

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GROWTH AND INFRASTRUCTURE**

**Eightieth Session
April 11, 2019**

The Committee on Growth and Infrastructure was called to order by Chair Daniele Monroe-Moreno at 2:07 p.m. on Thursday, April 11, 2019, 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/80th2019.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Daniele Monroe-Moreno, Chair
Assemblyman Steve Yeager, Vice Chair
Assemblywoman Shea Backus
Assemblywoman Shannon Bilbray-Axelrod
Assemblyman Richard Carrillo
Assemblyman John Ellison
Assemblyman Glen Leavitt
Assemblywoman Rochelle T. Nguyen
Assemblyman Tom Roberts
Assemblyman Greg Smith
Assemblyman Howard Watts
Assemblyman Jim Wheeler

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Michelle L. Van Geel, Committee Policy Analyst
Jessica Dummer, Committee Counsel
Lori McCleary, Committee Secretary
Alejandra Medina, Committee Assistant



OTHERS PRESENT:

Sean P. McDonald, Administrator, Division of Central Services and Records,
Department of Motor Vehicles

Denise Engle, DMV Services Manager, Division of Central Services and Records,
Department of Motor Vehicles

Rafael Arroyo, President, Registration Services Association of Nevada, Las Vegas,
Nevada

Sarah Lee Marks, Automotive Business Services, Inc., Henderson, Nevada

Chair Monroe-Moreno:

[Roll was called. Committee rules and protocol were explained.] We have a long work session today, and I will be adding Assembly Bill 338 to the agenda. I will be removing Assembly Bill 465 from the agenda. I will open the work session for Assembly Bill 23.

Assembly Bill 23: Authorizes Department of Motor Vehicles to adopt regulations relating to certain electronically controlled vehicles and transportation devices. (BDR 43-365)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 23 was heard in this Committee on February 14, 2019 and sponsored by the Committee on behalf of the Department of Motor Vehicles (DMV) ([Exhibit C](#)). The bill authorizes the DMV to adopt regulations related to the operation and testing of certain electronically controlled vehicles and transportation devices other than autonomous vehicles.

There are two amendments attached to the work session document. The first amendment removes provisions in the bill related to remote control devices. This amendment was offered by Assemblyman Yeager. The second amendment excludes transportation systems operating solely upon a fixed mechanical or electromagnetic guideway. This amendment was offered by staff of DMV.

Chair Monroe-Moreno:

I will give the members an opportunity to look over the amendments that are in the work session packet. Is there any discussion on the amendments?

Assemblywoman Bilbray-Axelrod:

I am looking at the amendment from DMV and I am wondering if someone could tell me the definition of "electromagnetic guideway." Would that include light rail?

**Sean P. McDonald, Administrator, Division of Central Services and Records,
Department of Motor Vehicles:**

This particular bill is being followed by another member at DMV. I can get an answer, but unfortunately, I do not have an answer at this moment.

Assemblywoman Bilbray-Axelrod:

I will be voting yes, but I am curious.

Sean McDonald:

I just received information from someone who is watching. No, the amendment has nothing to do with rails.

Chair Monroe-Moreno:

I will entertain a motion to amend and do pass Assembly Bill 23.

ASSEMBLYMAN YEAGER MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 23.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Leavitt. The next bill on work session is Assembly Bill 28.

Assembly Bill 28: Revises provisions governing the evidence satisfactory to declare status as a veteran on an instruction permit, driver's license, identification card or commercial driver's license. (BDR 43-242)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 28 was heard in this Committee on February 19, 2019 and sponsored by the Committee on behalf of the Department of Veterans Services ([Exhibit D](#)). The bill revises provisions governing satisfactory evidence for declaring status as a veteran on an instruction permit, driver's license, identification card, or commercial driver's license. Specifically, the bill provides that such evidence may include, without limitation, digital verification obtained from the Nevada Veterans Information System maintained by the Department of Veterans Services.

Two amendments have been offered on the bill and are attached to the work session document. The first amendment authorizes the Department of Motor Vehicles (DMV) and the Department of Veterans Services to enter into an agreement regarding information sharing. This amendment was proposed by the Department of Veterans Services. The second amendment would add the current list of acceptable documents a veteran can submit as proof of an honorable discharge, with language clarifying that the list does not limit the DMV from accepting other documents. This amendment was proposed by Assemblywoman Bilbray-Axelrod.

