

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

**Eighty-First Session  
April 27, 2021**

The Committee on Growth and Infrastructure was called to order by Chair Daniele Monroe-Moreno at 1:32 p.m. on Tuesday, April 27, 2021, Online and in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, 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/81st2021](http://www.leg.state.nv.us/App/NELIS/REL/81st2021).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Daniele Monroe-Moreno, Chair  
Assemblyman Howard Watts, Vice Chair  
Assemblywoman Tracy Brown-May  
Assemblyman John Ellison  
Assemblyman Glen Leavitt  
Assemblyman C.H. Miller  
Assemblywoman Sarah Peters  
Assemblyman Tom Roberts  
Assemblywoman Shondra Summers-Armstrong  
Assemblyman Jim Wheeler  
Assemblyman Steve Yeager

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Katie Siemon, Committee Policy Analyst  
Jessica Dummer, Committee Counsel  
Devon Kajatt, Committee Manager  
Lori McCleary, Committee Secretary  
Trinity Thom, Committee Assistant



**OTHERS PRESENT:**

Brad Keating, Director, Government Relations, Clark County School District  
Brian Mitchell, Director, Office of Science, Innovation and Technology, Office of the Governor  
Dylan Keith, Policy Analyst, Vegas Chamber  
Brenda Pearson, Director, Strategic Policy Initiatives, Clark County Education Association  
Lindsay Anderson, Director, Government Affairs, Washoe County School District  
Joshua Leavitt, Chair, Society for Information Management, Las Vegas Chapter  
Craig Stevens, Senior Manager, Government and Regulatory Affairs, Cox Communications, Inc.  
Mary Pierczynski, representing Nevada Association of School Superintendents  
Doralee Uchel-Martinez, Private Citizen, Reno, Nevada  
Sean Sever, Administrator, Division of Management Services and Programs, Department of Motor Vehicles  
April Sanborn, Administrator, Division of Central Services and Records, Department of Motor Vehicles  
Andrew MacKay, Executive Director, Nevada Franchised Auto Dealers Association  
Molly Lennon, Services Manager, Division of Management Services and Programs, Department of Motor Vehicles  
Connor Cain, Vice President, Copart, Inc.  
Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada

**Chair Monroe-Moreno:**

[Roll was called. Committee rules and protocol were explained.] The first bill today will be Senate Bill 66 (1st Reprint). Our presenters will be joining us both virtually and in person.

**Senate Bill 66 (1st Reprint): Enacts provisions relating to access to the Internet and telecommunications technology for pupils. (BDR 34-430)**

**Brad Keating, Director, Government Relations, Clark County School District:**

I am excited to be with all of you in the room. Along with me today, via Zoom, is Leonardo Benavides from the Clark County School District, as well as Brian Mitchell, the Director of the Office of Science, Innovation and Technology (OSIT), within the Office of the Governor. We are excited to speak with you about Senate Bill 66 (1st Reprint). We are extremely grateful to OSIT and the Governor's Office for taking such an active role in assisting the Clark County School District on this bill and making it something we can all be proud of.

Senate Bill 66 (1st Reprint) is important to the Clark County School District for a number of reasons. As we are all aware, the COVID-19 pandemic has showcased the need to create a more comprehensive system to improve Internet access for all students [page 2, [Exhibit C](#)]. This bill will help shine a spotlight on the inequities facing families throughout the state and help us to ensure that every Nevadan receives the highest quality education.

This bill requires the Governor's Office of Science, Innovation and Technology to compile information on student home Internet access and make recommendations for improving home connectivity. In collaboration with school districts across the state, this information will become incredibly valuable to all of us.

Finally, this bill helps us quantify the challenges that we currently face and have faced over the last year which will, in turn, make the solution much more concrete and verifiable. By having this information, OSIT will be able to truly craft a plan for the state to address this digital divide.

I would now like to turn it over to Mr. Mitchell, Director of the Office of Science, Innovation and Technology.

**Brian Mitchell, Director, Office of Science, Innovation and Technology, Office of the Governor:**

I will briefly provide some additional context on this bill from OSIT's perspective. To us, this bill is an equity-focused bill. The COVID-19 pandemic has forever changed the way education happens throughout our state and throughout the nation. In order to better serve our students, it is very important that we know who has access to the Internet in their homes, who does not, and who is in need of a device to connect to the Internet.

As Mr. Keating mentioned, should this bill be passed and enacted, OSIT would do two things. In between those two things would be a role for districts and charter schools in the state. First, OSIT will prepare a survey that would ascertain to what extent students in the districts and in the charter schools have access to the Internet. School districts would then provide that survey to families and return the report to OSIT. We will then prepare a report as a gap analysis and will be able to provide that information in even years to the interim legislative committees, and in odd years to the full legislative standing committees as well as to the Governor [page 3, [Exhibit C](#)].

In addition, OSIT will develop nonbinding recommendations for devices that students might procure to ensure districts are receiving devices that meet the highest standards of connectivity. Finally, OSIT will also prepare a funding recommendation or plan to meet the school districts' needs to connect students to the Internet.

I will turn the presentation over to Leonardo Benavides from the school district to walk you through the different steps of the bill.

**Brad Keating:**

I will be taking over the presentation since Mr. Benavides is testifying in another committee. Just so you know, as Mr. Mitchell discussed, this is an incredibly important bill, as 2020 has fundamentally shifted the way we look at education [page 4]. One of the benefits to this bill is that the American Rescue Plan Act of 2021 just allocated \$7.1 billion to schools and

libraries to connect low-income students to the Internet from their homes. Getting ahead of this bill and being able to pass this legislation so we have the information in front of us will only fast-track us in the process to receive these federal dollars moving forward.

I will provide a quick walk-through of the bill [page 5]. Section 3, subsection 1(a), outlines the statewide system of gathering data on digital access and authorizes the Governor's Office of Science, Innovation and Technology to carry out this program. Section 3, subsection 1(b), allows for any Family Educational Rights and Privacy Act (FERPA)-compliant information to be shared with broadband providers and public entities to assist those in need of Internet access. When we first entered the pandemic, getting information quickly to the provider so we could connect our students was an issue. This portion of the law helps us get that information more quickly.

