

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

**Eighty-first Session
March 10, 2021**

The Senate Committee on Growth and Infrastructure was called to order by Chair Dallas Harris at 3:31 p.m. on Wednesday, March 10, 2021, Online. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Dallas Harris, Chair
Senator Chris Brooks, Vice Chair
Senator Pat Spearman
Senator Scott Hammond
Senator Keith F. Pickard

GUEST LEGISLATORS PRESENT:

Senator Fabian Donate, Senatorial District No. 10

STAFF MEMBERS PRESENT:

Susan Scholley, Policy Analyst
Debbie Shope, Committee Secretary

OTHERS PRESENT:

Paul Scott
Cole Mortensen, P.E., Deputy Director, Nevada Department of Transportation
Kyle Davis, Nevada Conservation League
Katherine Stainken, Plug In America
Matt Frommer, Senior Transportation Associate, Southwest Energy Efficiency Project
Alexis Motarex, Nevada Chapter, Associated General Contractors
LaTonya Byrd
Berna Rhodes-Ford
Lawrence Weekly
Cristal Boisseau
Belinda Marentic

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Michael Smith
Ashanti Lewis
Athar Haseebullah
Cornelia Murphy-House
Sparkle Williams
Mark Armstrong
Maggie Longley
Joe McNelly
Jacqueline Brice
Kristian Duncan
Natasha Samuel
Robert White
Monty McCoy
Abasi-Dominique Rawlings
Jacquelyn Pippion-Swope
April Sanborn, Administrator, Division of Central Services and Records,
Department of Motor Vehicles

CHAIR HARRIS:

We will open the hearing on Senate Bill (S.B.) 162.

SENATE BILL 162: Revises provisions governing transportation. (BDR 43-33)

SENATOR FABIAN DONATE (Senatorial District No. 10)

I am here to present S.B. 162, enabling electric vehicles (EV) on the high-occupancy vehicle (HOV) lane. This has been in discussions for years and is being presented for a local constituent.

Slide 2 outlines my presentation ([Exhibit B](#)) regarding the adoption of EVs and the opportunity ahead with cutting our carbon emissions, the financial implications of the bill and where it led to forming the proposed amendment.

Senate Bill 162 is an act relating to transportation enabling a temporary exception to the minimum occupancy requirement for EVs using the designated HOV lane on highways. It requires the Nevada Department of Transportation (NDOT) to adopt regulations establishing this program on a limited time frame.

In past legislation, it is documented that Nevada has bold goals for reducing carbon emission and helping to electrify transportation. The better-equipped we

are at handling the transition to clean energy, the better response we will receive from a climate, health and economic standpoint.

Nevada law allows NDOT the opportunity to enact regulations allowing certain single occupant alternative fuel vehicles to use HOV lanes, but it was not required. In 2009, A.B. No. 163 of the 75th Session was enacted to allow a single occupant alternative fuel in the HOV lane. When the bill was introduced, it required NDOT to enact regulations to allow this practice. In the end, it was switched from "shall" to "may" in the language. The main reason for this transition was given upcoming projects that lay ahead, similar to Project NEON, it was uncertain how the HOV lane would be used.

Legislators chose to have this be optional as opposed to mandatory. That way, NDOT could determine when to enact regulation based on federal standards and construction projects that come forward. In 2019, the State enacted regulations to reach net-zero greenhouse gas (GHG) emissions. This is in direct collaboration with Governor Steve Sisolak's State Climate Strategy, which was released in December 2020.

With bills passed in previous sessions and the work still laying ahead to enact this policy, it is clear that to help reduce transportation emissions, incentives or direction, action is needed. The Center for American Progress provided research documenting the impact and effect of a policy similar to the one being presented today that showed it can increase the retail market for personal use vehicles, and many states have enacted this legislation.

Data shows the access to HOV lanes is an incentive for EV adoption. Research shows EV access to HOV lanes does impact the retail market for EV sales. There is a significant difference between the states enacting this legislation and those that have not.

A similar study by the University of California, Los Angeles, found one-quarter of California's personal use vehicles registered between 2010 and 2013 were attributed to the use of the HOV lane policy.

Nevada needs to do everything it can to encourage drivers to switch to electric. We have had discussions as to the barriers which lie ahead for EV adoption. Those are the cost and range for vehicles: the models available for the general public, especially for low-income and working-class families: the knowledge

gaps that exist; and the available access to the charging infrastructure shown on Slide 6, [Exhibit B](#).

The reality is knowing the benefits of electric vehicle adoption and what they can mean for public health and GHG emissions as shown on Slide 7, [Exhibit B](#). Increasing the adoption of EVs can reduce the costs and improve the affordability. It can contribute to consumer savings for the driver. It can improve air quality benefits by reducing the amount of smog from vehicles. It will save lives and improve the health of Nevadans.

Public health research has documented and shown that particulate matter from emissions correlates to environmental and demographic indices. This could lead to the evolvment of certain chronic illnesses, similar to asthma at a later time frame. Reducing carbon emissions and pollution will have a direct effect on marginalized communities because the research shows those who are the most vulnerable live close to transportation infrastructures such as highways. Increasing the adoption of EVs will have good implications on public health and the fight against climate change.

The fiscal impacts are leading to hidden barriers. Expanding the HOV lanes costs the State money when we begin to consider the mandated infrastructure updates similar to sign changes and marketing campaigns to increase the public's education on this new rule.