Chair Monroe-Moreno:

I will entertain a motion to amend and do pass Assembly Bill 28.

ASSEMBLYWOMAN BILBRAY-AXELROD MADE A MOTION TO
AMEND AND DO PASS ASSEMBLY BILL 28.

ASSEMBLYMAN WHEELER SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Bilbray-Axelrod. The next bill on work session is Assembly Bill 270.

Assembly Bill 270: Authorizes a regional transportation commission to dispose of certain property. (BDR 22-579)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 270 was heard in this Committee on March 26, 2019 and sponsored by Assemblywoman Peters ([Exhibit E](#)). The bill authorizes a regional transportation commission to sell at a public auction property acquired through eminent domain proceedings or purchased under the threat of eminent domain proceedings that is no longer needed for public use.

There is an attached amendment to add language allowing direct sales to another government agency. This amendment was proposed by Michael Hillerby on behalf of the Regional Transportation Commission of Washoe County. The second portion of Mr. Hillerby's proposed amendment to *Nevada Revised Statutes* 277A.280 regarding microtransit is not germane to the bill and should not be considered by the Committee.

Chair Monroe-Moreno:

I will entertain a motion to amend and do pass Assembly Bill 270.

ASSEMBLYMAN WATTS MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 270.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Backus. The next bill on work session is Assembly Bill 316.

Assembly Bill 316: Revises provisions relating to driving under the influence of alcohol or a prohibited substance. (BDR 43-312)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 316 was heard in this Committee on March 28, 2019 and is sponsored by Assemblymen Tolles, Roberts, Hansen, and Leavitt, and Senator Seevers Gansert ([Exhibit F](#)). The bill establishes a statewide sobriety and drug monitoring program within the Department of Public Safety and in which any county in this state may elect to participate. If a county elects to participate in the program, the Department is required to assist the county in the establishment and administration of the program in the county, and the Board of County Commissioners is required to designate a law enforcement agency in the county to enforce the program. The bill provides direction to courts and counties participating in the program regarding which offenders are eligible for the program, and it sets forth requirements offenders must follow to participate in the program. Finally, the bill requires the Department to adopt regulations to implement the program, requires a law enforcement agency enforcing the program to collect any required fees, and provides for the distribution and use of such fees.

There are two amendments for the bill, both proposed by Assemblywoman Tolles, attached to the work session document. The attached mock-up contains conceptual amendments that make a number of technical changes to the bill that, among other things, are intended to remove any references to the Department of Public Safety being responsible for the administration of the program. Instead, the program is to be voluntary on the part of any county, city, or other local government jurisdiction that administers alternative sentencing.

The second amendment is to amend section 12 to remove the reference to the Department of Public Safety and replace it with a reference to the Committee on Testing for Intoxication in the definition of the term "testing." This provision was inadvertently left out of the mock-up when the bill was originally presented.

Chair Monroe-Moreno:

I will entertain a motion to amend and do pass Assembly Bill 316.

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO AMEND AND
DO PASS ASSEMBLY BILL 316.

ASSEMBLYMAN LEAVITT SECONDED THE MOTION.

Is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Smith. The next bill on work session is Assembly Bill 333.

**Assembly Bill 333: Provides for the issuance of “One October” specialty license plates.
(BDR 43-273)**

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 333 was heard in this Committee on April 9, 2019 and sponsored by Assemblymen Cohen, McCurdy, and Jauregui ([Exhibit G](#)). The bill provides for the issuance of special license plates commemorating and memorializing the victims of the One October shooting in Las Vegas. Fees generated from these plates will be distributed to the Vegas Strong Resiliency Center for the use in providing resources and referrals to residents, visitors, and responders affected by the One October shooting.

At the time of printing, there were no amendments for the measure, but it is my understanding Assemblywoman Nguyen has a verbal amendment.

Assemblywoman Nguyen:

I have a couple of amendments I am hoping to add to the bill. First, I would like to add my name as a cosponsor on the bill. Second, it is our proposal to change it from One October to Vegas Strong. We did get the necessary approvals to be able to use that trademarked name and slogan.

Assemblywoman Bilbray-Axelrod:

I, too, would like to be added as a cosponsor of the bill.

Assemblyman Roberts:

I, too, would like to be added as a cosponsor of the bill.