Section 3, subsection 1(c) [page 6], creates minimum nonbinding recommendations, as Mr. Keating said, for district devices. It is not necessarily going to focus on screen size, but it will pay particular attention to Wi-Fi capability to help ensure districts have accessibility to as many networks as possible.

Section 3, subsection 1(d), requires OSIT to compile all the data to create the gap analysis that was spoken about, showing the number of students who are lacking connectivity on our devices, then a fiscal plan will be developed to close the gap and determine how to best leverage any programs that provide relief.

Section 3, subsection 2 [page 7], states that OSIT will consult with a wide variety of individuals, providers, federal offices, and organizations to make sure all the devices work on as many networks as possible. Section 3.5 mandates K-12 school districts and charter schools report to OSIT the number of students with or without access to devices each year. We plan to do this through the student registration process. As parents identify and register their students, they will be asked if they have Internet at the home and if they have a device for their student. Section 4 mandates reporting by OSIT to the interim committees as well as to the full body of the Legislature.

In closing, as we have seen, the landscape of education has certainly fundamentally shifted regarding how and where our students are receiving instruction. Even as we return to face-to-face instruction, there will forever be a subset of students who will prefer distance education. We see that now. The state needs to develop tools to adapt for the future as technology is rapidly evolving. After all, today's broadband connection could certainly be tomorrow's dial-up.

We are now happy to answer any questions you or the Committee may have related to S.B. 66 (R1).

**Chair Monroe-Moreno:**

We do have a few questions. We will start with Assemblyman Leavitt.

**Assemblyman Leavitt:**

During the previous school year and prior to the school year starting, knowing we were not going to open, my children received Chromebooks. I believe they were asked what their Internet capability was prior to receiving those Chromebooks. I think we had to fill out a questionnaire. Is this just building upon the current process that you had to implement initially? What were the best practices or challenges you saw when you were going through this process this past school year that could give me comfort in knowing this bill will help you along the way when you are trying to implement it in upcoming years?

**Brad Keating:**

I think if anything, what we have seen over the last year is I do not know of many school districts that were prepared to flip the switch like we were forced to do as a result of the COVID-19 pandemic. The Clark County School District connected approximately 19,000 students to the Internet over the last year. We deployed over 247,000 devices in the Clark County School District alone. It was a large task, and it was difficult to do. We did not have enough devices to start with when we began this process. What we have seen, and what we have built on in this process as we have gone forward, is asking that very question—when someone checked out a Chromebook they were able to fill out a form and tell us they had Internet at the house.

This bill will make sure we know every single year moving forward in the state of Nevada how many students do not have access to the Internet and how many are lacking a device. Over the past year, unfortunately, school districts were put into a situation where we bought as many Chromebooks and devices as we possibly could. There were only so many out there. This bill will give us the data to make an informed decision, to replenish our products when needed, and to make sure all our students have Internet access. I think what this bill does is truly help inform the decision-making process for all school districts, so as we move forward with budgeting processes, we are able to keep a line item there to continue replenishing our products or helping students get connected to the Internet.

**Assemblyman Leavitt:**

Initially, were there criteria on which children received the Chromebooks, and who was put on a waiting list as you were waiting for more to come in? Will this process also have criteria attached to help identify those who are more in need versus those who can be a little more self-sustaining?

**Brad Keating:**

When we first started this process a year ago, March 20, 2020, we only had so many Chromebooks and iPads. First, we had to determine the areas where they needed to be and what grade levels. We started with high school students, as they are the closest to graduating, and we started with students who needed to receive credits. We started in that process, and we worked our way down to elementary school students.

Because we now have so many devices at all the school districts across the state, we can focus immediately and not have a waiting process. We will be able to get the information through the survey and then get the device and the Internet to the student, hopefully right when school begins so there is no lack of instructional time.

**Assemblywoman Peters:**

I have two questions. The first is related to the questionnaire you are talking about having parents respond to and how in-depth you think you may go to assess that digital connectivity. For connectivity-related questions, are you asking if they are connected to the Internet and what the bandwidth is? Are you asking if they are in a neighborhood that is wired in or if it is a hotspot neighborhood? For device-related questions, are you asking them if they just have a device in the family or if there is a device the student has access to? Are you asking how modern that device is and how modern the software is on the device? I think all of those are important questions to determine actual accessibility to technology.

My second question is just a clarifying question for Mr. Mitchell. Did you say that OSIT would offer a funding plan for the districts to address the needs?

**Brad Keating:**

I will defer both questions to Mr. Mitchell, as he will also develop the questionnaire that is going to be given out.

**Brian Mitchell:**

I will take the first question first. I think you are right on the mark by simply asking general questions. "Do you have connectivity and do you have a device," will not get us the type of answers we need in order to ascertain true connectivity. We have not developed the survey or the questions yet, but we will do that in very close partnership with all 17 school districts and the Nevada State Public Charter School Authority to make sure the questions are asked, straddling the line between not being too technical or overly burdensome to families but also giving us the answers we need—whether the device is in the home or whether the connectivity in the home is sufficient to facilitate distance learning.

Regarding the gap analysis, once OSIT gets the information back from the school districts, we will compile a report that has two pieces of information. First, it will have a broken-down, disaggregated total of students by school district who lack either connectivity or a device. Then, based on our work in consultation with the school districts, we will also have a plan presented to the Legislature and the Governor regarding different options or a plan to address that gap. The gap may include funding and, perhaps, leveraging resources from the federal government. It is possible that school districts will be able to close that gap on their own with resources and existing infrastructure. It is also possible there may be a state solution that could be presented to close that gap. We will not know until we have that data, which is why this bill is so important. We will be able to present that data for the Legislature to make an informed decision about how to proceed.

**Assemblywoman Peters:**

I love a good data bill. I do appreciate where you are going with this. I want to clarify if OSIT's report will include those connectivity gap discussions around the funding needs or will that be in coordination with the different districts through the Governor's Office.

**Brian Mitchell:**

We anticipate working in very close consultation with the individual school districts to come up with a plan to meet the gaps. Certainly, from the Governor's Office perspective, we would not want to propose something that would not make sense for the school districts. I think what you will see will be very comprehensive and well-coordinated across the different levels of government across the state.