To address the fiscal impact from enacting this bill, I have a proposed amendment in collaboration with NDOT ([Exhibit C](#)). At this time, there are still many what-ifs. What will happen with the enforcement by Nevada Highway Patrol; what will happen once the HOV lane becomes too congested or suffers a dramatic increase in use? We need good data to help dial the decision-making in an open conversation and include individuals before this legislation moves forward.

The benefits of this policy can be tremendous but still has uncertainty with how and when to proceed as discussed on Slide 9, [Exhibit B](#). The proposed amendment will mandate NDOT to conduct a study. It will look at the feasibility of implementing this legislation, verify the scientific components of proposed incentives and engage stakeholders to voice their concerns or recommendations regarding the implementation. Then NDOT will report to the Legislature on how

enforcement will happen with any infrastructure plans needed to enact good policy.

This will ensure Nevada is equipped with the right guidance to improve the adoption of EVs throughout the State and show we are continuing to move forward with conversations long overdue.

PAUL SCOTT:

Since August 2019, I have been advocating to allow EV drivers to use the HOV lanes as a method to encourage EV adoption. Not all EV owners will take advantage of this, but it does encourage people to switch to EVs. To reach the net-zero GHG emissions by 2050, it is important we replace as many gas-powered vehicles with EVs as possible.

Vehicles in Nevada are kept on the road for an average of 11 years. This means we have approximately two vehicle replacement cycles left before reaching 2050. Arizona, California, Utah, Colorado and ten other states allow EVs to use the HOV lane. Many EV drivers in Nevada think it is permissible to drive in the HOV lane because it is allowed in our neighboring states.

In conversations, many in the Tesla Motors Club think they can use the HOV lane. It is disappointing to them to learn it is not allowed, and that Nevada is behind on this issue.

In 2019 at the Clean Energy and Transportation Summit, Rohan Patel from Tesla said in the short term, the supplies of battery EVs will be limited and allocated to areas that have regulations encouraging EV adoption. This rule will encourage people to adopt EVs.

Allowing single-occupant EVs is an inexpensive way to encourage people to invest in EVs. In California, it was the primary driver for one quarter of EV sales. In 2020, California began allowing affordable used EVs in the HOV lane by applying a HOV sticker program. Lower-income families who could not afford a new EV could take advantage of the program, and it will boost the EV resale market.

According to the Department of Motor Vehicles (DMV), as of late 2019 there were approximately 6,000 registered EVs in Nevada. Electric vehicles cost more than their gas counterparts. While we save money on fuel and maintenance over

the life of the vehicle, we pay more to register them in Nevada because EVs are more expensive.

Allowing EVs to use the HOV lane will not add additional vehicles over several years as inventories are limited. It will encourage people to consider an EV for their next purchase.

Speaking for the Tesla Owners Club of Las Vegas as president, we work to help educate the public to reduce the knowledge gaps mentioned. Having this regulation in place will give an extra incentive for an easier decision for people to switch to EVs.

SENATOR PICKARD:

You state we are trying to hit the 2050 targets and will need to see a significant increase in the number of EVs on the road. Later in your testimony, you said there are fewer EVs, so it will not be impacting traffic. How do we obtain a consensus on the two? I have an EV, and I support the idea. I do not know whether a study needs to be done if we already have the information. How can we meet the 2050 goals and not impact traffic in the HOV lane?

MR. SCOTT:

The growth will be slow over time because the supply of EVs is limited. Eventually, it could reach a point where it impacts traffic in the HOV lanes, such as in California. It began allowing partial EVs or hybrids, then began to sunset the program and allow only battery EVs due to the impacts.

If we see a large increase in EVs, then it will be worth revisiting and ending the program. However, initially getting more EVs on the road and encouraging people to use the HOV lane will be a good beginning over the next several years.

SENATOR PICKARD:

The EVs will not be a significant impact on meeting the 2050 goals, and the incentivizing will not increase. We are waiting on the market, and this will be an additional incentive for them?

MR. SCOTT:

The market will take time to catch up because of the limited number of vehicles available. We want to educate people to switch to EVs. Allowing the incentive

of using the HOV lane, at least initially, gives them a reason to initially invest in paying more for the vehicle.

In time, we may reach a point where we have double-digit percentages of vehicles on the road. At that time, it will be worth a revisit to see whether we will keep the program going.

SENATOR PICKARD:

Why perform a study instead of incentivizing EV ownership before we reach the 2050 deadline?

SENATOR DONATE:

The reason was the large fiscal impact which will come from it. There are many unknowns. With the recent construction projects, it is hard to predict the feasibility of HOV lane access. Given the timeline of everything, confusion remains as to how to enforce this.

COLE MORTENSEN, P.E. (Deputy Director, Nevada Department of Transportation):

Maybe I can provide background information. The Nevada Department of Transportation supports any initiatives reducing GHG emissions. It recognizes transportation is the No. 1 cause of GHG emissions. The HOV system was implemented to reduce GHG in two ways reducing the number of vehicles in the system and reducing the congestion of those vehicles due to lower speeds and idling.

We are trying to incentivize people to utilize the HOV system to reduce the overall number of vehicles driving daily through the Las Vegas Valley. We developed the HOV masterplan identifying the HOV operating parameters in 2007, and it was reevaluated in 2015. We held public hearings and stakeholders—including the Federal Highway Administration (FHWA), the Nevada Highway Patrol (NHP) and local agencies—attended. During those efforts, allowing EVs to partially use this system was a concern.