Chair Monroe-Moreno:

For those Committee members who would like to be added to the bill, please raise your hand. We will include all members of the Committee to be added as cosponsors of this bill. I will entertain a motion to amend and do pass Assembly Bill 333.

ASSEMBLYMAN WHEELER MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 333.

ASSEMBLYMAN YEAGER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Nguyen. The next bill on work session is Assembly Bill 337.

Assembly Bill 337: Revises provisions governing railroads. (BDR 58-957)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 337 was heard in this Committee on April 4, 2019 and sponsored by Assemblywomen Martinez and Carlton ([Exhibit H](#)). The bill requires any Class I freight railroad, Class I railroad, or Class II railroad for transporting freight that operates a train or locomotive in Nevada, and any officer of such a railroad, to ensure the train or locomotive contains a crew of not fewer than two persons. The bill offers limited exceptions to these provisions and provides that any railroad or officer of a railroad who violates these provisions is liable to the Public Utilities Commission of Nevada for a civil penalty of \$1,000 for a first violation and \$5,000 for a second or subsequent violation within three years. The bill also requires vehicles to stop at railroad grade crossings when on-track equipment is approaching. Finally, the bill repeals outdated provisions concerning employment protections for certain railroad employees.

Two amendments have been offered on the bill. The first amendment would increase the civil penalties in section 2 to \$5,000 for a first violation, \$10,000 for a second violation within three years of the first violation, and \$25,000 for a third or subsequent violation within three years of the first violation. This amendment was proposed by Assemblywoman Martinez and Assemblyman Yeager. The second amendment is to add Assemblywoman Backus and Assemblyman Carrillo as cosponsors.

Chair Monroe-Moreno:

I will accept a motion to amend and do pass Assembly Bill 337.

ASSEMBLYMAN WATTS MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 337.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblyman Ellison:

Even though I feel there should be multiple crew members on the train, I feel there is a problem with federal law and where negotiations are going to come into play. I will be voting no on this bill unless I can get some information. I reserve my right to change my vote on the floor.

Assemblyman Roberts:

I feel the same way as Assemblyman Ellison. I believe the operations are currently safe with the number of people on trains. However, I have concerns about taking items in a collective bargaining agreement and placing them into *Nevada Revised Statutes*. I will be voting no.

Chair Monroe-Moreno:

Is there any further discussion? [There was none.] We will proceed to vote on the motion to amend and do pass Assembly Bill 337.

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

I will assign the floor statement to Assemblywoman Martinez. The next bill on work session is Assembly Bill 344.

Assembly Bill 344: Makes various changes to modernize the provision of cellular coverage. (BDR 58-838)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 344 was heard in this Committee on March 4, 2019 and is sponsored by Assemblywoman Carlton ([Exhibit I](#)). The bill prohibits a political subdivision of this state from discriminating against or preventing certain uses of a telecommunication system or a cable television system in the public rights-of-way by a telecommunication provider or a wireless infrastructure provider if the provider complies with applicable federal and state requirements. The bill also requires a political subdivision of this state to allow a telecommunication provider or a wireless infrastructure provider, or an affiliate thereof, to install, place, maintain, operate, or replace micro wireless facilities on certain cables owned by the provider or affiliate under the provisions of a franchise that was granted to the provider or affiliate, as applicable. Finally, the bill affirms the authority of political subdivisions of this state to exercise certain powers.

The attached amendment moves the provisions of the bill from *Nevada Revised Statutes* (NRS) Chapter 707, which is telecommunications, to NRS Chapter 711, which is video service. The amendment also changes definitions of "affiliates" and "micro wireless facility." Further, the amendment specifies that the provisions of the bill apply to video service providers, rather than wireless infrastructure providers. Finally, the amendment clarifies the powers of local government regarding their right to govern their right-of-way and specifies the safety requirements for the devices. This amendment was proposed by Craig Stevens of Cox Communications, Inc.

Chair Monroe-Moreno:

I will entertain a motion to amend and do pass Assembly Bill 344.

ASSEMBLYWOMAN BILBRAY-AXELROD MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 344.

ASSEMBLYMAN ELLISON SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Ellison. The next bill on work session is Assembly Bill 365.