**Assemblyman Wheeler:**

Mr. Keating, beyond the survey itself or the paperwork that is filled out, is there any kind of a follow-up to it? Having three kids, seven grandkids, and a couple more I call mine, I can just see some enterprising young person saying, "Nope, no Internet at my house. Cannot do this homework." or "It is very spotty. I can only do my homework every other day." What is the follow-up for that?

**Brad Keating:**

Over the past year, we created our own call center through Connecting Kids Nevada. The staff members there have been incredible through the work of Elaine Wynn and Jim Murren and the Governor's COVID-19 taskforce, which Mr. Mitchell has been so helpful on. We have processes in place so when a student needs Internet, we can fill out the initial paperwork and then it goes to the service provider to complete all the paperwork. For instance, in Clark County, Cox Communications, Inc., has been a great partner. We have worked with them through a memorandum of understanding process where we can do some of the paperwork and work with our families closely, and then it transfers to Cox to turn everything on with a final flip of the switch.

**Assemblywoman Brown-May:**

As a mom of a senior in high school, this last year has been very difficult for my family. My son is very independent, but for many families who have much younger children, we watched them go through some very difficult times. I know the Clark County School District has worked very hard to keep their students connected. I want to congratulate you for the successful efforts.

We also know we have a number of students who are still missing. You talked about 19,000 students whom you were able to reach and 247,000 devices that were deployed. Do you think that is the true scope of the students? Have you contacted everyone? Are there still students who are missing?

We also watched you very flexibly and creatively develop mobile buses where kids were able to access Internet connectivity in areas where they could not otherwise. That was insightful at the time, and it was a Band-Aid to help us through this very difficult time, but it was a creative solution. I am curious to know, do you have other creative solutions to address those issues this current year, given that this data will not be ready to address the issues long term?

**Brad Keating:**

I want to take a moment of personal privilege for one second to first start by congratulating you on being a fantastic mother and helping your son get to this point in his academic career. We are incredibly proud of all our students, for not only getting through this year, but for their impending graduation.

Up to this point, through the Connecting Kids Nevada initiative—and Mr. Mitchell could probably speak a little more to this on how we tracked all of our students—we were able to track each of our students who needed Internet or a device over the last year through the work of a lot of you on this Committee and in the Legislative Building in walking door to door with flyers in Spanish and English trying to connect our students. We were able to reach every student in the Clark County School District and throughout the state to ensure students did have a device and Internet connection. We have been able to solve that problem for the current year. That is why this bill is important moving forward so we do not have the issue come up again.

Talking about the mobile buses, we decided to do a mobile Wi-Fi setup for some of the areas that do not receive high-quality or fast Internet access. That was a great project throughout the valley we were able to put into a few different areas. There are a number of creative solutions, and I will ask Mr. Mitchell to jump in again. Through the generous partnership between the state and local governments, we are currently looking at the historic westside in Las Vegas. We are connecting Internet to every traffic pole throughout the historic westside so students will be able to use their school district device and connect to the school district Internet. They will go through the school district system. There will be some sites blocked, but they will also have opportunities to see all the programming they need to operate in school. We are doing a number of different, unique initiatives to try to make sure Internet is placed where it needs to be. I will go to Mr. Mitchell if he has anything to add.

**Brian Mitchell:**

I will speak briefly about that project with the City of Las Vegas. It is truly an innovative project and one we hope we will be able to extend beyond the historic westside and the medical district in Las Vegas to other areas of high need, such as North Las Vegas. I know the City of Las Vegas has reached out and is beginning a partnership with the City of North Las Vegas to extend that same program to connect students for free to the school network through existing city-owned infrastructure.



In other parts of the state, we are also pursuing a number of different avenues of deploying federal resources and state resources to broaden and increase our infrastructure in other places to ensure families throughout the state have access to the Internet.

As to the first question about whether there are students who are still missing, each school district in the state has done its own process. Every school district was a bit different in terms of how it went about certifying the students were connected. We have been able to determine that every student in Nevada who was required to distance learn had access to Internet connectivity and a device to facilitate that learning.

**Assemblywoman Brown-May:**

I see the dates in the bill for when you are going to execute certain parts of this language. How quickly do you anticipate you would execute the initial study to pursue the data if this bill passes this legislative session?

**Brad Keating:**

If we are ready to work session the bill, get it down to the floor, and vote it out of here, we will start working immediately. The minute this bill hopefully passes through this Committee and the house, and is signed by the Governor, we will work closely with Mr. Mitchell at OSIT to have the survey done by the end of the summer. We gave ourselves until November in case there were issues that needed to be worked out or if students came in after the beginning of the school year. We certainly will have the information for the upcoming school year by the time the school year starts.

**Assemblywoman Summers-Armstrong:**

Could you give us a little clarity? Yesterday when we spoke, we talked about the meaning of "lack of sufficient speeds." For the benefit of the Committee, Mr. Mitchell or Mr. Keating, could you please expound upon that, so we are all clear as to what that means?

**Brian Mitchell:**

At the state level, what we consider to be sufficient access is to follow the Federal Communications Commission's (FCC) standard, which is 25 megabytes per second download and 3 megabytes per second upload (25/3). A family who has that level of connectivity or greater in their home would be considered served. A family who either does not have Internet access or has a lower bandwidth than that would be considered unserved.

Having said that, there are many families with more than several children who are using the Internet. Often parents have been working at home due to the pandemic. There may be cases where that 25/3 may get a little bit slow if everyone is on Zoom at the same time. I know the Clark County School District has worked with those families to deploy additional hotspots or additional solutions to make sure everyone is well connected.

**Assemblywoman Summers-Armstrong:**

When you are speaking of this innovative idea you have about putting Internet connectivity on traffic poles in the historic westside, which is my neighborhood, what is the range of those installed devices and will that be able to handle multiple children on Zoom if there is more than one child in the household? How effective will that be if we are talking about a family with two, three, or four children who are all on the device, the traffic pole is at J Street and Washington Avenue, and the children live at J Street and Adams Avenue? Will it reach that far and is it going to be effective?