We thank the Senator for his willingness to work with us toward resolving concerns, including disincentives for carpooling by having the lane potentially more congested than other lanes on the freeway. Enforcement is a concern in identifying those vehicles allowed in the HOV system and how NHP will enforce those regulations. We are concerned about equity in who will be able to afford

an EV to use the HOV system in addition to potential enforcement issues from an equity standpoint as well.

Across the Nation, states are rolling back on having partial EVs in the HOV system. This is due to the number of vehicles entering the HOV system and reducing its overall effectiveness in reducing GHG emissions.

Doing a study allows us to take a more data-driven approach to how we operate the system for Las Vegas. As you may know, we expanded and added the automated traffic management system to it during Project NEON. We are studying the system to determine if the operational parameters need to be adjusted. People have seen results in the access points allowed on the system.

Unfortunately, the pandemic hit, and traffic volumes dropped systemwide. We are not receiving accurate data; however, we will have data in the future. It will help guide us with an educated decision for how we will operate the system overall which could include allowing EVs within the HOV lane.

SENATOR PICKARD:

You talked about incentivizing HOV lane use by carpooling. I see many single occupants in the HOV lanes. Is there data showing an increase in carpooling because of the HOV lane presence?

MR. MORTENSEN:

Part of the study is to determine the overall HOV usage, both legal and illegal, and how to best operate the system in the future. We have implemented new technology with the automated traffic management system with gantries that allow us to adjust the speed in real time.

SENATOR PICKARD:

I will support the study. I will be surprised if we saw a significant increase in carpooling because of the HOV lane.

SENATOR BROOKS:

In the bill, section 3, subsection 2 references low-emission and energy-efficient vehicles, with Title 23 USC section 166 (f)(3), and I am reading that code. Does it apply to battery EVs or does it apply to hybrids and high efficiency internal combustion engines?

SENATOR DONATE:

I will need clarification from legal to answer your question.

SENATOR BROOKS:

Mr. Mortensen may know since this goes back to the original statutes, stating NDOT may adopt regulations and referencing specific types of vehicles. Is it a battery EV because it seems to include other vehicles as well?

MR. MORTENSEN:

I am not familiar with that regulation. I cannot answer your question.

SENATOR BROOKS:

I drive an EV myself most of the time. I will take full advantage of this. It does help with the early adoption and provide a low-cost incentive.

CHAIR HARRIS:

We will note Vice Chair Brooks' question and pass it on to Ms. O'Grady to ensure he receives a response.

SENATOR BROOKS:

This is the policy committee, and I am looking at the fiscal note. Is this the motivation for the proposed amendment submitted by Senator Donate? The fiscal note from NDOT appears as \$1.4 million for redoing the signs. Is it possible you have existing signs stating "HOV Lane"? Then by statute, you have the ability to allow other vehicles to use the lane, even though the signage does not reflect it. This makes sense, and there will be more education and usage if signage is changed. Is the signage legally required?

MR. MORTENSEN:

I will have to look into the legal requirements. The fiscal note was developed through federal requirements for the designs. This, of course, is for an interstate highway, so we have to follow those design requirements. Part of it might not be a legal requirement as it is a requirement from the FHWA as far as how to sign the interstate system. Is this where the cost comes from?

SENATOR HAMMOND:

I want to ensure I am clear with the enforcement portion. The reason for the study is because you are not sure how the enforcement will happen. I will give you a scenario, and I am unaware of vehicle makes and models. An

enforcement officer traveling on the freeway sees a vehicle in the HOV lane with only the driver in the vehicle. If this is being looked at, the enforcement officer then could determine whether to initiate the stop. The officer may not know the makes and models of these vehicles but distinguish it as a hybrid because it is displayed on the vehicle. You could be pulling people over and find out later they could use the HOV lane. Is this the reason for the study? Personally, I do not want to see more law enforcement officers pulling people over and having the face-to-face confrontation between them and the general public when it does not need to happen.

SENATOR DONATE:

It is the question we also had. One of the ideas proposed to help with enforcement was an EV license plate which already exists. If people wish to use the HOV lane, it will be required of them to obtain a specific license plate. It will be easier for enforcement.

The question about being disabled and the person preferring a different license plate becomes more complicated. The discussion was should a sticker be adopted, or are there separate subsections to approach.

These issues caused us to begin thinking a study is needed to determine the enforcement mechanism and any implications before deciding to move forward with this policy.

SENATOR HAMMOND:

You may not need the signage. When driving, and seeing someone enter the HOV lane in a vehicle with only one person in it makes people become upset. People do not see it as permissible on the sign. Road rage is a real thing, and I am worried about increasing those incidences. The study seems to be best.

SENATOR BROOKS:

Is this intended to be a statutory interim study?

SENATOR DONATE:

I will need to clarify with legal as well. The intention was to mandate NDOT to take this on. I am unsure if this qualifies as one of the legislative studies. I will follow up.

KYLE DAVIS (Nevada Conservation League):

The Nevada Conservation League is in support of S.B. 162. The transportation sector is the largest source of GHG in the State, and it contributes large amounts of criteria pollutants that affect human health.

The solution to reduce pollution from the transportation sector is electrification so more of our cars, trucks and buses are powered by clean renewable energy. Senate Bill 162 in its original form offers an incentive for more Nevadans to decide to go electric.