Assembly Bill 365: Revises provisions governing certain motor vehicle rentals. (BDR 43-695)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 365 was heard in this Committee on April 9, 2019 and sponsored by Assemblywoman Cohen ([Exhibit J](#)). The bill provides a new maximum allowable charge of \$150, to be adjusted annually starting on July 1, 2021, for a vehicle that has a manufacturer's suggested retail price of more than \$50,000, for the purchase of a waiver of damages or optional insurance that a short-term lessor of vehicles may offer to a lessee.

The attached amendment increases the manufacturer's suggested retail price from \$50,000 to \$60,000. The amendment was proposed by Assemblywoman Cohen.

Chair Monroe-Moreno:

I will entertain a motion to amend and do pass Assembly Bill 365.

ASSEMBLYMAN LEAVITT MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 365.

ASSEMBLYWOMAN BILBRAY-AXELROD SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Backus. The next bill on work session is Assembly Bill 403.

Assembly Bill 403: Revises provisions relating to certain traffic offenses. (BDR 43-42)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 403 was heard in this Committee on April 2, 2019 and sponsored by Assemblymen Ellison, Kramer, and Roberts, et alia ([Exhibit K](#)). The bill provides that reckless driving and vehicular manslaughter apply on premises to which the public has access, including, without limitation, parking lots, parking garages, and other roads or ways that provide access to or are appurtenant to places of business, apartment buildings, mobile home parks, and gated residential communities.

The attached conceptual amendment clarifies the relationship between *Nevada Revised Statutes* 484A.400 and the amendatory provisions of this bill. The amendment was proposed by Assemblyman Ellison.

Chair Monroe-Moreno:

I will entertain a motion to amend and do pass Assembly Bill 403.

ASSEMBLYMAN WHEELER MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 403.

ASSEMBLYMAN ROBERTS SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblyman Yeager:

I am going to vote yes to move the bill out of Committee. During the hearing, I asked for the written decision from the judge that basically found no liability in the case. I have never received that. I believe the district attorney from Elko was going to send that to me. I just want to get a chance to look at that. I would like to reserve my right to change my vote on the floor.

Assemblywoman Bilbray-Axelrod:

I would also like to see that information from the district attorney. I will vote yes to move the bill out of Committee, but I would like to reserve my right to change my vote on the floor.

Chair Monroe-Moreno:

Is there any further discussion? [There was none.] We will make sure we get that information to every member on the Committee to review. If your vote will be changing after getting that documentation, please let me know.

I will call for the vote on the motion to amend and do pass Assembly Bill 403.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Ellison. The next bill on the agenda for the work session is Assembly Bill 465. That bill will not be considered at this time.

Assembly Bill 465: Establishes provisions relating to solar energy. (BDR 58-872)

Chair Monroe-Moreno:

The next bill on work session is Assembly Bill 467.

Assembly Bill 467: Revises provisions regarding charitable organizations which benefit from special license plates. (BDR 43-396)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 467 was heard in this Committee on April 9, 2019 and sponsored by the Committee on behalf of the Commission on Special License Plates ([Exhibit L](#)). The bill provides that a charitable organization does not have to provide to the Commission on Special License Plates certain information, such as a balance sheet, a bank statement, and a description of how the money was expended, if the organization received fewer than \$10,000 in that year in additional fees or if the special license plates that benefit the charitable organization are no longer in production. There were no amendments for this measure.

Chair Monroe-Moreno:

I will entertain a motion to do pass Assembly Bill 467.

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO DO PASS
ASSEMBLY BILL 467.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblywoman Bilbray-Axelrod:

I will be voting yes to move this bill out of Committee, but I do think this bill might have some unintended consequences that I had not thought of when we heard it. I would like to reserve my right to change my vote on the floor.

Chair Monroe-Moreno:

Is there any further discussion? [There was none.] I will call for the vote to do pass Assembly Bill 467.

THE MOTION PASSED UNANIMOUSLY.

I will take the floor statement myself. The next bill on work session is Assembly Bill 483.

