

**MINUTES OF THE
SENATE COMMITTEE ON TRANSPORTATION**

**Seventy-ninth Session
April 27, 2017**

The Senate Committee on Transportation was called to order by Chair Mark A. Manendo at 9:09 a.m. on Thursday, April 27, 2017, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 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 Mark A. Manendo, Chair
Senator Don Gustavson
Senator Scott Hammond
Senator Patricia Farley

COMMITTEE MEMBERS ABSENT:

Senator Kelvin Atkinson, Vice Chair (Excused)

GUEST LEGISLATORS PRESENT:

Assemblyman Richard Carrillo, Assembly District No. 18

STAFF MEMBERS PRESENT:

Michelle Van Geel, Policy Analyst
Darcy Johnson, Counsel
Debbie Shope, Committee Secretary

OTHERS PRESENT:

Donnie Perry, Administrator, Division of Compliance Enforcement, Department of Motor Vehicles
Teri Baltisberger, DMV Services Manager III, Division of Management Services and Programs, Department of Motor Vehicles

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Jude Hurin, Administrator, Division of Management Services and Programs,
Department of Motor Vehicles
April Sanborn, DMV Services Manager III, Division of Management Services and
Programs, Department of Motor Vehicles
Chuck Callaway, Director, Office of Intergovernmental Services, Las Vegas
Metropolitan Police Department
Corey Solferino, Washoe County Sheriff's Office
J. Pat Gallagher, Project Manager, Parsons
Haley Martin, Carson Middle School
MacKenzie Solferino

CHAIR MANENDO:

We will open the hearing on Assembly Bill (A.B.) 60.

ASSEMBLY BILL 60 (1st Reprint): Revises provisions governing the initial
issuance and reinstatement of certain licenses relating to vehicles.
(BDR 43-221)

DONNIE PERRY (Administrator, Division of Compliance Enforcement, Department
of Motor Vehicles):

With me today is Teri Baltisberger with our Division of Management Services
and Programs. Assembly Bill 60 is presented before the Committee as a
Department clean-up bill. The bill was designed to address three specific areas:
late fees, fingerprint submission and temporary vehicle placards. First, A.B. 60
establishes a late fee of \$25 for the reinstatement of licenses and registrations
if a business license or registration is allowed to expire before renewal. This was
designed as an incentive for businesses to allow their licenses to not expire.
Second, fingerprint submission, A.B. 60 requires a person applying for the initial
license to operate as an automotive wrecker, a salvage yard or body shop to
submit a complete set of fingerprints for submission to the Federal Bureau of
Investigation for its report, and pay a fee as established by the Department
through regulations for processing the fingerprints. This process has been
implemented to maintain consistency with the regulatory requirements for other
businesses throughout the State. Finally, existing law requires the Department
to collect a fee for each temporary placard issued to a seller or long-term lessor
of vehicles. Assembly Bill 60 repeals the requirement for the Department to
collect the fees. There have also been two amendments to this bill.

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CHAIR MANENDO:

Was there opposition in the Assembly for this bill?

MR. PERRY:

There was no opposition to the bill. A friendly amendment came from LKQ Corporation from the wrecking and salvage yards, and they requested not to have the entire corporate group in the company fingerprinted. They only want the representatives that are on file at the Secretary of State's Office to be fingerprinted. The Department went through a joint process and worked with LKQ Corporation to get the change into the bill.

CHAIR MANENDO:

Who will be fingerprinted, and who will not be fingerprinted?

TERI BALTISBERGER (DMV Services Manager III, Division of Management Services and Programs, Department of Motor Vehicles):

The persons that are responsible for the operation of the business within Nevada will be the ones who will be fingerprinted.

CHAIR MANENDO:

Who is not fingerprinted? You mentioned the amendment and how it was changed, some people were and some were not fingerprinted.

MS. BALTISBERGER:

The company was LKQ Corporation, and they came to us and stated there was some broad language. They asked it be narrowed because they are a major corporation that has many offices throughout the United States. They have approximately 26 corporate officers and did not want to have to fingerprint every one of them.

CHAIR MANENDO:

Everyone who is located in Nevada would be fingerprinted?

MS. BALTISBERGER:

Yes.

MR. PERRY:

For clarification, section 7 of the bill said the form must designate the persons whose names are required to appear thereon. That was part of the amendment to make sure we identify the people who were being fingerprinted.

CHAIR MANENDO:

We will close the hearing on A.B. 60. We will open the hearing on A.B. 261.

