

**MINUTES OF THE
SENATE COMMITTEE ON GROWTH AND INFRASTRUCTURE**

**Eightieth Session
March 26, 2019**

The Senate Committee on Growth and Infrastructure was called to order by Vice Chair Chris Brooks at 1:34 p.m. on Tuesday, March 26, 2019, 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 Chris Brooks, Vice Chair
Senator Moises Denis
Senator Pat Spearman
Senator Marcia Washington
Senator Joseph P. Hardy
Senator James A. Settelmeyer
Senator Scott Hammond

COMMITTEE MEMBERS ABSENT:

Senator Yvanna D. Cancela, Chair (Excused)

GUEST LEGISLATORS PRESENT:

Senator Joyce Woodhouse, Senatorial District No. 5

STAFF MEMBERS PRESENT:

Marjorie Paslov Thomas, Committee Policy Analyst
Darcy Johnson, Committee Counsel
Tammy Lubich, Committee Secretary

OTHERS PRESENT:

Brian Mitchell, Director, Office of Science, Innovation and Technology
Elisa Cafferata, Nevada Technology Association

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Maggie O'Flaherty, Microsoft
Ray Bacon, Nevada Manufacturers Association
Sean P. McDonald, MBA, Administrator, Central Services and Records Division,
Department of Motor Vehicles
Brian Reeder, Nevada Contractors Association
John Fudenberg, D-ABMDI, Coroner, Clark County, Office of the
Coroner/Medical Examiner
Tobi Tyler, Executive Committee Member, Sierra Club, Toiyabe Chapter
Tom Polikalas, Nevada Representative, Southwest Energy Efficiency Project
Kyle Davis, Nevada Conservation League
Cameron Dyer, Western Resource Advocates
Jeanette Belz, Nevada Chapter, Associate General Contractors
Jude Hurin, CPM, Administrator, Management Services and Programs,
Department of Motor Vehicles
Peter Barton, Administrator, Division of Museums and History

VICE CHAIR BROOKS:

We will begin with Senate Bill (S.B.) 402.

SENATE BILL 402: Makes various changes concerning educational programs relating to science, technology, engineering and mathematics and makes an appropriation. (BDR 43-887)

SENATOR JOYCE WOODHOUSE (Senatorial District No. 5):

Senate Bill 402 requires the Nevada Department of Motor Vehicles (DMV), in coordination with the Office of Science, Innovation and Technology (OSIT), to design, prepare and issue special license plates for support of educational programs in science, technology, engineering and mathematics (STEM).

There are three points of data from a recent report by OSIT that underscore the need for more STEM programming. First, between now and 2026, the growth rate for STEM jobs in Nevada will be 50 percent higher than the rate for non-STEM jobs. Second, STEM jobs pay an average of \$32.68 per hour compared to \$17.77 per hour for non-STEM jobs. Third, Nevada is approximately 78,000 STEM jobs below the national average despite the fact that they pay more.

Senate Bill 402 will not close the skills gap, but it will help promote STEM education in our communities. The revenue from STEM license plates will pay

for high-quality STEM programs, helping more students. The revenues will also help underserved areas become aware and prepare for the opportunities a career in STEM can provide.

We are only addressing the issuance of the special license plate in this Committee and ask that you re-refer S.B. 402 to the Senate Committee on Education for review of the education policy.

BRIAN MITCHELL (Director, Office of Science, Innovation and Technology):
There are three changes we wish to make with Senate Bill 402. The first is to create a STEM license plate. The second is statutory clean-up language of the STEM Council's duties in recognizing students in schools. The third is an appropriation.

Each biennium the STEM Advisory Council is required to make recommendations as shown in ([Exhibit C](#)), to the Governor and Legislature regarding STEM, as per *Nevada Revised Statutes* (NRS) 223.650, section 1, paragraph (g).

According to the State Strategic Plan for STEM, few Nevadans consider STEM careers because they are not exposed as students or they are not aware of the career opportunities available to those with a postsecondary education. More must be done to make students and their families aware of the opportunities available.