Assembly Bill 483: Revises provisions relating to motor vehicles. (BDR 43-871)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 483 was heard in this Committee on March 28, 2019 and sponsored by this Committee ([Exhibit M](#)). The bill requires the Department of Motor Vehicles (DMV) to conduct a pilot program to gather data on the annual vehicle miles traveled for certain motor vehicles registered in this state, including data on mileage, type of vehicle, and type of fuel system for each such motor vehicle. The DMV must compile this data in a report to be provided every six months to the Legislature and the respective chairs of the Assembly and Senate Standing Committees on Growth and Infrastructure. The bill also requires the owner

of a motor vehicle in this state, other than a motorcycle or a moped, to report the mileage shown on the odometer of the motor vehicle and certain other information required by the Department at the time of initial registration, renewal of registration, and transfer of registration in a manner prescribed by the DMV. For motor vehicles for which emissions testing is required, the measure requires that the mileage and other information be transmitted to the DMV along with the evidence of compliance with emissions standards. The pilot program will expire on December 31, 2026.

An amendment has been proposed by Assemblyman Watts and the staff of DMV. The amendment:

1. Clarifies that vehicles exempt from registration under *Nevada Revised Statutes* (NRS) Chapter 482, as well as farm vehicles and vehicles registered through the Motor Carrier Division of the Department of Motor Vehicles, are also exempt from the odometer requirements.
2. Identifies two types of natural gas vehicles to ensure all fuel types are captured in the provisions of the bill.
3. Clarifies that the reported information must be included as the information becomes available.
4. Allows the DMV to adopt regulations regarding exceptions for certain registered vehicles from odometer requirements pursuant to the bill.

Chair Monroe-Moreno:

I will entertain a motion to amend and do pass Assembly Bill 483.

ASSEMBLYMAN WATTS MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 483.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblywoman Bilbray-Axelrod:

I apologize because I had a hard time hearing Ms. Van Geel's voice. I was trying to read along, but this is a big amendment. I was wondering if Assemblyman Watts could give us the high points of the amendment.

Assemblyman Watts:

The key things in the amendment are that some vehicles are exempt from getting regular registration, so that would make it very difficult to collect the odometer information on an ongoing basis. It exempts those vehicles as well as farm vehicles from having to comply with the odometer reporting requirements.

The next thing we did was hone in the definitions of the different vehicle fuel types to align with the realities in all the different fuel types as determined in consultation with DMV. The addition in section 2, subsection 3, paragraph (d), subparagraph (3) applies to those larger commercial vehicles that we had discussed. Much of that information is already being gathered through other reporting.

We also moved the reporting deadline so we could try to get some information to the interim Legislative Committee on Energy, but we made sure to clarify that, since DMV will be in the process of setting everything up and collecting the data, they will provide the data as it becomes available because they will not have all the odometer data immediately.

Finally, we wanted to make sure the DMV could develop regulations without creating a hardship. Again, this is a data gathering exercise and we do not want to make it difficult for people to register their vehicles. We are giving DMV latitude to come up with regulations for exemptions or other things so, as we are gathering this data, we are not creating any hardship on vehicle owners.

Assemblywoman Bilbray-Axelrod:

Thank you for that. In section 2, subsection 3, paragraph (d), subparagraph (1), what are the vehicles that are exempt from registration? The reason I am asking this is because I do want to pick up the people who own classic vehicles. I think that is part of the information we need to get.

Assemblyman Watts:

We did discuss that issue with DMV. Classic vehicles are not covered because they are covered in a different portion of NRS. Classic rods, classic vehicles, and vintage vehicles are still included under this proposed amendment and would be providing odometer data.

Assemblyman Wheeler:

I will vote yes to move this bill out of Committee, but I would like to reserve my right to change my vote on the floor. I have some privacy concerns that I want to go over and talk with some people about.

Chair Monroe-Moreno:

Is there any other discussion? [There was none.] I will call for the vote to amend and do pass Assembly Bill 483.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Watts. The next bill on work session is Assembly Bill 484.

Assembly Bill 484: Revises provisions governing special license plates which benefit charitable organizations. (BDR 43-395)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 484 was heard in this Committee on April 9, 2019 and sponsored by the Committee on behalf of the Commission on Special License Plates ([Exhibit N](#)). The bill authorizes the Commission on Special License Plates to recommend to the Department of Motor of Vehicles (DMV) terminating production and distribution of the special license plates if a charitable organization has failed to comply with one or more required provisions. Additionally, the bill authorizes the Commission to recommend suspending the distribution of additional fees to the charitable organization for a specified period after notifying the organization of the necessary corrective actions. At the end of the specified period, if the DMV, in consultation with the Commission, determines corrective actions have been completed, the suspension may be terminated, and the additional fees collected during the suspension may be forwarded to the charitable organization. If it is determined that corrective actions have not been completed, the Commission may recommend: (1) extending the suspension for a specified period; (2) terminating production and distribution of the special license plates and collection of the additional fees and distributing the additional fees collected during the suspension in a manner determined by the Department in consultation with the Commission; or (3) distributing all additional fees, including those held during the suspension, to a different charitable organization that meets certain requirements. There were no amendments for this measure.