**Brian Mitchell:**

I do not know the exact range in feet of each of the antennas that are being deployed throughout the city. What I do know is that a large number are being deployed, and the City of Las Vegas is monitoring traffic on the network at each of the antennas. If the traffic is sufficient and begins to approach the maximum capacity, they have committed to installing additional infrastructure to ensure every student has the connectivity speeds that meet the minimum requirements. I know they are working very hard to deploy sufficient infrastructure to make sure students have the right level of connectivity.

**Assemblywoman Summers-Armstrong:**

Are you going to continue the discounted Internet program we saw deployed with our local providers for families to access some subsidized Internet service? For the edification of the Committee, could you tell us how folks qualified? Also, could you talk about some of the difficulties that showed up with families who may have had previous balances and what you did to help solve that problem?

**Brad Keating:**

I will start and then ask Mr. Mitchell to jump in, as he worked closely with the providers across the valley. We do have every intention, as a school district, to continue providing that service to assist our students and families with paying for Internet. We have a great partnership with Cox Communications through their program when we talked about the minimum needs of the students and the Internet regarding the megawatts and megabytes that are given. They currently offer double the FCC definition of high-speed Internet. If we run into issues where people or teachers have gone over, they have been incredibly helpful in reducing the fees or lightening fees for us. Mr. Mitchell, please walk us through the process of the free and reduced lunch rate.

**Brian Mitchell:**

A number of telecommunication providers throughout the state offer discounted plans to families who meet certain criteria, such as eligibility for free and reduced lunch, Supplemental Nutrition Assistance Program, Temporary Assistance for Needy Families, or a number of other different programs. Families can sign up for those programs, and they are generally about \$10 per month on their own.

Specifically, during the pandemic, the Clark County School District had an agreement with Cox Communications to provide Internet through their Connect2Compete program. That program was provided to families at no cost. I know a question has come up in the past about if a family had a past due balance with Cox, would they still be able to get connectivity for their child to learn? The answer was yes. Because the school district was subsidizing the cost of the Internet, any past balance or past history the family had with the company was not taken into account and the students were able to get connectivity. Similar programs with different providers were also set up throughout the state.

I also want to mention that through the T-Mobile/Sprint merger settlement that the Attorney General negotiated, the state also receives a number of hotspots. The Clark County School District, as well as other school districts, received an allocation from that pot. They were able to deploy those to families in places where it made more sense to connect the hotspot as opposed to a wire connection. For example, there are many families in Las Vegas, as I know you know, who are home insecure and transient. It made more sense to have a hotspot and a Chromebook that could travel with the student as opposed to providing something through Cox. There were a number of different solutions considered and deployed to make sure every family had the connectivity they needed.

**Chair Monroe-Moreno:**

Are there any other questions from the Committee? [There were none.] I am one of the legislators, among many from this legislative body, who put on our tennis shoes and walked to knock on doors to make sure the children in our communities across the state had Internet connection. I thank you and appreciate you for working with us. Although this is not a fiscal committee, I was looking at the fiscal note that was added to the bill by the Department of Education as it was originally drafted. With the amendments that were made in the Senate, has the fiscal note been addressed and will you be able to use the American Rescue dollars that you mentioned in the presentation to offset that?

**Brad Keating:**

With the amendment we made in the Senate and brought forth to you in this bill, that fiscal note is no longer applicable. The fiscal note was placed by the Department of Education because the original intent was to create a commission to discuss this in collaboration with the school districts, OSIT, and the Department of Education. We decided it was best to cut out the middle person as a commission and get right to the heart of the data, figure that out, then make the recommendations, and move quickly.

**Chair Monroe-Moreno:**

Along the lines of Assemblywoman Brown-May's and Assemblywoman Summers-Armstrong's question, you said the connections will be put on light poles on the westside. I am sure it will not be every light pole. How will you be able to determine exactly where to place those antennas and when to add more? I believe it was said more would be added if the need arose. What would be the trigger for that need?

**Brad Keating:**

The partnership with the City of Las Vegas, the state, and the school districts has been an incredible one to see in action. Currently, we are working closely with them and other jurisdictions to map out the valley and work with some of our partners, like Cox Communications and different providers, to figure out where there might be gaps throughout the southern Nevada area and throughout the state to determine where we need to place antennas first. We are working through that.

The beauty of this partnership, which Mr. Mitchell discussed briefly, is students will use a school district-issued Chromebook. There will be a "key" in the Chromebook that will automatically connect to that light pole, so the Internet will always be accessible to them. We are working with them right now. Currently, it is a pilot, probably for about another six months, and then they are ready to continue to expand and open it up from there.

**Chair Monroe-Moreno:**

I, too, have grandchildren in the Clark County School District who have Chromebooks. We also know that Las Vegas is a transitory town. As students move, will they be able to take the Chromebook they received at their first school to their new school and be able to access those mobile sites?

**Brad Keating:**

Yes, students will be able to move devices from one spot to the next with only one stipulation. We would have to get the information from one book to the next book of the school. They will be able to move them and take the devices with them so there will be no gap in the instructional time.

**Chair Monroe-Moreno:**

Seeing no additional questions, I will open the hearing for testimony in support of S.B. 66 (R1). I believe Mr. Keith is here in the room in Carson City.

**Dylan Keith, Policy Analyst, Vegas Chamber:**

We are in support of S.B. 66 (R1). The pandemic further exposed the severity of the digital divide, especially to our most vulnerable students. That is why during the pandemic the Chamber was active in raising funds to make sure we could get Chromebooks in the hands of students. We would also like to thank our own members in the private sector who made sure there were affordable options for students to have Internet access, and we would like to thank all of you who went out in the communities to make sure students were getting the access they needed.

Many attributes of education are continuing to move online. It is important that we are proactive right now to make sure students are not falling behind and are able to access all the learning materials they need on whatever platform is available to them. It is for that reason we are urging your support on S.B. 66 (R1).