The OSIT and the STEM Advisory Council proposes to create a STEM license plate to increase the awareness of education and careers and provide resources for STEM related programs. Proceeds from the license plates will be used to fund informal STEM education programs and outreach initiatives. These programs must meet the high-quality of the STEM Advisory Council. We believe S.B. 402 will increase awareness of STEM education, career opportunities and access to programming.

The license plates will help get the word out about STEM and are a welcome byproduct of the funding for these initiatives. The funds generated would be deposited in an account created in NRS 223.630. The OSIT and the STEM Advisory Council would jointly develop and solicit a competitive request for applications for the funding. The funded applications have to meet three goals identified in the State Strategic Plan for STEM. First, promote equitable access across Nevada to high-quality STEM education. Second, increase student

awareness, interest and desire to participate in STEM-focused formal and informal education programs. Third, increase student proficiency, enrollment and attainment rates in STEM-focused coursework and programs.

Eligible applicants include kindergarten through Grade 12 schools, institutions of higher education and non-profit corporations. The OSIT and STEM Advisory Council will request the awarded programs provide outcome data to evaluate the success of the programs. Funding for informal STEM education programs will be targeted to the list of recommended programs of the STEM Advisory Council. This is required to get the best possible outcome and meet established criteria in the STEM Advisory Council's STEMworks program. Funding for outreach and awareness initiatives will be prioritized to those targeted in represented groups on the STEM list.

Section 1 instructs the DMV to work with OSIT to create the STEM license plate. Subsection 5 requires the distribution of the collected fees from the treasurer to OSIT. I would like to work with your staff to clarify the language in this section to ensure schools, institutions of higher education and non-profit corporations would be eligible for funding. Sections 2 through 12 make conforming changes to NRS 482.

SENATOR SETTELMAYER:

Fees for other special license plates are higher than stated in S.B. 402. Will you be able to raise adequate funds with this fee?

MR. MITCHELL:

We will take another look at the fees and compare them with other special issue license plates.

DARCY JOHNSON (Committee Counsel):

The fees in this bill are standard for any of the special license plates where additional fees go to a cause, whether it is charitable or not.

SENATOR SETTELMAYER:

The concept of \$25 a year does not create a lot of revenue.

VICE CHAIR BROOKS:

Would you please repeat what the additional schools or universities would be?

MR. MITCHELL:

The intent is for kindergarten through Grade 12 schools, institutions of higher education or non-profits to apply for funding to run informal STEM programs or outreach initiatives. The Discovery Museum in Reno has a program on the STEM Advisory Council's list of recommended programs and would be able to apply for funding to expand it to more students. The Clark County School District could apply for funding to increase the number of middle school girls who participate in their Girls in Tech or Girls in STEM programs.

ELISA CAFFERATA (Nevada Technology Association):
We support S.B. 402.

MAGGIE O'FLAHERTY (Microsoft):
We support S.B. 402.

RAY BACON (Nevada Manufacturers Association):
Manufacturing by definition uses a substantial portion of the STEM skills not only at the engineering level, but at the worker level. For the last two years the State has been number one in the Country with 14 percent in manufacturing jobs. It is a growing number in Las Vegas. The Reno area growth is partially caused by Tesla and other companies coming to the area.

We work with the Truckee Meadows Community College to create the high-speed courses to help people working at Tesla and Panasonic. The STEM program has been very successful in helping current employees of Tesla and Panasonic to get promoted. Most of the STEM content is online, but there are labs which have to be completed. The lab is open from 7 a.m. to 8 p.m. 6 days a week so people can participate at their own pace. Employees of Tesla and Panasonic who are in this program not only get promoted, but once they complete the first course, the company pays the fees after that. It is a viable operation and is working extremely well.

SEAN P. McDONALD, MBA (Administrator, Central Services and Records Division,
Department of Motor Vehicles):

We are neutral on S.B. 402. I spoke to the bill sponsor and have requested an October 1, 2019, implementation date for the plate itself. This will give the DMV time to design, test and release the plates Statewide.

SENATOR SPEARMAN:

Last Session, to help with the success of contracts, we allowed the Department of Health and Human Services to help find funding for programs for such as this.

SENATOR WOODHOUSE:

Senate Bill 402 was created for one more way to build greater awareness for STEM education and opportunities for the State. Senate Bill 402 is also an avenue to procure additional funding to bring these programs forward.