Chair Monroe-Moreno:

I will entertain a motion to do pass Assembly Bill 484.

ASSEMBLYMAN YEAGER MADE A MOTION TO DO PASS
ASSEMBLY BILL 484.

ASSEMBLYMAN WHEELER SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Wheeler. The next bill on work session is Assembly Bill 485.

Assembly Bill 485: Enacts provisions relating to electric foot scooters. (BDR 43-1107)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 485 was heard in this Committee on April 9, 2019 and sponsored by this Committee ([Exhibit O](#)). The bill defines "electric foot scooters" and applies certain protections, duties, and responsibilities for riders of such vehicles similar to riders of bicycles and electric bicycles. The bill also exempts electric foot scooters from registration

requirements with the Department of Motor Vehicles (DMV), exempts the rider of an electric foot scooter from the requirement for a driver's license, and requires the rider of an electric foot scooter to be at least 16 years of age. Finally, A.B. 485 authorizes local authorities in this state to adopt ordinances regulating the time, place, and manner of operation of electric foot scooters.

There is an attached amendment that clarifies that the operation of electric scooters is consistent with the operation of electric bicycles. The amendment also adds a new section requiring scooter share operators to maintain minimum insurance coverage. This amendment was proposed by Neal Tomlinson of Hyperion Advisors on behalf of Bird Rides, Inc.

Chair Monroe-Moreno:

I will entertain a motion to amend and do pass Assembly Bill 485.

ASSEMBLYWOMAN BILBRAY-AXELROD MADE A MOTION TO
AMEND AND DO PASS ASSEMBLY BILL 485.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblywoman Bilbray-Axelrod:

I have to say thank you to the stakeholders on this bill because, as I made my concerns well known, they were very forthright in including things. This is going to be very exciting. I am excited, but I just want to make sure the kids are safe. I know my daughter is going to want to jump on one and she is 12 years old.

Assemblyman Carrillo:

When I had the bill sponsor in my office, the question was brought up regarding the age of 16 years. Is that going to include privately owned electric scooters? That was never addressed. I was not here for the Committee hearing, but if someone buys their 13- or 14-year-old child an electric scooter, what ramifications are they going to be running into if the child is not 16 years old? The bill is obviously for commercial electric scooters and not privately owned electric scooters.

Chair Monroe-Moreno:

That would be a question for our legal counsel.

Jessica Dummer, Committee Counsel:

I do not know the answer to that offhand. I would say on the face, it does not appear to be limited to scooters that are with a scooter share organization. If that is something the Committee would like to add, we can do that.

Assemblywoman Bilbray-Axelrod:

That makes me like the bill even more.

Assemblyman Carrillo:

I just want the bill to be specific that private owners of electric scooters are not going to be affected by the age limit of 16. If someone decides to buy their 14-year-old an electric scooter, would they be affected by this law? In the current language, it is not differentiated between a private scooter and a commercial scooter. At this point, the bill is including every electric scooter. There are kids under the age of 16 currently riding electric scooters. I am just concerned that the bill should be specific to a commercial scooter and not a private scooter.

Chair Monroe-Moreno:

If someone from DMV is still in the room, would you step up to the table to help with this discussion?

**Sean P. McDonald, Administrator, Division of Central Services and Records,
Department of Motor Vehicles:**

I understand the question, and I am not 100 percent sure what the best answer would be. We are talking about the liability that would exist from a personally owned electric scooter versus a commercially leased electric scooter. I would have to double check with my staff to determine exactly how this would affect private owners. Perhaps Ms. Engle can help.

**Denise Engle, DMV Services Manager, Division of Central Services and Records,
Department of Motor Vehicles:**

I agree with Mr. McDonald. We will definitely have to do a little bit of research, but we would be happy to get that information back to the Committee.

Assemblywoman Bilbray-Axelrod:

That is not the intent of the bill. Since it is not the intent of the bill, I think we can all agree to amend the bill to exclude personal electric scooters. Is that possible?