ASSEMBLY BILL 261 (1st Reprint): Revises provisions governing motorcycle drivers' licenses and instruction permits. (BDR 43-837)

ASSEMBLYMAN RICHARD CARRILLO (Assembly District No. 18):

The bill before you is in response to a loophole in the current law that allows motorcycle permit holders to ride indefinitely without ever fulfilling or fully acquiring a motorcycle operator endorsement or motorcycle driver's license. Essentially, A.B. 261 limits the amount of time a motorcycle instruction permit is valid to six months and will only allow someone to renew their motorcycle instruction permit one time after the initial six months expires within a five-year period. There are also limits on how many times a person can take the driving test without passing before they are denied a motorcycle endorsement or motorcycle driver's license.

With your indulgence, I will walk through the bill briefly.

Sections 1 and 2 of the bill contain current language in the *Nevada Revised Statutes* that establishes the provisions for a person under the age of 18 to obtain a driver's license after meeting the requirements for driver's training and supervised driving in order to obtain a driver's license. Section 2 adds language that allows a motorcycle driver's license to be issued to a person after meeting the requirements for having held an instruction permit for not less than 6 months and having taken a motorcycle safety course and completing a log documenting 50 hours of motorcycle driving experience that is signed by a parent or guardian.

Section 3 of the bill adds provisions for any person aged 15 1/2 to 18 to be issued a motorcycle driver's permit after passing a vision and written test. This would enable the permit holder to ride a motorcycle for one year; the permit can only be renewed once. Once the permit holder reaches the age of 18, the permit would expire, regardless of when it was renewed. This section also outlines that

a person over the age of 18 may be issued a motorcycle driver's instruction permit after passing a visual and written test. The permit is valid for six months and may only be renewed once within a five-year period. For both age groups, the instruction permit holder may not carry passengers, ride on access-controlled highways, and may only drive between sunrise and sunset.

Section 5 of the bill requires that a person between the ages of 16 and 18 must also meet all the same requirements as someone in the same age range that is applying for a driver's license with a motorcycle endorsement and must pass written and driving tests.

This bill is to ensure that those who are issued a motorcycle instruction permit go through the proper steps to obtain a motorcycle driver's license or endorsement, leading to safer riders and less motorcycle crashes.

SENATOR HAMMOND:

I do not understand the part about the five years. If they failed to renew the permit within a five-year period, what happens after the five-year period? What do they have to do in order to get that endorsement, do they have to go back and start from square one? Is that the intent?

ASSEMBLYMAN CARRILLO:

If the permit expires and they wait longer than five years, they would have to reapply. If they use up their two permits in that five-year period, they cannot apply for another permit until after the five-year period expires. If they want to take a rider safety course, that will take the five-year waiting period out. That is for those over the age of 18, it is not for anyone under the age of 18. What we are trying to do is prevent people from remaining on the permit and never obtaining the endorsement or motorcycle driver's license. What happens is they renew it once from the initial six-month period, and with the initial renewal period, it combines to a total of one year in that five-year period. They cannot go back to the Department of Motor Vehicles (DMV) and state that they want another renewal; they would have to wait five years before they could get their license renewed. Alternatively, they can take a motorcycle safety course and get the license. What we do not want to do is continue renewing repeatedly, which is what is happening. This will stop the endless renewal process. They either get the license or get the training. Five years sends a statement that we want them to get that endorsement or motorcycle driver's license. We do not want them to continue ambling on a permit. There are also people that only ride

their motorcycles on weekends or motorcycles are not their daily commuter vehicle. They are not in a rush to get their motorcycle license or endorsement. They only need it when they ride. However, they continue to renew the permit.

SENATOR HAMMOND:

If someone is over the age of 18, and they have a car and they have an instruction permit, is it the same scenario? When the permit expires, do they go in and renew it? Can they continue to renew it? Is this bill going to mirror what we currently do with instruction permitting and driver's licensing?

ASSEMBLYMAN CARRILLO:

I think I would like to defer to the Legal Division, because you want to know if it mirrors vehicle driver's licensing, correct?

SENATOR HAMMOND:

Correct, do we have people who are over the age of 18 who just keep getting renewing instruction permits time after time?