I support the amendment proposed by the DMV to release the license plates as of October 1, 2019, and will make sure it is added to the bill.

VICE CHAIR BROOKS:

We will close the hearing on S.B. 402 and open the hearing on S.B. 114.

SENATE BILL 114: Revises provisions relating to vehicles. (BDR 58-596)

SENATOR JAMES A. SETTELMAYER (Senatorial District No. 17):

Senate Bill 114 was created from a discussion on how to have electric cars pay into the system and contribute to the State Highway Fund. How can that be done and make it rational? The idea of having drivers pay at a pump for electricity and adding a 10 percent surcharge was the result. The 10 percent surcharge would not apply at free fill stations or if your vehicle is charged at home. This is similar to a gas vehicle that pays a tax at the pump when filling their vehicle.

Most charging places are free because of State grant monies given to businesses in exchange for the businesses installing electric charging stations and providing free charging for two years. The two-year time frame is almost over and most of the places will start charging. In the meantime, electric vehicles have changed. My electric vehicle will travel about 90 miles per charge, but newer cars will go approximately 200 miles per charge and most people charge at home. We do not want to discourage people from purchasing electric vehicles and I do not believe adding 10 percent to a charging fee will do that.

Another idea is to use a smart meter on homes. Theoretically, smart meters can differentiate between the necessary charge for a car versus a microwave or washer and dryer. The vehicle mile tax was another suggestion. I believe you

will find a resistance within the general public to the vehicle mile tax. Adding an additional registration fee was another idea. I would be hesitant to raise the registration fee because I would not want to stop people from buying an electric vehicle because the registration fees are already higher than a gas vehicle.

The gas tax in Washoe County is 92 cents a gallon between the State, federal and local taxes. If a person has an electric vehicle, that money is no longer going to the roads. I created this bill to start the discussion.

VICE CHAIR BROOKS:

I am trying to figure the miles per cents. Do you know what the average cost of a kilowatt hour (kWh) is and what the 10 percent would be versus the kWh? Do you know how many miles you would get out of that kWh?

SENATOR SETTELMAYER:

I do not know. I do know the average person uses anywhere from \$12 to \$20 per fill up, depending on where you are located. In California there are more pumps so people pay approximately \$12. States like Nevada that are more spread out usually pay approximately \$20. This is based on information from Kemgo, Inc. and other entities that figure this data.

In Nevada there are businesses that provide charging for free. In Douglas County, Bentley Nevada Corporation has free charging at their distillery and at their other building. There are also many businesses in the area providing free charging.

I can get the information back to you. I was going on the average charge. I cannot tell you how many miles the average person travels. The average person usually uses about 10 gallons of gas and the cost of gas is anywhere from \$2.50 to \$3 per gallon.

SENATOR SPEARMAN:

Would the 10 percent be charged to the equipment manufacturer or to the consumer?

SENATOR SETTELMAYER:

It is similar to the way a gas pump is designed. The tax added is sent to the State Highway Fund. If you are charged \$20 to fill up at the pump and 10 percent is added, that 10 percent is then sent to the State Highway Fund.

MR. BACON:

We bought a Tesla and it has added, on average, \$13 to our power bill and removed \$70 to \$75 from our gasoline bill. The difference is our electric vehicle is getting more miles than a gasoline vehicle. Tesla runs at about 90 to 93 percent efficiency and an internal combustion engine is maxed at approximately 30 percent. At some point, we are going to have to figure out how to tax electric vehicles.

BRIAN REEDER (Nevada Contractors Association):

Our members build the roads in southern Nevada and we consider this a Statewide problem. We need to find a way to fund our highways appropriately. Senate Bill 114 seeks to get us to a starting point where some of the road users, who are not paying, will start paying. We support the concept.

JOHN FUDENBERG, D-ABMDI (Coroner, Clark County, Office of the Coroner/Medical Examiner):

We support S.B. 114.

TOBI TYLER (Executive Committee Member, Sierra Club, Toiyabe Chapter):

The Toiyabe Chapter of the Sierra Club opposes S.B. 114 on the basis that it is premature. We urge the Committee to vote no on this bill.