**Brenda Pearson, Director, Strategic Policy Initiatives, Clark County Education Association:**

The Clark County Education Association (CCEA) is testifying in support of S.B. 66 (R1) and thanks the Clark County School District for bringing this important bill forth. Nevada has made progress toward remote learning when a device was placed in every student's hands. However, the digital divide continues to plague our schools. Closure of the digital divide includes both access to devices and reliable Internet access, requiring the Office of Science, Innovation and Technology to develop a statewide system to detail the extent of the digital divide and produce a fiscal plan to close the gaps, moving Nevada toward access and equity in education.

Senate Bill 66 (1st Reprint) will help Nevada to understand the breadth of the digital divide, but we still need to understand the depth of the problem. The CCEA fully supports Internet and telecommunications technology for students, but we would be remiss if we did not mention that equitable access goes beyond digital distance learning in our education delivery system. Within Nevada schools, classrooms full of students struggle with connectivity to the Internet. Now, even more than ever, our public school classrooms need to have updated Internet technology to support learning. Historical underfunding of our school system has highlighted the inequities of our schools, and we must ensure equitable access to education for all Nevada students, whether they are at home or at school.

The CCEA appreciates the efforts of this Committee and the Clark County School District for this bill. We will look forward to doing all we can to support connecting Nevada.

**Chair Monroe-Moreno:**

Seeing no one else here in the room who wishes to provide testimony in support, we will go to the phone lines to see if there is anyone waiting to testify in support.

**Lindsay Anderson, Director, Government Affairs, Washoe County School District:**

We are in support of S.B. 66 (R1) and the work being done to address connectivity for our students. We know a portion of our families will continue to choose full distance learning going forward, and ensuring their continued ability to access the full public-school experience is critically important.

The partnership with the Office of Science, Innovation and Technology has been critical, and we basically consider them a member of our team at this point. We look forward to continuing our work from the past year as we see permanent distance-learning options unfolding going forward.

**Joshua Leavitt, Chair, Society for Information Management, Las Vegas Chapter:**

The Society for Information Management, Las Vegas, is an organization composed of chief information officers, industry leaders, educators, and entrepreneurs throughout southern Nevada. In addition to bringing an exchange of ideas, we strive to provide advocacy for important issues and bring a wide range of strategic forecasting and technology expertise to serve the state of Nevada.

In this Internet age, Nevada students need the connectivity and devices to access the abundance of educational resources for them to compete in a global society, which is why we support the plan to prescribe OSIT to gather data and coordinate the implementation of telecommunication services for our Nevada students. Furthermore, we appreciate the approach to data-driven decision-making and providing a vetted list of telecommunication technology recommendations to better support students' needs. We feel it prudent that OSIT will collect valuable data in order to produce a gap analysis on student home connectivity. This should be a great opportunity for the State of Nevada to apply for federal funding to expand telecommunication services with the goal to enhance educational opportunities for our schools.

I appreciate the opportunity to testify in support of S.B. 66 (R1). [Written testimony was also submitted, [Exhibit D](#).]

**Craig Stevens, Senior Manager, Government and Regulatory Affairs, Cox Communications, Inc.:**

Cox Communications, Inc., is in full support of S.B. 66 (R1) and appreciates the hard work done by both the sponsor and the Governor's Office. Senate Bill 66 (1st Reprint) will give the state of Nevada the tools it needs to help connect every student to the Internet. The pandemic has shown a great need in helping to identify those families who are currently unable to bridge the digital divide.

Through a strong public/private partnership, we believe S.B. 66 (R1) will help support the ongoing effort in connecting all students no matter where they live. Throughout the pandemic, the current effort saw the connection of over 15,000 students by Cox Communications in Clark County alone, through our Connect2Compete program. Our Connect2Compete program provides high-speed Internet at little or no cost to families with speeds well above the FCC definition of what is considered high-speed Internet. Every family who is connected was not subject to a credit check, received all equipment at no charge, and Cox even created a post-line server to help families set up their own service. Again, all of this was done at no cost to these families thanks to the great work by the Governor's Office, Clark County School District, and the foresight of this Legislature during the summer's special session.

With your support, S.B. 66 (R1) will continue to build upon the current foundation we have put in place. Cox hopes to continue this partnership well beyond the current school year. Connect2Compete has existed for over a decade, and the program is not going away. With the passage of S.B. 66 (R1), this will further enable all providers to reach out to our students in need and create the equity when it comes to our technology challenges. I am happy to answer any questions you may have.

**Mary Pierczynski, representing Nevada Association of School Superintendents:**

We are here in support of S.B. 66 (R1). We would like to thank Mr. Keating with the Clark County School District and Mr. Mitchell from OSIT for all their work on this bill. Connectivity is a problem throughout our state in our urban areas, but also in our remote

rural areas. Internet access is critical for our students. We are in full support and thank everyone for all the work they have done on this bill. We hope the Committee will support it as well.

**Doralee Uchel-Martinez, Private Citizen, Reno, Nevada:**

I want to ditto the prior callers and thank you for the effort. I want to make a recommendation and hope it can be put in the survey questionnaire. I took a similar survey regarding the technology for the Washoe County School District. One of the questions that was not on there that I did not hear—because I am blind and I use my laptop to hear the survey and fill them out—one of the questions was, Do you have a child who has an Individualized Education Plan, which is good. One question should be if a parent has a disability and what type. As a blind parent, my kids are all doing very well. They are disabled and in the GT [Gifted and Talented] program and all of that. It was very hard to get a laptop from the district and be able to download a software called Non-Visual Desktop Access [NVDA]. It is a talking, free software for people who are blind to be able to use so I can keep track of my kids' homework. Maybe we could talk offline.

**Chair Monroe-Moreno:**

Thank you for joining us and thank you for the suggestion. I know the sponsor of the bill is listening. Are there any other callers waiting to testify in support? [There was no one.] Are there any callers waiting to provide testimony in opposition? [There was no one.] Are there any callers waiting to provide testimony in neutral? [There was no one.] Are there any final remarks?

**Brad Keating:**

I just want to take a moment to thank each of you for meeting with us over the last few days and for hearing the bill today. In response to the question that was asked from the Disability Coalition, we will work with Mr. Mitchell to ensure we include questions related to that if this bill passes. Already through the registration process, we receive a lot of that information, but we make sure we align and that it is taken care of through the survey process.