Electrification is only one part of the overall pollution strategy. Nevada needs to reduce vehicle miles traveled, single-occupant trips and invest in effective transit. Even in the amended form, S.B. 162 is a good step forward for transportation electrification.

KATHERINE STAINKEN (Plug In America):

Plug In America represents the consumer voice in Nevada, the consumers in your district and around the State. Plug In America supports S.B. 162 for several reasons. Our organization prefers pertinence to encourage this program development soon to nurture widespread adoption of EVs.

Plug In America works in states across the Nation. Existing data from other states shows the benefits, shows how to enforce, which is usually by license plate or decal, and ensures low-income people can take advantage of the program.

I want to emphasize certain points. First, this bill is a low-cost item for the State and will grow EV adoption. Data from the Center for American Progress show the states enabling the EVs to access the HOV lane more than doubled the adoption of EVs. The data was confirmed by the National Renewable Energy Laboratory. Another point, a study was performed of purchases by EV buyers at the University of California, Davis. It shows the HOV access was the top reason for purchase in about 40 percent of respondents in California.

Second, this bill aligns with the objectives of Nevada's transition to the electric transportation future.

Third, depending on how NDOT creates the program, access to the HOV lane can apply to new and used EVs. It creates a fair program for consumers.

Finally, states that have allowed EVs into their HOV lane have not complained of clogged lanes as a result of the EVs, not even California.

On behalf of the consumers in Nevada who wish to purchase EVs, Plug In America urges you to support S.B. 162 and create the development of a HOV program today, so Nevada can achieve wide adoption of EVs.

MATT FROMMER (Senior Transportation Associate, Southwest Energy Efficiency Project):

The Southwest Energy Efficiency Project supports S.B. 162 which will encourage Nevada drivers to switch from gas-powered vehicles to cleaner and more efficient EVs. According to the U.S. Department of Energy's Alternative Fuels Data Center, 13 states are offering HOV and high-occupancy toll lane priority. This encourages the acquisition of clean vehicles and reduces transportation pollution.

These types of policies are important in Nevada where it is a struggle to comply with federal ozone attainment levels in Clark County. Ground-level ozone is known to cause a number of respiratory issues, particularly for the vulnerable population such as children, seniors and those living in communities near high-traffic highways.

In addition to local pollution, transportation is the No. 1 source of GHG pollution in Nevada. Vehicle eradication was identified as one of the top strategies to combat climate change in the 2020 Nevada State Climate Strategy.

Today's EVs are cleaner than their gasoline counterparts and have zero tailpipe emissions. In addition, EVs purchased in Nevada today will become cleaner each year as NV Energy continues to decarbonize the electricity grid.

With hundreds of new EV models coming to the market within the next few years, Nevada has an opportunity to transition its fuel source from dirty fossil fuels to cleaner electricity. This policy has proven to move the market.

To share a few Nevada-specific EV numbers, roughly 2.5 percent of new vehicles sold in Nevada last year were electric. The State now has about 12,000 total EVs on the roads. While market growth has been impressive, EV adoption is not happening fast enough.

According to a study from the Rocky Mountain Institute, Nevada will need 600,000 EVs on the road by 2030 to hit the GHG reduction targets set in S.B. No. 254 of the 80th Session. It is almost 50 times as many EVs as Nevada has today. This is possible, but it requires the use options to accelerate this transition to an electric transportation system, and it needs to be done soon.

Supporting widespread adoption of EVs is an important strategy for addressing climate change and improving air quality. This policy is proven; it is a low-cost solution and it is why we support this bill before the proposed amendment.

ALEXIS MOTAREX (Nevada Chapter, Associated General Contractors):

The Nevada Chapter of Associated General Contractors is opposed to the bill as written but neutral as presented with the proposed amendment.

Nevada cannot continue to incentivize the transition to and the purchase of electric or low-emission vehicles until it finds an equitable way to fund the Highway Fund. We understand and appreciate the desire to encourage the purchase of EVs and low EVs, but Nevada relies on gas taxes to pay for the road infrastructure.

Every measure seeking to electrify Nevada's transportation network needs to be preceded by the implementation of a reliable and equitable funding source. We are already too far behind and simply cannot afford to ignore this any further.

SENATOR DONATE:

I hope a deeper conversation can take place on how to move forward on green energy in an equitable manner. This bill provides Nevada the next step toward incentives to guide the transition to support the State's Climate Strategy.

CHAIR HARRIS:

We will close the hearing on S.B. 162. We will open the hearing on S.B. 163.

SENATE BILL 163: Provides for the issuance of special license plates to support the Divine Nine organizations. (BDR 43-1018)

SENATOR PAT SPEARMAN (Senatorial District No. 1):

I am presenting S.B. 163 for your consideration. Senate Bill 163 creates special license plates for the Divine Nine which are the historically Black Greek fraternities and sororities dating back to the early 1900s.

As a member of Alpha Kappa Alpha Sorority, Inc., which is the oldest Divine Nine sorority, I am proud to sponsor this bill. It brings recognition to those historically and culturally significant organizations whose contributions to the aspects of American life cannot be overstated.

This year is especially momentous with the election of Kamala Harris—the first female, person of color and a member of Alpha Kappa Alpha Sorority Inc.—to the office of Vice President of the U.S. Vice President Harris's accomplishments rest on the shoulders of the Divine Nine alumni. Shirley Chisholm sought a presidential election in the 1970s. Barbara Jordan became a Texas Senator in the 1960s. Both of these women broke barriers for race and gender.