The argument that electric vehicle owners do not contribute to the upkeep of our roads, by not buying gas, is an inaccurate and misguided argument. Electric vehicles contribute more in excise and state sales tax than gas-fueled vehicles. This is shown in a study by the Acadia Center in March 2018 ([Exhibit D](#) contains copyrighted material. Original is available upon request of the Research Library.) The results of this study showed that electric vehicle owners pay about 20 percent more in state programs than the average conventional sedans through higher sales and excise taxes.

In addition, a 10 percent surcharge increase at charging station will only add a minuscule percentage to the budget. This will barely make a dent in the State coffers and will discourage people from owning electric vehicles. Road maintenance should not be put on the backs of families who have only sought to reduce their carbon footprint and improve air quality. Rather than penalizing electric vehicle owners, this State should be encouraging and incentivizing electric vehicle ownership.

The legislative committee of the Toiyabe Chapter would like an appointment of a committee as proposed in Senate Concurrent Resolution (S.C.R.) 3. This committee would study the best and fairest way to negotiate this conundrum. Let us approach this with careful consideration and analysis. We support S.C.R. 3 but not S.B. 114.

SENATE CONCURRENT RESOLUTION 3: Directs the Legislative Commission to appoint a committee to conduct an interim study relating to the use of electric vehicles in this State. (BDR R-779)

TOM POLIKALAS (Nevada Representative, Southwest Energy Efficiency Project): Southwest Energy Efficiency Project is a non-profit organization working to save and protect the environment by advancing energy efficiency and clean transportation. We oppose S.B. 114.

The benefits of electric transportation are severalfold. Transportation is now the single largest emitter of greenhouse gases. We need to electrify transportation in order to address this situation. In general, electric vehicles make Nevada air much healthier as shown in the study ([Exhibit E](#)). With the clean electricity mix provided by NV Energy, an electric vehicle produces 84 percent less nitrous oxide and 99 percent less volatile organic compounds. These are the main ingredients of the ozone and other pollutants impacting Nevada health.

Electric vehicles are a large economic opportunity for Nevada. We can use indigenous electricity produced in the State and keep that money in the State, instead of importing \$2.7 billion worth of gasoline. This will improve the quality of life, create jobs and additional spending in the State economy. Greater adoption of electric vehicles leads to a downward pressure on rates. This not only benefits electric vehicle drivers, but all drivers. We need to address the issue of road transportation and funding. However, electric vehicles are not the problem. Over 99 percent of road funding erosion in Nevada comes from inflation and the efficiency of internal combustion engines. If electric vehicles represent less than 1 percent of vehicles on Nevada roads, we should have a study to address how all vehicles should contribute to road funding. We oppose S.B. 114 and advocate for a transportation funding study including all modes, vehicles and factors.

KYLE DAVIS (Nevada Conservation League):

The Nevada Conservation League is opposed to S.B. 114. We do need to figure out the future of the transportation infrastructure in our State. The reality is fuel efficiency is increasing and our hope is to continue electrifying transportation. The main solution is to reduce pollution in the communities. Senate Bill 114 is only a small piece in the reduction of pollution and targets electric vehicle owners unable to charge at home. Owners able to charge at home would not have to pay the 10 percent.

The concept of charging a fee on the electricity use, same as the gas tax, should be considered. This concept should be part of an overall discussion on how to fund our transportation infrastructure.

CAMERON DYER (Western Resource Advocates):

Western Resource Advocates (WRA) is a non-profit organization dedicated to protecting the West's land, air and water. We are opposed to S.B. 114. Senate Bill 114 seeks to implement a policy to be only one component of the overall highway funding fix and should not be the only aspect considered. Therefore, WRA proposes that S.B. 114 be considered as part of S.C.R. 3.

According to the U.S. Department of Energy, 80 percent of electric vehicle charging occurs at home. The surcharge contemplated in this bill would not apply to the energy used to charge electric vehicles in the home. This would discourage public charging stations due to the cost of charging outside of the home being higher than just plugging in at home. This would hinder future development of commercial charging stations needed to support electric vehicles. Additionally, a surcharge would penalize people who cannot afford to purchase their own home and would be forced to charge their vehicles at a publicly available charging station. While the 10 percent surcharge is not large, it would add to any profit margin the charging station operator would need to stay in business.

