. There is no public comment; this meeting is adjourned at 9:16 a.m.

RESPECTFULLY SUBMITTED:

Tammy Lubich,
Committee Secretary

APPROVED BY:

Senator Scott Hammond, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	6		Attendance Roster
S.B. 209	C	1	Caleb Cage	Proof of Service Documents List
A.B. 155	D	1	Assemblyman Tyrone Thompson	License Plate Image
S.B. 2	E	1	Megan Comlossy	Work Session Document