

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON TRANSPORTATION**

**Seventy-Ninth Session
May 16, 2017**

The Committee on Transportation was called to order by Chairman Richard Carrillo at 3:26 p.m. on Tuesday, May 16, 2017, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/79th2017.

COMMITTEE MEMBERS PRESENT:

Assemblyman Richard Carrillo, Chairman
Assemblywoman Ellen B. Spiegel, Vice Chair
Assemblywoman Shannon Bilbray-Axelrod
Assemblyman John Ellison
Assemblyman Ozzie Fumo
Assemblyman Richard McArthur
Assemblywoman Daniele Monroe-Moreno
Assemblyman Michael C. Sprinkle
Assemblyman Justin Watkins
Assemblyman Jim Wheeler
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Jann Stinnesbeck, Committee Policy Analyst
Darcy Johnson, Committee Counsel
Joan Waldock, Committee Secretary
Trinity Thom, Committee Assistant



OTHERS PRESENT:

Pam Robinson, Policy Director, Office of the Governor
Carrie Edlefsen, Administrative Services Officer, Division of Museums and History,
Department of Tourism and Cultural Affairs
Robert Mergell, Deputy Administrator, Division of State Parks, Department of
Conservation and Natural Resources
Terri L. Albertson, Director, Department of Motor Vehicles

Chairman Carrillo:

[Roll was called. Committee protocols and rules were explained.] As you can see, not all of our Committee members are here yet. We will take the work session last, in the order shown on the agenda. We will be having Committee members coming in and out, as they are needed at other hearings. If necessary, we will take a recess in order to have members here for the work session. We will open the hearing on Senate Bill 37.

Senate Bill 37: Makes various changes relating to the issuance and renewal of license plates which commemorate the 150th anniversary of Nevada's admission into the Union. (BDR 43-232)

Pam Robinson, Policy Director, Office of the Governor:

I am here today with Terri Albertson, the Director of the Department of Motor Vehicles (DMV) and Bob Mergell, the Deputy Administrator of the Division of State Parks. Carrie Edlefsen will be here on behalf of the Division of Museums and History, as Peter Barton, the Administrator of the Division, was unable to attend today.

I am pleased to be here today to testify in support of Senate Bill 37. This is a measure that will make changes to the renewal of the sesquicentennial license plate. You might recall that Assembly Bill 24 of the 77th Session passed, and the Governor signed it into law. That provided for the creation and the issuance of a special license plate commemorating the 150th anniversary of Nevada's admission to the Union. These specialty plates were designed by the Nevada Sesquicentennial Planning Committee, in coordination with DMV. Governor Sandoval also created the Nevada Sesquicentennial Commission, appointing members who were charged with the responsibility of planning and executing a year-long, statewide celebration in recognition of Nevada's 150th birthday.

The celebration kicked off on Nevada Day 2013, and culminated on Nevada's 150th anniversary of statehood, October 31, 2014. During that year, over 500 public events were hosted throughout the state—some by the Commission, many by local governments, tribes, community organizations, schools, churches, and many others. One of our unique events was setting an official world's record for the most people, at the same time, singing their state song. I know many members of this body participated all over the state in different places to do that, so thank you. This was a rich, inclusive, educational year that reignited state pride and embraced the celebration motto, "Battle Born, Nevada Proud."

The purpose of the plate was to provide the resources necessary to ensure that this celebration was successful and that it would reach to every corner of the state. I am pleased to say, it did. There was something for everyone. We restored over 122 of Nevada's historical markers. There were educational tours of historical sites; we made improvements and restorations to buildings, structures, and the projects that related to the preservation and protection of our heritage.

The plate was sold from July 31, 2013, to October 31, 2016. The legislation specified that renewal fees would not be collected after October 2016. Senate Bill 37 does not reinstate the sale of the specialty plates, but would remove the prohibition of charging the \$20 renewal fee for the license plate. The proceeds would be divided equally between the Division of State Parks and the Division of Museums and History. These funds would be used for educational initiatives associated with our history: projects related to preserving, promoting, and protecting the heritage of Nevada; improvements to or restoration of historic buildings and structures; and other opportunities that will help us preserve and promote our great heritage.

Chairman Carrillo and members of the Committee, the Nevada 150th anniversary plate has been one of the most popular plates in Nevada's history. The plate was available for a little over three years. In that time, DMV sold just under 25,000 which is an enormous demonstration of state pride. Allowing the renewal fee to be collected would go a long way to continue the popular goals of the sesquicentennial to preserve, protect, and promote the greatness of our state. It would give our museum and resource managers extra tools to continue to provide those rich outdoor experiences, cultural and educational opportunities, and provide much-needed improvements for many of our state's treasures.