JEANETTE BELZ (Nevada Chapter, Associated General Contractors):

We are neutral on S.B. 114.

We believe the problem actually transcends the type of vehicle someone is using. There are a number of bills that could address this issue including one in the Assembly.

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

The DMV is one of the agencies that will be directly affected by S.B. 114 and is neutral on S.B. 114.

SENATOR SETTELMAYER:

For the spirit of discussion, the secondary electric vehicle market is another interesting subject. We bought our 2015 electric vehicle model used with 20,000 miles on it. The batteries were warrantied for over 100,000 miles and we paid \$8,000. Looking at the aspect that we were spending \$200 a month in gas versus a power bill, which has gone up about \$35, this was an economic decision.

VICE CHAIR BROOKS:

We will close the hearing on S.B. 114 and open the hearing on S.B. 181.

SENATE BILL 181: Revises provisions relating to special license plates.
(BDR 43-663)

SENATOR SETTELMAYER:

Senate Bill 181 is legislation to create a license plate for zero emission, 100 percent plug-in electric vehicles.

There is a bill sponsored by Senator Cancela to fine people who park in electric vehicle parking and S.B. 181 could help verify the vehicle is electric. Senate Bill 181 is voluntary and not a requirement for electric vehicle owners.

The funds created would be divided between the State Highway Fund and possibly the Nevada Electric Highway fund. It was also suggested to give some of the funds to local governments to help with lost revenue.

The cost of the plate would be \$150, the highest in the State. The cost could be reduced to the personalized plate cost of \$50 to \$92 on renewal. I would like to discuss with the Committee what the appropriate cost should be.

There are three other components and amendments to the bill. The first amendment would be to allow vehicles with an electric plate to drive in the high occupancy vehicle (HOV) lane. Other states allow electric vehicles to drive in

the HOV lane without having a high occupancy. A second amendment is to bring back the popular Sesquicentennial plate. Bringing back this plate will help reopen a funding source for the museums. The third amendment is from the DMV to change the effective date to January 1, 2020. This will remove the fiscal notes and allow the DMV to be assisted in developing the electric vehicle plate.

I was also contacted by veterans who would like to have Medal of Honor and Purple Heart recipients receive the same considerations for parking as the Silver and Bronze Star recipients. The Silver and Bronze Star recipients do not have to pay for parking. I would like to discuss with the Committee to get some parity, especially concerning the Medal of Honor recipients.

VICE CHAIR BROOKS:

Do you have any idea of the design of the plate?

SENATOR SETTELMAYER:

No, I do not. There are designs and uniformity from other states that would be logical, such as a green license plate with a squiggly plug-in type design. Several people have notified me that they would like to help pay into the road fund and would like to have this type of license plate to demonstrate and show off their electric vehicle.

PETER BARTON (Administrator, Division of Museums and History):

I am commenting only on section 6 of S.B. 181. Seven years ago, Governor Sandoval convened a group of seven Committee members to plan the Nevada 2014 Sesquicentennial. Their charge was to craft a plan of 150 events for the yearlong celebration of Statehood and do it with no public money.

During the first meeting on March 30, 2012, the Committee focused on the possibility of a special license plate to celebrate 150 years of Statehood. Working with the Department of Public Safety and DMV, several designs were put forth. A final design was selected and Assembly Bill No. 24 of the 77th Session enabled the sale of the plate with the proceeds going to the Sesquicentennial. The plate was an immediate success, becoming a top seller with DMV. The proceeds funded over 500 events and 2 dozen legacy projects. In Battle Born Hall are exhibits that were funded entirely with proceeds from the Sesquicentennial license plate. The State historical markers were also rehabilitated with license plate funds. In 2017, the registration renewal

proceeds were split 50 percent between the State parks and the museums. This funding has helped museums to serve the underserved audiences with better content and better distribution of interpretive content. Senate Bill 181 would reintroduce the popular plate and perpetuate our efforts to preserve and celebrate Nevada's heritage. We endorse section 6 of S.B. 181.

