

**MINUTES OF THE
SENATE COMMITTEE ON TRANSPORTATION**

**Seventy-Eighth Session
March 19, 2015**

The Senate Committee on Transportation was called to order by Chair Scott Hammond at 8:31 a.m. on Thursday, March 19, 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:

Senator James A. Settelmeyer, Senatorial District No. 17

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Clayton Markin, Legislative Intern for Senator Don Gustavson
Don Turner, President, Nevada Firearms Coalition
Bonnie McDaniel
Robert List, Xtreme Green Electric Vehicles, LLC
Neil S. Roth, President, Xtreme Green Electric Vehicles, LLC
Buzz Harris
John Fudenberg, Clark County
A.J. Delap, Las Vegas Metropolitan Police Department

Chair Hammond:

I will open the hearing on Senate Bill (S.B.) 229.

SENATE BILL 229: Provides for the issuance of special license plates indicating support for Second Amendment rights. (BDR 43-713)

Clayton Markin (Legislative Intern for Senator Don Gustavson):

If enacted, S.B. 229 would authorize the creation of a specialty license plate to highlight the Second Amendment to the United States Constitution as shown in my handout ([Exhibit C](#)).

Funds raised from the sale of these license plates will be allocated to a nonprofit organization called the Nevada Firearms Coalition. The money would be used to support firearm safety and education programs throughout Nevada as outlined in my flyer ([Exhibit D](#)).

Hunters and recreational shooters make up a significant portion of Nevada's residents. The specialty license plate program would allow these sportsmen to raise money for a cause about which they care. The beauty of this program is that it allows entities to raise and direct contributions to legitimate nonprofit organizations in an efficient way.

The specialty license plate program in Nevada has already raised awareness and funds for a number of important programs. Our universities, firefighters and rescue animals along with many other worthy causes receive assistance from this program. If passed, S.B. 229 would add the Nevada Firearms Coalition to the list of worthwhile causes so the important work of firearm education, gun safety and suicide prevention training may be expanded to benefit more Nevadans.

A vote today will not create these plates tomorrow; it would simply authorize the license plates to be submitted to the Commission on Special License Plates, which will have to approve the plate. The Second Amendment license plate would have to wait in line to be issued. Any specialty license plate falling below 1,000 new purchases per year will fall off the list allowing another design to take its place.

This vote is not a gun control issue like many of the other bills being heard this Session. This does not tighten or remove any gun control. This bill allows the

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people to raise funds for the Nevada Firearms Coalition, which sponsors gun safety and suicide prevention programs at no additional burden to the taxpayers. I urge a yes vote on S.B. 229.

Chair Hammond:

Does this license plate require a surety bond?

Senator Don Gustavson (Senatorial District No. 14):

A surety bond is not required today, but will be determined at the time the license plate design is approved by the Commission on Special License Plates. The surety bond will be required later on in the process.

Chair Hammond:

Is the surety bond in place to ensure you obtain 1,000 active license plates for this design?

Senator Gustavson:

Yes. If the Department of Motor Vehicles does not receive 1,000 active registrations from the sale of this license plate, the surety bond will defray the costs.

Senator Denis:

You indicated the funding would go to different causes; could you tell me how those causes are chosen? Could the different causes receiving these funds change?

Don Turner (President, Nevada Firearms Coalition):

Our primary purpose is firearm safety and education. We are affiliated with the National Rifle Association, the National Shooting Sports Foundation, the Civilian Marksmanship Program and USA Shooting, which is a United States Olympic Committee organization. We have been fortunate enough to partner with the Nevada Suicide Prevention Project, and we work with local gun ranges and dealers to develop a signature program called "Be Aware" ([Exhibit E](#)). I have submitted my letter of support for S.B. 229 ([Exhibit F](#)).

The Be Aware program has to do with the safe and secure use and storage of firearms and prevention of access by unauthorized and at-risk persons. Our very first public offering of this education will be April 9, 2015, at the Green Valley Library. The attendance is free. We will have representatives from

a company that sells gun safes and representatives from the Suicide Prevention Program and Be Aware to teach and expose our citizens to the safe handling and storage of firearms. This is one of the many programs the Nevada Firearms Coalition is involved in implementing.

Senator Denis:

The money raised by the sale of this license plate will go to the Nevada Firearms Coalition, and you will determine how the money is spent. Is the Nevada Firearms Coalition a 501(c)(3) nonprofit corporation?

Mr. Turner:

The Nevada Firearms Coalition is a 501(c)(4), but if a 501(c)(3) is required to receive this funding, we are prepared to implement it.