Thank you again for the opportunity to be here. I urge your support of S.B. 37, and I am happy to answer any questions you might have.

Chairman Carrillo:

Are there any questions from members of the Committee?

Assemblywoman Bilbray-Axelrod:

I want to put it on the record that the license plate is so cool that the only way I could get my dad to give me his replica blue license plate "C5" was by giving him one of the sesquicentennial plates.

Chairman Carrillo:

Seeing no questions, we will now take testimony in support of S.B. 37.

**Carrie Edlefsen, Administrative Services Officer, Division of Museums and History,
Department of Tourism and Cultural Affairs:**

I am standing in for the Administrator of the Division, Peter Barton. I am here today on behalf of the Division of Museums and History in support of Senate Bill 37.

For the Division of Museums and History, the funds made available upon passage of this bill would go to support critically needed projects, directly supporting the uses of the proceeds as described in section 1, subsection 3 of this bill. These are projects that are not presently funded to the extent needed through the Division's revenue sources.

The Division of Museums and History places a high priority on ensuring programs are accessible to all audiences. Senate Bill 37 would enable significant advances in serving audiences with visual and hearing impairments, physical and cognitive challenges, and disabilities as identified by the Americans with Disabilities Act of 1990 and its 2008 amendment. This legislation would also support the preservation and management of museum collections and historic structures.

Due to the uncertain nature of revenue that will be generated, funds will not be used to support any ongoing expenditures such as personnel costs. The funds will be focused on fulfilling the mission and vision through the enhancement of programs within the provisions of this legislation. The vision of our Division states that we are "Recognized as the most trusted stewards and engaging storytellers of Nevada's heritage." This legislation would advance the ability to meet this vision and to provide a substantive experience for all visitors to Nevada's state museums.

Thank you, Chairman Carrillo, for this opportunity. If there are any questions, I would be happy to answer them if I can.

Chairman Carrillo:

Are there any questions from Committee members? [There were none.]

Robert Mergell, Deputy Administrator, Division of State Parks, Department of Conservation and Natural Resources:

Good afternoon Chairman Carrillo and members of the Committee. I am here today on behalf of the Division of State Parks in support of Senate Bill 37. [He read from [\(Exhibit C\)](#).]

The funds made available by passage of this bill would be invaluable to the many historic structures managed by State Parks today and in the future. As such, the Division has built into its fiscal year 2018 to 2019 budget the authority to receive these funds should S.B. 37 pass. While structural repairs and restoration could be accomplished with this funding, education and interpretation is just as important for preservation of our history.

Nevada State Parks has many sites with historic structures: Fort Churchill, Ward Charcoal Ovens, Old Las Vegas Mormon Fort, Spring Mountain Ranch, and Elgin Schoolhouse, to name a few. The structures at all of these locations require ongoing upkeep, and several need major repair. The value of these structures is not just their age; it is the role they played in Nevada's past. By providing interpretive context, the structures tell a story to our visitors that certainly helps in their preservation. The simple fact is that identifying a funding source for these needs has always been an issue. This bill would help the agency by providing

a recurring revenue stream to assist with both deferred and preventive maintenance for these structures as well as interpretive efforts—work that the agency might not otherwise be able to complete. Thank you, Chairman Carrillo, for this opportunity. I would be happy to answer any questions you or members of the Committee may have.

Chairman Carrillo:

Are there any questions from Committee members? [There were none.] Is there anyone else in support of S.B. 37 up north? [There was no one.] Is there support in Las Vegas? [There was none.] Is there opposition to S.B. 37 in northern or southern Nevada? [There was none.] Is there neutral testimony in southern Nevada? [There was none.] Is there neutral testimony in northern Nevada? [There was none.] Are there any closing remarks?

Terri L. Albertson, Director, Department of Motor Vehicles:

I am pleased to be here today in support of S.B. 37. We feel that the revenues that will be generated from the fees associated with these plates will be going to worthy causes. We would appreciate your support.

Chairman Carrillo:

I get a lot of compliments on my commemorative plate. We will close the hearing on Senate Bill 37. I know that the Committee is two members short, but we have another member almost ready to leave for a bill hearing presentation.