MR. McDONALD:

The DMV would like to amend the effective date for S.B. 181 to January 1, 2020, pertaining to electric hybrid vehicles and change the date for S.B. 402 to October 1, 2019, pertaining to the 150th Sesquicentennial plate.

SENATOR SETTELMAYER:

I look forward to working with the Committee to find a solution we can craft. I would also like to talk to Senator Spearman in relation to the veterans' aspects to make sure their issues are dealt with. The Sesquicentennial plate being one of the most popular plates will help the museums.

VICE CHAIR BROOKS:

I will close the hearing on S.B. 181 and open the hearing on S.B. 352.

SENATE BILL 352: Revises provisions relating to motor vehicle registration.
(BDR 43-51)

SENATOR SETTELMAYER:

Senate Bill 352 is legislation to create concurrent registrations for a person who owns two or more motor vehicles and is required to register them in the State.

This legislation is the same as Arizona. Instead of a new tag for the plate every year for each, "PERM" is on each plate meaning "permanent tags." The permanent tag would be for persons with two or more vehicles to register. The DMV could cycle the registrations to the same day for all the vehicles.

The day picked is usually the date you registered your first vehicle. This means a business or family that has multiple vehicles would be able to register them all on the same day. Theoretically, they would only have to go to the DMV or use the kiosk once. This would reduce wait times and decrease the lines at the DMV. The DMV has requested to discuss an amendment on the effective dates to reduce the fiscal notes.

SENATOR HAMMOND:

It would be nice to know what months are probably the least impacted and start staggering from that month. With staggering the months, the whole population of Clark County will not be going in January. If I have two vehicles and one is due in March and the other in August, the DMV could request the renewal be done in March since hardly anybody goes to the DMV in March.

SENATOR SETTELMAYER:

I reached out to Arizona to find out how they started their program. Arizona renewed the tags on the day the person came in. I would leave that decision up to the DMV. Arizona did find that more people came in around the time they got their Internal Revenue Service refund check.

SENATOR HAMMOND:

As consumer, if I have a car due in March and one due in August, do I have the choice of which of those two months to register my vehicle? Can I just switch it to any month?

SENATOR SETTELMAYER:

To avoid a fiscal note, I will leave that decision to the DMV. I will agree to what makes the most economical sense.

VICE CHAIR BROOKS:

Is Arizona similar to the model you are proposing in this bill?

SENATOR SETTELMAYER:

Yes. The language in S.B. 352 was borrowed from Arizona.

MR. HURIN:

The DMV is neutral on S.B. 352. The DMV submitted a fiscal note but believes the numbers can be shaved down or the fiscal note removed. To address the question from Senator Hammond, the bill allows an individual to determine which month to register their vehicles. Usually this is based on their financial ability.

SENATOR HAMMOND:

Do you keep any data as to which months tend to be busier than other months?

MR. McDONALD:

Renewals and first time registrations are usually right after tax season. This tends to be the more popular time because people purchase vehicles around the same time as getting their tax refunds. The months that tend to be busier are March, April and May as opposed to October, November or December.

VICE CHAIR BROOKS:

Is there any type of registration for fleets or other types of government vehicles, which would allow the lining up of permanent stickers in Nevada?

MR. McDONALD:

We do register fleets in Nevada, but it is not as streamlined as many of the entities would like it. Assembly Bill 177 is for short-term lessors for a possible permanent type of registration.

ASSEMBLY BILL 177: Revises provisions governing short term lessors of vehicles. (BDR 43-88)

SENATOR SETTELMAYER:

The Assembly bill is for short-term lessors, not for our general constituents. Senate Bill 352 is to try and make it easier for the citizens in the State.

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VICE CHAIR BROOKS:

I will close the hearing on S.B. 352. Seeing no public comment the meeting is adjourned at 2:34 p.m.

RESPECTFULLY SUBMITTED:

Tammy Lubich,
Committee Secretary

APPROVED BY:

Senator Chris Brooks, Vice Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
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S.B. 114	D	6	Tobi Tyler / Sierra Club, Toiyabe Chapter	Overview
S.B. 114	E	2	Tom Polikalas / Southwest Energy Efficiency Project	Supporting Document