**Chair Monroe-Moreno:**

I will close the hearing on Senate Bill 66 (1st Reprint). I will open the hearing for Senate Bill 60 (1st Reprint). I believe the presenters are joining us virtually.

**Senate Bill 60 (1st Reprint): Revises provisions governing vehicles. (BDR 43-307)**

**Sean Sever, Administrator, Division of Management Services and Programs,  
Department of Motor Vehicles:**

Thank you for letting us present Senate Bill 60 (1st Reprint). This is a housekeeping bill, mainly on license plates and several things we think could help improve our processes here at the Department of Motor Vehicles (DMV).

Number one in this bill is special plates recommended or approved in prior sessions that did not have consistent guidelines for design development or specifications in status changes. This bill would provide consistency for all those special plates.

Number two is the DMV works with government agencies that need license plates that are similar to general-issue plates for safety and security purposes. This bill would clarify the plates issued to specific agency vehicles are not transferrable and not subject to reissue requirements in *Nevada Revised Statutes* 482.265.

Number three is a person who purchased from someone other than a Nevada auto dealer must purchase a temporary permit from the DMV prior to moving the vehicle. This creates a hardship when the transaction is done outside of DMV hours. This bill would allow a person to move a vehicle for a period of three days to allow the customer time to obtain registration or a movement permit from the DMV.

Number four is changes made in the prior session for distribution of funds for the first-time issuance of a license plate exempted from emission standards. Assembly Bill 63 of the 80th Session included language that increased the complexity of the distribution of these funds by including plate and renewal fees. This bill would reverse changes made in A.B. 63 of the 80th Session, and the DMV will work with Legislative Counsel Bureau staff to adopt regulations to ensure proper accounting and distribution of these funds.

We appreciate your considering our request. I have several people in the room with me who can help answer questions.

**Chair Monroe-Moreno:**

Are there any questions from the members on S.B. 60 (R1)?

**Assemblyman Wheeler:**

Mr. Sever, could you tell me what the procedure is for a personalized specialty license plate when someone wants their name or something else on it, since this says, "the alphanumeric protocol"?

**Sean Sever:**

I am going to have April Sanborn answer that question.

**April Sanborn, Administrator, Division of Central Services and Records, Department of Motor Vehicles:**

This particular clean-up process will not have any impact or bearing on our specialty license plates or our personalized license plate program. An individual would simply order a personalized license plate in the same manner they would today.

**Chair Monroe-Moreno:**

Seeing no further questions from members, I will open the hearing for testimony in support. Mr. MacKay is here in the room to testify in support.



**Andrew MacKay, Executive Director, Nevada Franchised Auto Dealers Association:**

We are here in support of S.B. 60 (R1). I would be remiss if I did not give a little shout-out to Mr. Sever and his team at the DMV. Over the past couple of years, as the Committee is probably aware, they have done yeoman's work, not only modifying but improving their processes as we go to a more digitized system.

Specifically with respect to this bill, I want to talk briefly about section 19.5. Section 19.5 is a very basic amendment that extends the validity of the time frame of a drive-away permit to an out-of-state buyer from 15 days to 30 days. The basis for this change is simple. The Internet and remote buying have grown substantially in recent years, to the point that anywhere between just about 10 percent to 20 percent of all sales are to out-of-state buyers.

With COVID-19, as the Committee is more than aware, no one has been untouched. Being able to ultimately retitle and register a vehicle for out-of-state buyers when they take their car from here to their respective state after driving it off a lot in Nevada, oftentimes they run out of time. It is a huge inconvenience for the consumer. What this bill will do is enable them to have a little more time to be able to register that vehicle.

Not to get into the weeds, but all of you have seen the news with respect to the microprocessor shortage in the automotive industry. It is creating a major pinch from an inventory standpoint. As a result, we are seeing buyers from literally all over the country who are flying into Las Vegas and Reno because those are the only locations where they can purchase the vehicles they want. They are then buying and driving a car 1,000 to 2,000 miles away. By the time they take a few days for themselves, they run out of time. This just trues it up, and we encourage the Committee's support of this bill.

**Chair Monroe-Moreno:**

I am not seeing anyone else here in the room who would like to provide testimony in support. We will go to the phone lines and Zoom. Is there anyone wishing to provide testimony in support? [There was no one.] Is there anyone wishing to provide testimony in opposition? [There was no one.] Is there anyone wishing to provide testimony in neutral? [There was no one.] Mr. Sever, do you have any final remarks?

**Sean Sever:**

Thank you to everyone for your time. I also want to thank Mr. MacKay for his comments and let everyone know we are okay with the amendment proposed [as approved by the Senate in Senate Bill 60 (1st Reprint)].

**Chair Monroe-Moreno:**

I will close the hearing on Senate Bill 60 (1st Reprint). I will open the hearing on our final bill today, Senate Bill 371 (1st Reprint). Again, our presenters will be joining us virtually from the Department of Motor Vehicles.

**Senate Bill 371 (1st Reprint):   Revises provisions relating to motor vehicles.  
(BDR 43-837)**

**Sean Sever, Administrator, Division of Management Services and Programs,  
Department of Motor Vehicles:**

Thank you for letting us present Senate Bill 371 (1st Reprint). This is a revision to the provisions governing the mileage pilot program the Department of Motor Vehicles (DMV) is required to conduct to gather mileage data relating to certain Nevada motor vehicles, including body type, fuel, and weight. These changes could improve the reporting and collection of odometer readings, and this bill puts those suggestions forward.

The DMV collects and reports odometer readings for recreational vehicles for the mileage gathering pilot. This bill would exempt recreational vehicles from reporting their odometer readings, which would simplify compiling the report and paint a better picture of the general population's mileage per year, since recreational vehicles do not represent normal driving habits or high use of alternative fuels.

The DMV also provides vehicle information reports to the insurance industry, including odometer readings. This bill would allow the DMV to exclude odometer readings from the vehicle information reports to avoid misuse of data, which could impact customer insurance premiums. For example, if I drive 20,000 miles a year, my insurance company might charge me a higher rate than someone who drives 10,000 miles a year. There are no administrative penalties built in for failure to report the odometer readings at registration. This bill would give the DMV the option to apply administrative fines to improve customer compliance in mileage data collection.