Since the turn of the twentieth century, the members of the five fraternities and four sororities which make up the National Pan-Hellenic Council (NPHC), what we call the Divine Nine, have been a part of American history. Alpha Phi Alpha Fraternity, Inc., was founded in 1906 and was the first Divine Nine organization on the grounds of Cornell University. It was followed thereafter by Alpha Kappa Alpha Sorority, Inc., at Howard University in 1908. The next historically Black Greek sororities and fraternities were founded in 1911 and 1922 with the ninth fraternity being established in 1963.

Most of these organizations were founded during an era when Jim Crow laws ruled the South and before women of any color could vote. Over time, the members of the Divine Nine became catalysts for change through activism in the women's and the civil rights movements, among others.

These men and women have been and are leaders in their communities, influential in art and culture, and politically engaged at all levels of government and internationally. In addition to trailblazing politicians, the Divine Nine alumni include historical figures similar to Doctor Martin Luther King, Jr., and former Associate Justice Thurgood Marshall, who were members of Alpha Phi Alpha Fraternity, Inc. Betty Shabazz, the widow of Malcom X; former Attorney General Loretta Lynch; and Natalie Cole are members of Delta Sigma Theta Sorority, Inc.

Locally, Doctor Linda E. Young, a former Clark County School Board member, and North Las Vegas city councilwoman, Pamela A. Goynes-Brown, are members of Delta Sigma Theta Sorority, Inc.

Shaquille O'Neal, Tom Joyner, Rickey Smiley, Stephen Harvey, Michael Jordan and Reverend Jesse Jackson are members of Omega Psi Phi Fraternity, Inc. Marvin Sapp, Colin Kaepernick, Nevada Attorney General Aaron Ford, Assemblyman Jason Frierson and former Clark County Commissioner Lawrence Weekly are members of Kappa Alpha Psi Fraternity, Inc.

Victoria Rowell and Anna Marie Horsford are members of Sigma Gamma Rho Sorority, Inc. Towanda Braxton is a member of Zeta Phi Beta Sorority, Inc. Asha Jones, who is the chief of staff for Congressman Steven A. Horsford, and Terrence C. Carson are members of Iota Phi Theta Fraternity, Inc.

In literature, the Divine Nine nurtured writers and poets like Maya Angelou, Toni Morrison and Langston Hughes. In arts and culture, the alumni include a wide range of performer artists similar to Aretha Franklin, Harry Belafonte and Dionne Warwick. To a younger generation, Alicia Keys, Natalie Cole and Wanda Sykes.

You will hear from State representatives of Divine Nine organizations in Nevada and see their influence runs deep across America and is deep-rooted in Nevada.

I will discuss certain key provisions of the bill in section 1 that provide for the nine legislatively approved special license plates which will commemorate each of the Divine Nine organizations listed in subsection 2.

The Legislature has approved a number of special license plates over the years for a variety of worthy organizations and causes. Each of these fraternities and sororities will have its own license plate design. The bill also allows these plates to be combined with personalized prestige license plates.

Section 1, subsections 4 and 5 spell out the fees for the special license plates which are \$35 for the license plate, \$25 for the issuance of the plate and \$20 for renewal of the plate. These fees are in addition to the regular registration fees and taxes. Section 1, subsection 6 of the bill specifies 5 percent of the fees collected will go to the United Negro College Fund, Inc., for scholarships for Nevada residents attending a college in Nevada.

The remaining 95 percent of the funds will be distributed among the nine organizations, based on the amount of fees collected for the license plates. Each organization will then spend 10 percent of the special license plate

revenue on marketing of the license plates. The remaining 85 percent will go to an identified foundation or chapter to promote community awareness and action through educational, economic and cultural service activities within the State.

The remaining sections of the bill are conforming references. The contributions of the Divine Nine cannot be overstated. Since the early 1900s, every decade in history has the fingerprint or footprint of a member of the Divine Nine. We have been socially and politically active; we are available in times of trouble, in times of trauma and have acted even during this pandemic to ensure our services to humankind continue.

LATONYA BYRD:

I am president of the NPHC Las Vegas chapter. I am in support of this bill. Our council is made up of 12 active chapters within the NPHC. Through the years, the organization has donated funds to the Beacon Academy of Nevada and volunteered as a group with nonprofit organizations similar to the American Red Cross, the Las Vegas Rescue Mission and Three Square.

In 2018, we collaborated with organizations and performed volunteer work. People recognize us for what we are doing in our volunteering efforts. We have hosted blood drives, registered new voters to get the vote out, especially during the pivotal elections in 2017 and 2019 and were honored by former Clark County Commissioner Lawrence Weekly for our service to the community.

BERNA RHODES-FORD:

I am the president of Alpha Kappa Alpha Sorority, Inc., of the Theta Theta Omega Chapter in Las Vegas. I am in support of this bill.

There are four historically Black sororities, Alpha Kappa Alpha Sorority, Inc.; Delta Sigma Theta Sorority, Inc.; Zeta Phi Beta Sorority, Inc.; and Sigma Gamma Rho Sorority, Inc. You may be wondering why these people, who are no longer college age, are speaking on behalf of this bill. It is because, traditionally and historically, Black sorority and fraternity members commit for life. We are expected to continue community service until our last breath.