Jessica Dummer:

If the Committee would like, we can do that amendment.

Chair Monroe-Moreno:

I am going to make an executive decision and roll this bill to tomorrow's agenda.

Assemblywoman Bilbray-Axelrod:

I rescind my motion to amend and do pass Assembly Bill 485.

Assemblywoman Backus:

I rescind my second to the motion.

Chair Monroe-Moreno:

That brings us to the last bill on work session, Assembly Bill 338.

Assembly Bill 338: Revises requirements for the operation of a motor vehicle by a young or inexperienced driver. (BDR 43-600)

Michelle L. Van Geel, Committee Policy Analyst:

Assembly Bill 338 was heard in this Committee on April 4, 2019 and sponsored by Assemblymen Wheeler, Kramer, and Ellison, and Senators Spearman, Ohrenschall, and Kieckhefer ([Exhibit P](#)). The bill requires a driver operating a motor vehicle while holding an instruction permit or a restricted instruction permit, or while holding a driver's license during the six months after the initial issuance of the driver's license, to display a placard in the rear window of the motor vehicle indicating the driver holds an instruction permit, or that the driver is a new driver, as applicable. The bill further requires, with certain exceptions, an applicant for a driver's license or a driver authorization card who is under 21 years of age to complete a defensive driving course.

Rather than going through the amendment, I know Assemblyman Wheeler has a different amendment, so I will turn it over to him.

Assemblyman Wheeler:

The amendment is exactly the same and nothing has been removed from the conceptual amendment, but we are adding to the conceptual amendment. I will go through the amendment so it is on the record.

The conceptual amendment removes section 1, lines 1 through 27, which remove the requirement for a sticker or placard on the car for a student driver. That should also remove a large portion of the fiscal note. Under section 3 we are clarifying that it will be for people applying for a Class C driver's license. This will not have anything to do with buses or motorcycles or anything like that, it will only affect Class C licenses. The conceptual amendment will clarify that if the Department of Motor Vehicles finds no free courses available, the Department may suspend, through regulation, the program until such a time as free courses are available. We are going to add "hands-on" throughout the bill where it says "defensive driving" so everything in the bill will say "hands-on defensive driving course." We will be changing the effective date to July 1, 2020.

What is not in the conceptual amendment in front of you because it was added today, is that this will be a voluntary course and not mandated and will take the place of the 50-hour log if the parent so wishes. In other words, instead of doing a 50-hour log, the kids may come and do the defensive driving course.

There were also some cosponsors who wished to be added to the bill, including Assemblyman Assefa, Assemblywoman Bilbray-Axelrod, Assemblyman Leavitt, and Assemblyman Yeager.

Assemblywoman Bilbray-Axelrod:

I have a couple of concerns with the conceptual amendment. I would still like to be a cosponsor and I think it is a good bill. On No. 5 of the conceptual amendment [page 2, ([Exhibit P](#))] regarding if there are no free courses, would you consider maybe saying low-cost with a low number? Sometimes charities do need to get back something.

The other thing that makes me sad is it is no longer mandatory, because I liked that.

Assemblyman Wheeler:

I agree with you 100 percent on both of those. However, this is how I am going to get the bill out of this house. It is that simple.

Assemblyman Leavitt:

I am speaking to the conceptual amendment No. 8. and the spelling of Assemblywoman Bilbray-Axelrod's name and my name. I would like to see that corrected.

Assemblywoman Backus:

I want to make a quick statement about how impressed I was with Youth Legislator Tea as to how he lobbied this bill. He was relentless, and I was very impressed. I hope that is in the record because he is not here today to celebrate.

Chair Monroe-Moreno:

I will entertain a motion to amend and do pass Assembly Bill 338 with the amendment as explained by Assemblyman Wheeler.

ASSEMBLYWOMAN BILBRAY-AXELROD MADE A MOTION TO
AMEND AND DO PASS ASSEMBLY BILL 338.

ASSEMBLYWOMAN BACKUS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Wheeler.

That brings us to the last item on our agenda, which is public comment. Is there anyone in Las Vegas or Carson City for public comment?