Before I open the work session, I want to remind everyone that the work session is not a rehearing of the bill. We will open the work session on Senate Bill 149 (1st Reprint).

Senate Bill 149 (1st Reprint): Revises provisions governing regional transportation commissions. (BDR 22-318)

Jann Stinnesbeck, Committee Policy Analyst:

Senate Bill 149 (1st Reprint) revises provisions governing regional transportation commissions. It was heard in this Committee on May 4, 2017. [He read from the work session document ([Exhibit D](#)).] The bill revises provisions governing regional transportation commissions (RTCs) to allow for the construction, operation, and maintenance of a high-capacity transit system if certain conditions are met. An RTC must seek approval from a county or city that owns any public right-of-way needed for construction of any such projects. The bill authorizes an RTC to enter into agreements with other local governments for the development of projects and to share the costs related to any such projects. In certain larger counties, currently Clark and Washoe Counties, an RTC may recommend the imposition of an additional tax to fund the projects, but no such tax may be imposed unless and until the tax is approved by the voters in the county at the next general election. Additionally, an RTC is authorized to:

- Provide grants to conduct research for and otherwise develop and implement certain innovative transportation;

- Use a turnkey procurement process or competitive negotiation process; and
- Impose civil penalties for the unauthorized parking of a vehicle at a transportation facility.

Finally, the bill repeals provisions requiring the RTC in a county whose population is 700,000 or more—currently Clark County—to establish a regional rapid transit authority and requires that the provisions of existing law governing RTCs be liberally construed to allow an RTC to meet its objectives.

There is one amendment on this bill brought forward by the Regional Transportation Commission of Southern Nevada. It clarifies that the recommendations have to include the location of transportation projects. The amendment is attached to the work session document.

Chairman Carrillo:

Do I have a motion?

ASSEMBLYWOMAN SPIEGEL MADE A MOTION TO AMEND AND
DO PASS SENATE BILL 149 (1ST REPRINT).

ASSEMBLYMAN FUMO SECONDED THE MOTION.

Chairman Carrillo:

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN WATKINS AND WHEELER
VOTED NO.)

The floor statement goes to Assemblywoman Spiegel.

Senate Bill 156 (1st Reprint): Revises provisions relating to the transportation of children in motor vehicles. (BDR 43-349)

Jann Stinnesbeck, Committee Policy Analyst:

Senate Bill 156 (1st Reprint) revises provisions relating to the transportation of children in motor vehicles. The bill was heard in this Committee on May 11, 2017. [He read from the work session document ([Exhibit E](#)).] The bill increases the age at which a child is required to be secured in a child restraint system from less than 6 years of age to less than 8 years of age. It also removes the weight requirement, and adds a height requirement for determining whether a child is required to be secured in a child restraint system. The bill requires a child younger than 13 years of age, who is not otherwise required to be secured in a child restraint system, to be secured in a safety belt in the back seat of the vehicle, except in certain circumstances. Additionally, the bill provides that it is a primary offense by the driver to fail to require a child who is older than 8 years of age to wear a seatbelt. Lastly, S.B. 156 (R1)

requires a parent or guardian of a child older than 8 years of age to be cited if the parent or guardian was present in, and not the driver of, a motor vehicle while the child was not wearing a safety belt. There are no amendments to this bill.

Chairman Carrillo:

Do I have a motion?

ASSEMBLYMAN SPRINKLE MADE A MOTION TO DO PASS
SENATE BILL 156 (1ST REPRINT).

ASSEMBLYMAN WATKINS SECONDED THE MOTION.

Chairman Carrillo:

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN ELLISON, McARTHUR,
AND WHEELER VOTED NO.)

Assemblywoman Bilbray-Axelrod will take the floor statement.

Senate Bill 215 (1st Reprint): Revises the circumstances under which the holder of a driver's license or identification card must report a name change to the Department of Motor Vehicles. (BDR 43-673)

Jann Stinnesbeck, Committee Policy Analyst:

Senate Bill 215 (1st Reprint) revises the circumstances under which the holder of a driver's license or identification card must report a name change to the Department of Motor Vehicles. The bill was heard in this Committee on May 11, 2017. [He read from the work session document ([Exhibit F](#)).] It sets forth various events including adoption, divorce, and death of a spouse under which a person must and may change his or her full legal name on a driver's license or identification card. The bill provides the types of documentation required as evidence of an applicable event. A person may choose various options for a full legal name, including a hyphenated last name or replacing a middle name with his or her last name, and using the last name of his or her adoptive parents or spouse as his or her last name. To assist in implementing these changes, the bill removes the requirement for the Director of the Department of Motor Vehicles to define the term "full legal name" and instead defines the term in statutes for purposes of obtaining driver's licenses, instruction permits, driver authorization cards, identification cards, and motorcycle driver's licenses. There are no amendments to this bill.