We appreciate your consideration of this bill. I have Molly Lennon, a DMV manager in charge of this program, with me to help answer any questions.

**Chair Monroe-Moreno:**

We will start the questioning off with Assemblyman Roberts.

**Assemblyman Roberts:**

Thank you for the presentation today; it seems like a simple bill—of course, those are famous last words. I noticed in section 2, subsection 6, it talks about disclosing information to insurers. Have you had insurers try to get that information from you?

**Sean Sever:**

I am going to have Molly Lennon answer that question.

**Molly Lennon, Services Manager, Division of Management Services and Programs,  
Department of Motor Vehicles:**

We have had anecdotal reports of insurance companies raising premiums based on entries of odometer readings on the standard reports they receive from the DMV. Although we do not have any specific reports, we are trying to mitigate in suggesting that we will get this bill and move forward without providing this information to insurance companies.

**Assemblyman Roberts:**

If you are not providing reports, how are they getting the mileage from the DMV?

**Molly Lennon:**

We do provide reports. They are standard reports that we provide to different industry partners, specifically insurance companies and other industry partners, that receive vehicle information, including odometer readings. Prior to the mileage gathering pilot, there were only reports on odometer readings for certain instances, such as classic plates, for those vehicle owners who are required to report and keep their mileage under a certain limit. However, when we began gathering mileage data for this pilot, there was more information. Again, we have just had anecdotal information regarding insurance companies using that additional information, but they do receive a report on it.

**Assemblyman Roberts:**

Those reports will stop as a result of this bill, correct?

**Molly Lennon:**

Correct.

**Assemblyman Yeager:**

On page 8 of the bill, section 2, subsection 7(a), it talks about adopting regulations providing for an administrative fine for failure to comply with the requirements. I understand there would be regulations adopted, but could you shed any light on how you might intend to administer that fine? Would it be something included on the invoice that goes to the customer? I am just trying to get a sense of how that might work if someone fails to comply with the odometer reading requirement.

**Molly Lennon:**

The Department has not put a plan in place for collecting an administrative fine. Again, this is a mitigation effort in order to collect the best data possible moving forward. We do have statistics on nonreporting. Currently, there is about a 31.9 percent nonreporting rate for those vehicles that are reporting odometer readings. Again, the Department has not put a plan in place for how we would collect those administrative fines or an amount. It is just for purposes of mitigation, so we do have the ability to do so if the need arises throughout the pilot.

**Assemblyman Yeager:**

Obviously, any regulations would go through the Legislative Commission and would have to be approved, so we have that safeguard. I would like to make a statement of concern. I think the Legislature has been trying very hard to make sure driver's licenses do not get suspended for things not related to driving behavior. I would just ask in that administrative process if you could keep that in mind. What I do not want to see is people failing to disclose and some kind of administrative fine turns into a driver's license suspension. I think that would go contrary to what we have been doing in the Legislature, but obviously realize this has a long way to go. The bill has not passed yet; the regulations have not been promulgated or approved. I just wanted to put that out there as a potential concern.

**Chair Monroe-Moreno:**

Did I hear you say you currently have a 30 percent compliance?

**Molly Lennon:**

We actually have 31.9 percent noncompliance.

**Assemblyman Ellison:**

When people get their plates renewed, do they not automatically have to supply that information? I have 15 vehicles and I have to make sure every one of them has the actual odometer readings when registered online or offline. If not, they cannot be registered.

**Molly Lennon:**

You are correct. We do request odometer readings at every registration and registration renewal for vehicles that are not exempt from the pilot. However, we had to build in validations for situations where an odometer was broken or an odometer gave us a negative reading. Because there were no requirements built in with this bill for a penalty for not reporting, and it is a self-reporting pilot, oftentimes these exceptions in the report would be showing a negative reading or a 100,000-mile difference, which could be a rollover odometer. Although customers have to report at each registration, there is a list of exceptions that we have outlined in the mileage gathering report. I hope that answers your question. If not, let me know if you need clarification.

**Assemblyman Ellison:**

The other issue is when you do the study, every county in Nevada is totally different, such as Elko. If residents want to do major shopping, they either go to Twin Falls, Idaho; Salt Lake City, Utah; or Reno, Nevada. I drive about 800 miles per week during the session. How are they going to calculate that—rural areas versus the cities?

**Molly Lennon:**

One thing we have built into the report is a list of footnotes that reference those sorts of anomalies. Those who use this data are aware that there are instances where the mileage that shows may be outside the standard average driving. We are also looking at vehicles that may be sold within six months and may have two readings. The example you give, and many other scenarios are outlined in our footnotes to make sure people are aware that if we use this

information to calculate an average, we have to be aware that there will be differences among rural areas versus the metro areas. We also provided a supplemental report so a breakdown can be seen of those who are reporting in rural counties and what those miles look like compared to the metro counties.

**Assemblyman Ellison:**

My final question is regarding the classic autos that need to be maintained with insurance companies. They can only be driven so many miles a year. I think it is a good idea that you give that information to the insurance companies. That way, we do not have to go back and forth with the insurance companies.

**Molly Lennon:**

Thank you for the input. At this point, we have not considered the classic vehicle plates in the amount of data we have been looking at for the mileage gathering. Because the pilot is temporary, we did not address the classic plates. We will look at that further and be prepared to answer any other questions offline.

**Chair Monroe-Moreno:**

I believe earlier in the presentation you said the mileage for classic vehicles was given to the insurance companies even prior to the pilot program. Is that correct?

**Molly Lennon:**

You are correct. They were previously receiving any odometer readings that were collected. The majority of those came from classic vehicle plates that fell in that category.

**Chair Monroe-Moreno:**

With the changes if this piece of legislation is passed, that would not change. The classic vehicle mileage would still be given to the insurance company, just not the other vehicles' mileage that was inadvertently provided with the passage of the pilot program last session. Is that correct?

**Molly Lennon:**

Unfortunately, we will not be able to delineate between the classic vehicle odometer reporting and the mileage gathering reporting. If this bill were to pass, it would strike out the odometer readings all together during the pilot.