JUDE HURIN (Administrator, Division of Management Services and Programs, Department of Motor Vehicles):

The question in regards to the driver's license, there is no cap on renewing the permit at this point. To make a comparison though, about a year to a year and a half ago we did something very similar to Assemblyman Carrillo's language regarding the instruction permit for commercial driver's licenses having caps. That was a federal mandate for all jurisdictions with which to comply. The language Assemblyman Carrillo is proposing is very similar to what we already have in our commercial driver's license regulations: it is something I believe we would need to look at for the driver's license as well.

As Assemblyman Carrillo has pointed out, we want to remove the loopholes. We want people to apply for the instruction permit, get the training and be able to knowledgeably handle the vehicle safely on the road.

SENATOR HAMMOND:

It appears that you are working on tying up the loopholes and have it mirrored in commercial licensing, and we are looking at mirroring another area.

APRIL SANBORN (DMV Services Manager III, Division of Management Services and Programs, Department of Motor Vehicles):
I agree with the testimonies presented.

ASSEMBLYMAN CARRILLO:
I also agree with the testimonies presented.

CHUCK CALLAWAY (Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department):
Las Vegas Metropolitan Police Department is here in support of this bill. Anything that can help reduce fatal motorcycle accidents is a step in the right direction. For the record, we have had 40 traffic-related fatalities in the Las Vegas Metropolitan Police Department's jurisdiction this year, of those 40, 10 involved motorcycles or mopeds. A quarter of the fatal accidents involved motorcycles or mopeds. We have also seen a trend recently where many people that are involved in motorcycle accidents have not received their motorcycle endorsement on their driver's license.

COREY SOLFERINO (Washoe County Sheriff's Office):
The Washoe County Sheriff's Office is here in support of A.B. 261. I would like to echo the sentiments of our colleagues from the south. As an emergency vehicle operations course instructor, most accidents occur from those who are either surprised or overconfident, which is inexperienced drivers. Doing training that is mandated helps them better prepare for the roadway in the real world.

CHAIR MANENDO:
We see two young ladies in the audience. It must be bring-your-daughter-to-the-Legislature day, I do not know if they wanted to come up and testify on the bill. When our person who is neutral concludes, you can come up and say anything for the record; we will have you do that.

J. PAT GALLAGHER (Project Manager, Parsons):
I am the project manager for the State of Nevada, Traffic Incident Management Coalition. A big part of our coalition is to push forward the zero fatalities mandate and try to obtain that goal in the State. My wife is currently the fatality file analyst for the Office of Traffic Safety. As I present my meetings throughout the State, part of it is having to update the different divisions I go to with the statistics, in parts of Nevada where our coalitions are located. I give real time, up-to-date fatal statistics in Nevada. On Tuesday, I conducted my

Traffic Incident Management meeting in Reno; yesterday I was in Tonopah, and there is another meeting going on today in Las Vegas. As of yesterday, the statewide totals for motorcycle fatalities are 17. Fifteen of those were in Clark County, two were in Washoe. We see an alarming amount of fatalities of unlicensed drivers. I think this loophole closure of the permitting issue with the motorcycle endorsement will really assist in reducing the fatal motorcycle crashes in Nevada. I happen to know many of the motorcycle instructors for the Nevada Rider program and have had many discussions with them over the past several months regarding this bill. The one push they continually tell me is when these people go through the Nevada Rider program offered by the Office of Traffic Safety, it not only makes them safer motorcycle riders, but it also helps them become better vehicle drivers. We will get better bang for our buck in Nevada by pushing this forward.

CHAIR MANENDO:

I want to say thank you to Assemblyman Carrillo, who is also the Chair of the Assembly Committee on Transportation, for his leadership in public safety. This is a very important piece of Legislation, as Mr. Gallagher mentioned. We appreciate you bringing this bill forward. We will close the hearing on A.B. 261.

We have a couple of young ladies and we need them to come up and say their name for the record.

HALEY MARTIN (Carson Middle School):

I echo the DMV's comments on motorcycle permits.

MACKENZIE SOLFERINO:

I came to the Legislature to learn more about the process.

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CHAIR MANENDO:

There being no further business to come before the Committee, this meeting is adjourned at 9:42 a.m.

RESPECTFULLY SUBMITTED:

Debbie Shope,
Committee Secretary

APPROVED BY:

Senator Mark A. Manendo, Chair

DATE: _____

| EXHIBIT SUMMARY | | | | |
|-----------------|-------------------------|---|------------------|-------------------|
| Bill | Exhibit / # of pages | | Witness / Entity | Description |
| | A | 1 | | Agenda |
| | B | 1 | | Attendance Roster |