The mission statement of our organization underscores the charitable work provided. Our mission statement of the sorority is service to mankind. We provide public service with the primary focus on the Black community and foster

the ideas of service, charity, scholarship, civil and cultural endeavors, and enhance the quality of life within the community.

With 421 combined years of service, these sororities have had profound and lasting impacts in Nevada, this Country and with chapters around the world. In recognition of the work done, several states, including Alabama, Florida, Georgia, Illinois, Kentucky and New York to name a few have issued license plates for Divine Nine organizations. Nevada has not yet had that ability until now.

Historically Black Colleges and Universities (HBCU) comprise only 3 percent of the Country's colleges and universities. However, they enroll 10 percent of African-American students and produce almost 20 percent of African-American graduates.

Alpha Kappa Alpha Sorority, Inc., has supported HBCU through its HBCU for Life program. For the last three years, Alpha Kappa Alpha Fraternity, Inc., has raised \$1 million in a one-day event to support HBCU.

African-American women are disproportionately plagued with health disparities such as heart disease, diabetes and more; 49 percent of Black women over the age of 20 have a form of heart disease; about 1 in 4 Black women over the age of 55 have diabetes and that is nearly twice the rate of White women. Delta Sigma Theta Sorority, Inc., has partnered with WW, formerly known as Weight Watchers. The aim is to empower people to take charge of their health by promoting daily activity, weight loss and other holistic health topics.

The mortality rate in the U.S. is 17.3 deaths per 100,000 live births. However, it is significantly higher for Black women at 43.5 deaths per 100,000 live births. Zeta Phi Beta Sorority, Inc., has maintained a 49-year partnership with the March of Dimes and has contributed over \$5 million to provide prenatal education and support for mothers in need.

Students of color are often concentrated in schools with fewer resources. Schools with 90 percent or more students of color spend \$733 less per student per year than schools with 90 percent or more White students. Since 1996, Sigma Gamma Rho Sorority, Inc., has participated in Operation Big Book Bag with the goal of providing access tools and mentorship for school-age children.

Each sorority represented in the Divine Nine have supported the mentoring and development of young ladies through our AKA Teens, Delta GEMS, Archonettes and Rhoer Club programs. We have overseen education, health, economic empowerment and political advocacy issues affecting the community.

As you can see, the ladies of Alpha Kappa Alpha Sorority, Inc.; Delta Sigma Theta Sorority, Inc.; Zeta Phi Beta Sorority, Inc.; and Sigma Gamma Rho Sorority, Inc. have made significant contributions to the landscape of this great State.

LAWRENCE WEEKLY:

I will begin with specific history. On March 1, 1869, Nevada made history by becoming the first state to ratify the 15th Amendment to the U.S. Constitution giving voting rights to African-American men. To be here today to testify on behalf of these historical license plates, S.B. 163 means so much too many of us. Berna Rhodes-Ford spoke on behalf of the sororities. I will talk on behalf of the fraternities.

When people think of fraternities, it is the negative points being thought of such as keg parties. Many amazing points are happening with these fraternities. There is Kappa Alpha Psi Fraternity, Inc.; Alpha Phi Alpha Fraternity, Inc.; Omega Psi Phi Fraternity, Inc.; Phi Beta Sigma Fraternity, Inc.; and Iota Phi Theta Fraternity, Inc. These five distinguished organizations have been a part of building America.

Many of the men, whose pictures are behind me, were a part of these historical fraternities. Senator Spearman named significant members. When thinking about the Doctor Martin Luther King, Juniors, and the Thurgood Marshalls and their beliefs, if there is to be a first class, then let there be first class for everyone.

We thank Arthur Ashe who brought tennis to our world and Venus and Serena Williams who can grand slam. We thank Michael Jordan who taught us to soar and people like LeBron James who thanks him for it. Our own Nevadan, Senator Joseph M. Neal who served the State for many years, was a Phi Beta Sigma Fraternity, Inc.

Ms. Rhodes-Ford talked about the outstanding points our sororities have done. We think about the millions of dollars the fraternities have contributed not only in Nevada but internationally as well. This has afforded opportunities for young

boys and girls to know postsecondary education is possible. Millions of dollars have been allocated and distributed to families who did not know where their next meal was coming from. Mentorship programs are offered in Clark County, from the Kappa League for leadership to the National Sigma Beta Club and Thee Omega Gentleman's Club.

Our organizations are responsible for many young men who have gone on and stayed out of the judicial system. Their moms are not asking for letters of recommendation to help get them out of juvenile hall or for those young men who found themselves caught up in the system. I have had the opportunity to mentor individuals who have come to the State Legislature and are now elected officials.

The purchase of these license plates is a competition for us, to see which top fraternity and sorority will receive them first. I think this will be successful.

SENATOR HAMMOND:

When license plates come up for discussion, procedural questions come up. I want to ensure I understand. Is this a typical request where a certain number of license plates are required to be committed prior to issuance? Are bonds needed to create the license plate?

SENATOR SPEARMAN:

The issuance of these license plates will generally be no different than the women's suffrage license plates approved in the Eightieth Legislative Session. License plates for hockey teams and baseball teams have been created. This will not be any different, with one exception: this will be the first special license plate issued in honor of African-American service to the State and to this Country.