Chairman Carrillo:

Do I have a motion?

ASSEMBLYMAN WATKINS MADE A MOTION TO DO PASS
SENATE BILL 215 (1ST REPRINT).

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE MOTION.

Chairman Carrillo:

Is there any discussion on the motion?

Assemblyman Ellison:

I have a question regarding section 6, subsection 5, regarding a fee. Could you explain what the fee is? On page 6, line 10, it says, "The Department may charge and collect, for a change to an identification card pursuant to this section, the fee"

Darcy Johnson:

This regards an identification card, not a driver's license. The fee is already in *Nevada Revised Statutes* 483.820 for changing your address or getting a new card—whether you lost it or washed it in the washing machine. This is just a note that if you change it based on one of the provisions of this new law, that same fee will apply.

THE MOTION PASSED. (ASSEMBLYMAN McARTHUR WAS ABSENT
FOR THE VOTE.)

Chairman Carrillo:

The floor statement goes to Assemblywoman Woodbury.

Senate Bill 312 (1st Reprint): Revises provisions relating to driving under certain conditions. (BDR 43-94)

Jann Stinnesbeck, Committee Policy Analyst:

Senate Bill 312 (1st Reprint) revises provisions relating to driving under certain conditions. This bill was heard in this Committee on April 27, 2017. [He read from the work session document ([Exhibit G](#)).] It changes provisions of law related to driving and public safety. Among other things, the bill revises the duties of:

- A driver upon approaching or being approached by certain emergency vehicles and other vehicles displaying flashing lights and upon approaching a traffic incident;
- A law enforcement officer providing for the removal of a vehicle, any spilled cargo of a vehicle, or other property that is obstructing traffic, interfering with the normal flow of traffic, or otherwise endangering public safety; and

- A driver moving his or her vehicle after a crash or other incident, if the vehicle is able to be moved and is creating a hazard or obstructing traffic.

The bill provides that a law enforcement officer, the law enforcement agency employing the officer, a unified command, or a tow car operator who provides for the removal of a vehicle, spilled cargo, or other property: (1) is not liable for any damage to the vehicle, cargo, or property that results from the removal; and (2) must make a reasonable attempt to notify the owner of the vehicle, cargo, or property if the owner is not present at the time of removal. There are no amendments to this bill.

Chairman Carrillo:

Do I have a motion?

ASSEMBLYWOMAN SPIEGEL MADE A MOTION TO DO PASS
SENATE BILL 312 (1ST REPRINT).

ASSEMBLYMAN WATKINS SECONDED THE MOTION.

Chairman Carrillo:

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN McARTHUR WAS
ABSENT FOR THE VOTE.)

Assemblyman Sprinkle will take the floor statement.

Senate Bill 320 (2nd Reprint): Sets forth certain conditions relating to the towing or immobilizing of a motor vehicle. (BDR 58-1143)

Jann Stinnesbeck, Committee Policy Analyst:

Senate Bill 320 (2nd Reprint) sets forth certain conditions relating to the towing or immobilizing of a motor vehicle. The bill was heard in this Committee on May 9, 2017. [He read from the work session document ([Exhibit H](#)).] It sets forth conditions relating to towing a motor vehicle from a residential complex. The bill requires the owner of the real property or an authorized agent of the owner to notify the vehicle's owner 48 hours prior to towing by placing a sticker on the vehicle providing the date and time that the tow will take place. Vehicles may only be towed for a parking violation if the vehicle is not registered, or if the registration has been expired for not less than 60 days. For any issue related to the health and safety of the residents of the residential complex, notification of the vehicle's owner 48 hours prior to towing is not required.

There is one amendment brought forth by Garrett Gordon with Nevada Community Association Institute. It revises the 48-hour notice requirement by requiring the sticker provide the date and time after which the vehicle will be towed. It limits the 60-day restriction on towing for expired vehicle registration to only those vehicles that belong to

residents of the residential complex. It simplifies the language authorizing immediate towing for issues related to the health and safety of residents of the complex and aligns the language with existing authorization for such towing in a common-interest community.