**Chair Monroe-Moreno:**

That is problematic for me.

**Assemblyman Watts:**

Could you give us a little more background on this issue? The odometer readings were gathered and reported prior to the enactment of the pilot program. Then you have anecdotal reports of the additional odometer information being reported and used by insurance

companies, so we are trying to address that issue. It seemed like you just indicated in a prior response that we do not include the classic vehicle odometer information within the pilot program. How is it the Department cannot separate that information?

**Molly Lennon:**

I can offer some clarification. We did include odometer readings reported for classic plates in the mileage gathering pilot. However, if we strike the odometer readings from the reports received by insurance companies, they will not receive the classic odometer readings or the full mileage gathering odometer readings. For clarification, all odometer collections are included in the mileage gathering pilot. It would require programming in order to delineate for removal of the reports.

**Assemblyman Watts:**

It seems that is something we need to have additional follow-up conversations, both in terms of the programming needs or capabilities related to this, as well as if the proposed statutory changes here need to be further delineated to draw distinction between these categories of information.

**Chair Monroe-Moreno:**

In section 2, subsection 3(a), you removed recreational vehicles from the list. Could you explain to the Committee why they were removed?

**Molly Lennon:**

The mileage gathering pilot, from our understanding, is to paint a picture of the average mileage driving habits of Nevadans. Recreational vehicles are seasonal vehicles and, as was pointed out earlier, at some points in the year may be driven 50,000 miles and then not driven for another six months. It is anticipated that recreational vehicles will skew the data if used for averages. The suggestion was made, just for further clarity of the information we are providing on the report, that recreational vehicles be removed from the pilot program and be exempted from reporting.

**Chair Monroe-Moreno:**

Thank you for that clarification. Are there any other questions from members? [There were none.] I will open the hearing for testimony in support. I am not seeing anyone here in the room who wishes to testify in support. Is there anyone joining us on Zoom or telephone who wishes to provide testimony in support of S.B. 371 (R1)? [There was no one.] Is there anyone joining us on Zoom or telephone who would like to provide testimony in opposition? [There was no one.]. I believe we have one person here in the room who would like to provide neutral testimony.

**Connor Cain, Vice President, Copart, Inc.:**

Copart, Inc., is a vehicle reseller. We are here to thank the sponsor and Mr. Sever with the DMV and to recognize the very talented and meticulous folks in legal drafting for making sure the language in section 2, subsection 6, conforms with existing language in *Nevada Revised Statutes*. We want to make sure any potential ambiguity there did not impact our ability. We hope to work in the future with the DMV to process salvage titles. I am here to answer any questions you may have.

**Assemblyman Ellison:**

Have you gone over the salvage titles? I sent a copy the other day regarding salvage titles that are marketed or auctioned. The titles automatically come back salvage versus a clean title. Have you figured that issue out yet?

**Sean Sever:**

We are still researching that, and I will get back to you very soon.

**Assemblyman Ellison:**

If I am having this problem, everyone is having the same problem.

**Chair Monroe-Moreno:**

Is there anyone on Zoom or on the phone who would like to provide neutral testimony on S.B. 371 (R1)? [There was no one.] Are there any final remarks from the presenters?

**Sean Sever:**

I just want to thank you for your time. I also want to point out that this is Ms. Lennon's second time testifying before the Legislature. I think she did a pretty good job.

**Chair Monroe-Moreno:**

She did a great job. That brings us to the last item on our agenda, which is public comment. Is there anyone wishing to provide public comment? Please remember, your comments need to be in line with the interests of this Committee. We will not accept any testimony on any of the bills presented today, as we are past the testimony phase.

**Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:**

A lot of these problems and bills have to do with our car culture. I want to talk about how our cities are heavily designed to encourage car use and discourage pedestrian and transit use. I watched a lot of videos on how Amsterdam, Netherlands, plans their cities. I think there are a lot of things we can certainly learn from Amsterdam. There are a lot of things we can learn from the old-fashioned cities, if you look at the downtown core of Las Vegas or across the street from where you are, the historic core of Carson City.

The fact is our system is very problematic. We pay one of the highest car insurance rates in the nation. The system allows a lot of traffic to feed into these high-capacity arterial roads, which are very dangerous and dysfunctional, such as Sahara Avenue, Rainbow Avenue, Craig Road, et cetera, the cul-de-sacs, the large-scale, single-use zoning that separates

everything. The system is very costly for our private and public budget. It is surprising and disgusting, however, that despite the fact that Las Vegas is one of the most car-dependent societies on earth, it is the fifth densest urban area in the country—just behind New York City and more dense than Chicago and Boston—yet those folks, on average, take transit and walk a lot more than we do.

What we want to preserve is the high rate of single-family homeownership. What we do not want is the fact that we have all this car dependency. Those areas certainly have different types of transportation.

I think we should also take advantage of roundabouts. They are a lot more effective. Why are we among the most dense areas? Because the homes all are close together, yet we rely on automobile use a lot more. The cul-de-sacs are not helping.

**Chair Monroe-Moreno:**

Thank you for joining us again today, Mr. Hojjaty. If you have anything else you would like to add to your testimony, I encourage you to send that to the Committee in writing.

Is there anyone else waiting to provide public comment? [There was no one.] Our next meeting for the Assembly Committee on Growth and Infrastructure will be Thursday, April 29, 2021, here in this room and virtually for those who are not able to travel to Carson City to join us in person. We will be hearing two bills and will have a work session on Thursday.

This meeting is adjourned [at 2:59 p.m.].

RESPECTFULLY SUBMITTED:

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Lori McCleary  
Committee Secretary

APPROVED BY:

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Assemblywoman Daniele Monroe-Moreno, Chair

DATE: \_\_\_\_\_



## **EXHIBITS**

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a copy of a PowerPoint presentation titled "SB 66 – Bridging the Digital Divide," dated April 27, 2021, presented by Brad Keating, Director, Government Relations, Clark County School District, regarding Senate Bill 66 (1st Reprint).

[Exhibit D](#) is written testimony dated April 27, 2021, presented by Joshua Leavitt, Chair, Society for Information Management, Las Vegas Chapter, in support of Senate Bill 66 (1st Reprint).