Rafael Arroyo, President, Registration Services Association of Nevada, Las Vegas, Nevada:

I am here to talk about a bill that was not in today's work session, Assembly Bill 288. The bill has to do with third-party registration services. From looking at the fiscal notes, I understand maybe why the Committee did not put the bill on this work session, as the Department of Motor Vehicles (DMV) put a \$4 million fiscal note on the bill.

As I stated a couple of weeks ago when the bill was introduced, Assembly Bill 288, as introduced, is incorrect. It is not what we wanted to come across. We have been working with Assemblywoman Spiegel to introduce a conceptual amendment that would simply restore and put into statute the DMV policies and procedures that were in use in Reno and Carson City until December 2017, and in the Las Vegas area until February 2018.

The fiscal note all has to do with the additional responsibilities or privileges that were going to be given to third-party registration services. All that we are asking for is for the policies and procedures to go back to what they were. Our industry had access to these policies and procedures for three and a half years for our two windows and more than ten years for the one stand-by window.

I would ask the Committee to reconsider the conceptual amendment, as it would only put back into place things that already existed and would not have any fiscal impact. The staff is already there to facilitate this amendment. Assembly Bill 288 is an opportunity to help small businesses. In addition, new and used car dealers also use these windows. It provides alternative options to consumers at no cost to taxpayers. The staff is already there and they have been there for a while. This is going to affect over 40 businesses in the Las Vegas area and over 15 in the Reno and Carson City area, of those that are left. The recent policies by DMV have really been restricting our access and hurting our business, as well as hurting the consumer's access to alternative services. I would ask that the Committee look at the conceptual amendment to see there is zero fiscal impact.

Sarah Lee Marks, Automated Business Services, Inc., Henderson, Nevada:

I want to point out that we came today because we believed Assembly Bill 288 was going to be heard and reviewed. We understand the bill was quite comprehensive. We asked for sweeping changes to the way DMV was dealing with registration services, dealerships, fleets, et cetera. Some of the impact was from the previous legislative session which completely hobbled our business growth and put many out of business.

After review, Assemblywoman Spiegel did sit down with us, and looking at the fiscal note, we chopped this thing down hard. We expected you would have seen that all we were asking for were some responsible considerations to the way we were being addressed.

There is also the consideration of the audit, which was part of this bill, and was certainly timely as to not allowing business to be done the same way at DMV. I realize that DMV has been through quite a bit since this legislative session opened when they announced the changes in their computer system. All of this points back to the fact that the DMV and the proposals we made were there to help the constituents and the small businesses.

I ask you to please review the amendments we have offered, which should not impact one dime from where they are today on the DMV budget, but will certainly enhance the performance and perhaps make the DMV more efficient going forward. We have the support of the car dealerships, the fleet industry, and many others that are impacted every time they

go to the window to try to do business. I ask you, please, before April 12, take another hard look at the bill and the amendment. We have simplified it, and we have tried to make it easy to understand what we go through to provide the services we do. I hope you will get it out of Committee so the Senate can review it as well.

Chair Monroe-Moreno:

Thank you for your comments. I am not sure why either one of you thought it would be on the agenda for today. I apologize for whatever misinformation you received. I never had it agendaized for today. I have had a conversation with Assemblywoman Spiegel and, because of your comments today, I will have another conversation with her. I appreciate you sharing your comments.

Is there any further public comment? [There was none.]

Committee, we will be having a work session tomorrow at the call of the Chair. We will only have a few items on the agenda tomorrow.

This meeting is adjourned [at 3:04 p.m.].

RESPECTFULLY SUBMITTED:

Lori McCleary
Committee Secretary

APPROVED BY:

Assemblywoman Daniele Monroe-Moreno, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is the Work Session Document for [Assembly Bill 23](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 28](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Assembly Bill 270](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Assembly Bill 316](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for [Assembly Bill 333](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Assembly Bill 337](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for [Assembly Bill 344](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit J](#) is the Work Session Document for [Assembly Bill 365](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit K](#) is the Work Session Document for [Assembly Bill 403](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit L](#) is the Work Session Document for [Assembly Bill 467](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit M](#) is the Work Session Document for [Assembly Bill 483](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit N](#) is the Work Session Document for [Assembly Bill 484](#), dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit O](#) is the Work Session Document for Assembly Bill 485, dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.

[Exhibit P](#) is the Work Session Document for Assembly Bill 338, dated April 11, 2019, presented by Michelle Van Geel, Committee Policy Analyst, Legislative Counsel Bureau.