Chairman Carrillo:

Do I have a motion?

ASSEMBLYWOMAN SPIEGEL MADE A MOTION TO AMEND AND
DO PASS SENATE BILL 320 (2ND REPRINT).

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

Chairman Carrillo:

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMAN McARTHUR WAS ABSENT
FOR THE VOTE.)

Assemblywoman Spiegel will take the floor statement.

Senate Bill 339 (1st Reprint): Revises provisions relating to the issuance of vintage license plates. (BDR 43-80)

Jann Stinnesbeck, Committee Policy Analyst:

Senate Bill 339 (1st Reprint) revises provisions relating to the issuance of vintage license plates. It was heard in the Committee on May 11, 2017. [He read from the work session document ([Exhibit I](#)).] It extends the manufactured date of a vehicle to qualify for a vintage license plate from not later than 1942 to not later than 1961. There are no amendments to this bill.

Chairman Carrillo:

Do I have a motion?

ASSEMBLYWOMAN BILBRAY-AXELROD MOVED TO DO PASS
SENATE BILL 339 (1ST REPRINT).

ASSEMBLYMAN WHEELER SECONDED THE MOTION.

Chairman Carrillo:

Is there any discussion?

THE MOTION PASSED. (ASSEMBLYMAN McARTHUR WAS ABSENT
FOR THE VOTE.)

Assemblyman Wheeler will take the floor statement.

Senate Bill 448 (1st Reprint): Revises provisions relating to public works. (BDR 28-603)

Jann Stinnesbeck, Committee Policy Analyst:

Senate Bill 448 (1st Reprint) revises provisions relating to public works. It was heard in this Committee on May 9, 2017. [He read from the work session document ([Exhibit J](#)).] It extends provisions authorizing a public body to accept a request from a person wishing to develop, construct, improve, maintain, or operate a transportation facility to certain other facilities, including tourism improvement projects. The bill also provides for the use of a public-private partnership to plan, finance, design, construct, improve, maintain, operate, or acquire the rights-of-way for an eligible facility. The measure establishes procedures for the financing of certain eligible facilities and for the disposition of money that is received and is to be retained by a public body pursuant to a public-private partnership.

There are two amendments to this bill. The first was brought forth by Senator Manendo, Senator Hammond, and the Regional Transportation Commission of Southern Nevada, which prohibits the charging of tolls or other user fees, as a result of any project undertaken as part of a public-private partnership authorized by this bill, for the use of any portion of any roadway in existence on the effective date of this act.

The second amendment was brought forth by Jeanette Belz, National Association of Surety Bond Producers. It requires performance and payment bonds for design and construction that are part of public-private partnership agreements, and authorizes surety bonds if additional security is desired.

Chairman Carrillo:

Do I have a motion?

ASSEMBLYMAN WHEELER MOVED TO AMEND AND DO PASS
SENATE BILL 448 (1ST REPRINT).

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

Chairman Carrillo:

Is there any discussion on the motion? We are voting on the bill with both amendments read by Mr. Stinnesbeck.

THE MOTION PASSED. (ASSEMBLYWOMAN BILBRAY-AXELROD
WAS ABSENT FOR THE VOTE.)

I will take the floor statement. We will close the work session. The meeting is open to public comment.

Assemblyman Ellison:

I just read the amendment on Senate Bill 149 (1st Reprint). I will reserve my right to change my vote. I would like to speak to the sponsor of the amendment.

Chairman Carrillo:

Is there anyone here for public comment in southern or northern Nevada? [There was no one.] We are adjourned [at 3:58 p.m.].

RESPECTFULLY SUBMITTED:

Joan Waldock
Committee Secretary

APPROVED BY:

Assemblyman Richard Carrillo, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is written testimony submitted by Robert Mergell, Deputy Administrator, Division of State Parks, Department of Conservation and Natural Resources, in support of Senate Bill 37.

[Exhibit D](#) is the Work Session Document for Senate Bill 149 (1st Reprint), dated May 16, 2017, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for Senate Bill 156 (1st Reprint), dated May 16, 2017, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for Senate Bill 215 (1st Reprint), dated May 16, 2017, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for Senate Bill 312 (1st Reprint), dated May 16, 2017, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for Senate Bill 320 (2nd Reprint), dated May 16, 2017, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for Senate Bill 339 (1st Reprint), dated May 16, 2017, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit J](#) is the Work Session Document for Senate Bill 448 (1st Reprint), dated May 16, 2017, presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.