Senator Denis:

With the 501(c)(4), would you be using these funds for political programs?

Mr. Turner:

We have a separate division for firearm safety and education, and we allocate our money to each division. The funding would be sent to the education and training division to be used exclusively for firearms safety and education programs.

Senator Manendo:

I want to make sure we are not donating to a political action committee rather than making it filter into an education fund. Could the money be used for political campaigns? It would not be appropriate for any of the money to be used for campaign expenses.

Mr. Turner:

The money would not be used for political campaigns, as it would be immoral and against our bylaws. We would keep separate spreadsheets that would be available for auditing at any time. Our primary purpose is firearms safety and education, competition and recreation, but we are forced to get into the legislative process due to concerns of our members. This money would be earmarked and solely used for this type of training program.

Senator Gustavson:

There are statutes in place making the determination of how the funds can or cannot be used.

Bonnie McDaniel:

I fully support S.B. 229. I have been looking into the Nevada Firearms Coalition and conducting other research. I can almost guarantee the license plate will have 1,000 active registrations just from southern Nevada.

Chair Hammond:

I will close the hearing on S.B. 229 and open the hearing on S.B. 263. I would like to welcome former Governor Robert List to the Senate Committee on Transportation.

SENATE BILL 263: Revises provisions relating to the operation of certain vehicles. (BDR 43-1107)

Robert List (Xtreme Green Electric Vehicles, LLC):

Senate Bill 263 is aimed at authorizing agencies to use a three-wheeled electric vehicle on sidewalks for police purposes. The bill is necessitated by the fact that under Nevada law such vehicles cannot be used on public sidewalks. Xtreme Green Electric Vehicles manufactures not only this three-wheeled police vehicle but also other electric vehicles that are sold all over the world. Nevada is the one place where these electric vehicles cannot be used on a sidewalk. The proposed language changes in S.B. 263 would allow the vehicles to be used in Las Vegas at the Fremont Street Experience or on any other public sidewalk in Nevada.

When discussing the provisions of the bill with representatives of Clark County and the Las Vegas Metropolitan Police Department (LVMPD), we learned they had some concerns about the potential for security officers to use these vehicles on public sidewalks.

You will note in section 1, subsection 2, paragraph (c), there is a provision allowing a security officer to use these vehicles on sidewalks. The concern of the LVMPD is for security officers using these vehicles on the Las Vegas Strip because of the congestion in that area. We have agreed to remove the provision allowing security officers to utilize these vehicles on The Strip. We would

request leaving the security guard authorization in the bill for other locations such as the Fremont Street Experience or other locations within the State.

There was concern that this might authorize other types of electric vehicles, and we agreed with the LVMPD that we would limit usage to three-wheeled electric vehicles. We suggest the words in section 1, subsection 2 "not more than" be stricken so it would read "designed to travel on three wheels." The usage would be limited to police on the Las Vegas Strip and elsewhere in Nevada on three-wheeled vehicles. Xtreme Green Electric Vehicles is a great company that manufactures these vehicles in southern Nevada and ships them all over the world.

Neil S. Roth (President, Xtreme Green Electric Vehicles, LLC):

Our company began about 10 years ago and incorporated in 2007. The years 2007 and 2008 were not good years to begin a new company. We have come through those hard times and now have a 50,000-square-foot factory located in North Las Vegas. We have the largest selection in the world of work, security and police vehicles that are all electric. We found our vehicles to be safe and responsible for use by the police and security because we worked with them to ensure the safety of our vehicles.

There is a busy historic district in Guadalajara, Mexico, similar to the Las Vegas Strip. They took 50 officers off bicycles and put them on 20 of our electric vehicles, which reduced their petty crime by 50 percent after the first 30 days. Much of that success comes from an ounce of prevention is worth a pound of cure. People can see the police officers when they are using our electric vehicles. The vehicles are much more maneuverable, and the officer is able to get to any location quickly or slowly if he has to go through crowds of people.

Some of our other vehicles are being used by military, police and fire departments. We have not been able to provide our vehicles to the LVMPD for use on the Las Vegas Strip and we would like to have that opportunity.

Senator Gustavson:

Are two-wheeled electric vehicles in use on the sidewalk now for security purposes?

Mr. Roth

No. There were some concerns voiced about the Segway being dangerous. A two-wheeled Segway is not as balanced. Some tourists use a Segway in other places and Legislators were trying to avoid that scenario.