SENATOR BROOKS:

It appears nine different license plates are within this bill. I think a minimum of 3,000 requests are needed to reserve the license plates. Will we submit the 9 styles at the same time and attempt to receive 3,000 reservations for each of the 9 license plates? Specialty license plates have a cap on the amount being made. Will it be in the listed order of each style license plate in the bill?

SENATOR SPEARMAN:

When I spoke to Sean Sever at DMV, the procedure is the same as other specialty license plates. This legislation is for the Divine Nine to come as a group rather than single license plates. Each sorority and fraternity are a subset of that group.

SENATOR HAMMOND:

What both Senator Brooks and I keep thinking about are the two different types of specialty license plates. This is not similar to organizations needing to wait for an available spot to have their license plates made. I want to contact DMV to give us the technical aspects of what is required before it goes into distribution. There were license plates issued in the past, similar to Eagle Scouts, where you had to show you were an Eagle Scout to purchase the license plate. Will these be for anyone to purchase and will the money be distributed as mentioned in the bill?

CHAIR HARRIS:

Please coordinate with Ms. Scholley to follow up with your questions.

SENATOR SPEARMAN:

Many of the members of the Divine Nine went to and graduated from HBCUs. One of the points this historic legislation will represent is an acknowledgment to the richness of culture and the history of the African-American community. I heard Ms. Rhodes-Ford say people ask about sororities working for charities and if it was during college. Most of us can remember being on a quad on a Friday and doing our shows. It was the beginning because it helped us to form a bond that has never been broken.

This past election cycle, the Divine Nine got together with the sororities and did the "Stroll to the Polls." We registered people to vote with a national voter registration event.

The first woman Thunderbird at Nellis Air Force Base is a graduate of an HBCU. The Divine Nine and its history could be called "*Hidden Figures*" No. 2 because we have been active the entire time. People have not noticed. Now the organizations want to take their place in history and be acknowledged.

CRISTAL BOISSEAU:

I am a member of the Las Vegas Alumnae Chapter Delta Sigma Theta Sorority, Inc. I am here to voice my support for the NPHC license plate as the proceeds will support the United Negro College Fund (UNCF). It is one of the Nation's largest and most effective minority organizations and supports 37 historically Black colleges and universities. We have heard in the past, "a mind is a terrible thing to waste." This is a significant opportunity for our State to support UNCF by requiring the fees collected to be deposited quarterly. The funds will support these organizations in addition to Nevada's NPHC made up of nine historically Black sororities and fraternities. I support S.B. 163.

BELINDA MARENTIC:

I am a member of Delta Sigma Theta Sorority, Inc., and the president of the Las Vegas Alumnae Chapter. I pledged 21 years ago on the campus of the University of Nevada, Las Vegas (UNLV) and have given back volunteering to my community ever since. Passing this bill will be a significant step in the right direction for the Divine Nine of Nevada.

Delta Sigma Theta has three chapters in the State. Delta is the largest chapter with about 200 active members. Delta has about 200 members within the City in addition to our collegiate chapter at UNLV and the University of Nevada, Reno. I support S.B. 163.

MICHAEL SMITH:

I serve as the president of Omega Psi Phi Fraternity, Inc., in Reno and in the northern Nevada quad counties. I pledged the Omega Psi Phi Fraternity 40 years ago in a historical HBCU event in Mississippi. I also have served as the president of chapters in Mississippi and Tennessee, and both of these states have the Divine Nine license plates.

The license plates in those states were presold. It determined the number to be produced. The Divine Nine purchased and presold the license plates. The art work was submitted by each respective sorority and fraternity.

Omega Psi Phi Fraternity, Inc., was founded in November 17, 1911, at Howard University. It is the same university attended by the Vice President of the U.S., Kamala Harris. The name Omega Psi Phi was derived from the essential Greek phrase meaning friendship is essential to the soul. The phrase

was selected as a motto. The cardinal principals adopted were manhood, scholarship, perseverance and uplift.

Omega Psi Phi Fraternity, Inc., was incorporated under the laws of the District of Columbia on October 28, 1914. Our Fraternity is a unique group of men encouraging high standards and community service that insists on the building of character and leadership development among men. Members of Omega share a common foundation of comradery that lasts a lifetime. Omega has over 700 chapters throughout the U.S. and internationally, including Bermuda, Bahamas, Virgin Islands, Korea, Japan, Liberia, Germany, Kuwait and, recently, Mexico.

Many noble Omega men are recognized as leaders in the arts, sciences, academics, athletics, businesses, civil rights education and government on the local, national and international levels. I am in support of S.B. 163.

ASHANETI LEWIS:

I am a member of Zeta Phi Beta Sorority, Inc., Theta Omicron Zeta Chapter in Las Vegas, and I am in support of S.B. 163.

ATHAR HASEEBULLAH:

I am president of Theta Phi Lambda Chapter of Alpha Phi Alpha Fraternity, Inc., which covers Las Vegas, North Las Vegas and Henderson. I was named executive director of the American Civil Liberties Union of Nevada. I am a graduate of Howard University and Howard University School of Law. I was initiated into Alpha and credit it with much of my development as do many of its members.

Our Fraternity is 114 years old and has over 800 chapters worldwide. A few of our fraternity brothers include Martin Luther King, Jr., and Justice Thurgood Marshall.