The Xtreme Green vehicle is a three-wheeled, aluminum body frame and can be viewed on <www.xgev.com>. The vehicle is lighted with headlights and take-down lights for officer safety in an alleyway. The officer stands about 9 inches above the crowd when standing on the vehicle. The vehicle is only about 32 inches wide, which is the average width of a person's shoulders so it does not take up any more room than a bicycle. The officer will not get tired from pedaling, and will be seen above the crowd. The officers who helped design the vehicle stated, "If someone who may be ready to do something can see us, they know we can see them and they will not do it."

Senator Denis:

I thought we had passed something a few years back with Segway vehicles. Does this bill add the three-wheeled vehicles? Will this bill allow your vehicle to be used on the Las Vegas Strip?

Mr. Roth:

Yes. I do not believe a Segway vehicle is allowed on the Las Vegas Strip, and S.B. 263 does not change that.

Chair Hammond:

If a Segway vehicle was already allowed on sidewalks in some areas, this would allow the three-wheeled vehicle to be used on the Las Vegas Strip for police and security officers. We need to make sure we tighten the language and protect the resort corridor for the security officers.

Senator Gustavson:

According to section 1, subsection 2, you want to eliminate the language to "not more than" three-wheeled vehicles so the two-wheeled vehicles could still be used as needed.

Mr. Roth:

Segway vehicles are not allowed on the sidewalks now, they are only allowed on private property.

Mr. List:

We would suggest from a drafting standpoint, that section 2 read, the provisions of subsection 1 do not apply to a vehicle that is powered solely by electricity and designed to travel on three wheels while such vehicle is operated. We would strike the words "not more than," so only three-wheeled vehicles would be allowed.

Buzz Harris:

I have an electric trike vehicle that has three wheels and it is well-represented in the Downtown Container Park shopping center in southern Nevada. I am a certified trainer and I have seen these vehicles in a variety of other places such as in small towns. The vehicle being discussed would allow security officers the visibility they would not normally have on a bicycle, and the vehicle is more stable. The vehicle allows the officer the ability to be above the crowd and very visible, so I support S.B. 263.

John Fudenberg (Clark County):

Our concerns have been stated and Clark County is in support of S.B. 263 with the proposed amendments.

A.J. Delap (Las Vegas Metropolitan Police Department):

This is a measure we bumped into a few years ago, and had looked into this type of vehicle for our patrol services on the Las Vegas Strip. We had to back away from it because of vehicles not being allowed on sidewalks. The LVMPD supports S.B. 263.

Chair Hammond:

As the bill is written, the language would exclude the Segway vehicle from being allowed the same privilege as the three-wheeled electric vehicles. Does the LVMPD use the Segway vehicle at all?

Mr. Delap:

There are no Segway vehicles being used by our agency. The three-wheeled vehicle provides a level of safety beyond the two-wheeled vehicle.

Chair Hammond:

If we included the two-wheeled vehicle, would that be a concern?

Mr. Fudenberg:

The three-wheeled electric vehicle may provide a more stable platform for the officers, which is a safety issue. We do not have a position on either type of vehicle.

Senator Gustavson:

Would helmets be required?

Mr. Delap:

As a matter of policy, our officers would be wearing helmets.

Chair Hammond:

I will close the hearing on S.B. 263 and open the work session for 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)

Megan Comlossy (Policy Analyst):

Senate Bill 209 removes the requirement that an honorably discharged veteran of the Armed Forces of the United States submit a copy of the U.S. Department of Defense DD Form 214 in order to have a designation of veteran status placed on his or her driver's license or instruction permit. Instead, the bill requires a veteran to submit satisfactory evidence of an honorable discharge or other document of honorable separation to the Department of Motor Vehicles (DMV) as indicated in the work session document ([Exhibit G](#)).

In testimony, we heard all veterans do not receive a DD Form 214, so this would provide flexibility for those who might want the designation on their drivers' licenses.

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Chair Hammond:

We want to ensure uniformity. When the DMV puts this information into their regulations, it will ensure the documentation asked for will be universal throughout Nevada. The DMV will create a list of documents most veterans will have in their possession.

SENATOR MANENDO MOVED TO DO PASS S.B. 209.

SENATOR GUSTAVSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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There being no further business to come before the Committee, we are adjourned at 9:09 a.m.

RESPECTFULLY SUBMITTED:

Martha Barnes,
Committee Secretary

APPROVED BY:

Senator Scott Hammond, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	3		Attendance Roster
S.B. 229	C	1	Clayton Markin	Handout
S.B. 229	D	1	Clayton Markin	Education programs flyer
S.B. 229	E	1	Don Turner	Be Aware flyer
S.B. 229	F	1	Don Turner	Letter of support
S.B. 209	G	1	Megan Comlossy	Work session document