Our work locally results in us giving tens of thousands of dollars in scholarships to new college students. We participate in numerous community service programs, including volunteering to promote initiatives to care for seniors, the vulnerable and bringing students to the Legislature. Last Session, our organization brought a few of the Alpha Men, Divas of Tomorrow and the high school youth group to Carson City along with Commissioner Weekly's Kappa Leaguers. They describe the experience as life-changing.

Assemblyman Tyrone Thompson helped us coordinate the program with many of you, including Senator Hammond. You took time out of your day to interact with our students, and it forever shaped their life. I am elated to support S.B. 163.

CORNELIA MURPHY-HOUSE:

I am a member of Zeta Phi Beta Sorority, Inc., and I am calling in support of S.B. 163.

SPARKLE WILLIAMS:

I am president of the Las Vegas chapter of Zeta Phi Beta Sorority, Inc., and a member for 20 years. I am in support of S.B. 163. Our Sorority will celebrate 45 years of serving the Las Vegas communities and surrounding areas. We have five chapters in the Las Vegas area. We are happy to be a part of this bill and to become history. Zeta serves the community through Z-HOPE, helping other people to excel.

MARK ARMSTRONG:

I am in support of S.B. 163. I am the treasurer of the local alumni chapter and the past regional director of Phi Beta Sigma Fraternity, Inc. I have been a sole financial member for over 33 uninterrupted years. I have been servicing the community for the past 17 years.

Specialty license plates are popular and common in Nevada with over 59 different types that generate revenue for causes and organizations.

Senate Bill 163, providing for the creation of specialty license plates, will generate funds for the Divine Nine organizations and scholarships in colleges they support. The bill will provide significant recognition in a way for us to promote and show pride in our respective organizations.

MAGGIE LONGLEY:

I am the president of Mu Rho Sigma Alumnae Chapter Sigma Gamma Rho Sorority, Inc. and treasurer of the HBCU of Las Vegas. I support S.B. 163. Each organization in the Divine Nine has a deep history of supporting scholarship, service, brotherhood and sisterhood throughout the U.S. and worldwide.

Members of the Divine Nine have proven for decades where it is committed to uplifting and giving back to the community. A specialty license plate will be the

beginning of showing the community we stand together in a united front for enhancing the lives of people.

JOE MCNELLY:

I am with Phi Beta Sigma Fraternity, Inc. I have been a member in Las Vegas since 1992, and I am a graduate from UNLV. I am in support of S.B. 163.

One of the points significant about our Fraternity is our motto, "Cultural for service, service for humanity," and our principals of "Brotherhood, scholarship and service." Many of the members of the Divine Nine talk about being the oil in many machines. We are up front in the community and doing the work ourselves; many other times, we are providing the supplies or monetary means to support the community.

The Divine Nine license plates will increase awareness within the community. People know many programs throughout the individual organizations and that they work collaboratively. It will increase awareness and bring a sense of pride to members of the Divine Nine.

JACQUELINE BRICE:

I am a 40-year member of Sigma Gamma Rho Sorority, Inc., where I originally pledged at the University of Southern California in Los Angeles. As a charter member of the chapter, I am calling in support of S.B. 163.

These license plates will bring awareness to everyone in the State. It will show community service and awareness of humankind is prevalent. This proud group of members is giving everyone an opportunity to be supported and educated.

KRISTIAN DUNCAN:

I am a member of Zeta Phi Beta Sorority, Inc., and I am support S.B. 163.

NATASHA SAMUEL:

I am with Zeta Phi Beta Sorority, Inc., and I support S.B. 163.

ROBERT WHITE:

I am member of Phi Beta Sigma Fraternity, Inc., and am in support of S.B. 163.

MONTY MCCOY:

I am the vice president of Beta Mu Mu, an incorporated chapter of Omega Psi Phi Fraternity, Inc., in Las Vegas. I support S.B. 163. I want to highlight the members of alumni chapters in Las Vegas who are college graduates. In 2010 and 2011, our chapter sponsored and issued a scholarship to a Cimarron Memorial High School student who participated in essays. The Chapter competed on the national level, bringing focus to Nevada and its ability to produce high school students who can excel.

The organizations being mentioned today fall in line with the different U.S. military organizations. Many of these members in the fraternities and sororities have also served honorably in the military. It seems that nine different license plates are a large amount. It is no different than the military service license plates for the different branches, even though those fall under the Department of Defense. All have a unique identity they bring in support of our Nation. The same is true with the Divine Nine.

The organization gives back to the community without any expectations and provides relief. We have 700 organizations that are graduate studies and 23 are undergraduate studies. The majority of the people who join these organizations have the highest grade point averages on their campuses. It is what we strive for and ask of people who want to join our organizations.

The first detail we look at is their grade point averages, then their academic excellence. We ask them why they want to give back and what has been done to give back to the community.

These license plates will recognize excellence is a beacon and show Nevada does support education, Nevada does support community service and good citizenry. It is unique and important in looking at the last year where the organization went through much turmoil in our Country. There was a statement that former President John F. Kennedy said back in the 1960s, "Ask not what your country can do for you; ask what you can do for your country." It is what these organizations exemplify. Having this license plate shows Nevada's support. I support S.B. 163.

ABASI-DOMINIQUE RAWLINGS:

I am in support of S.B. 163 and speak on behalf of my brothers at Gamma Beta Omega Chapter of Iota Phi Theta Fraternity, Inc., in Las Vegas, a chapter in

which I am the secretary. Beta, which is primarily a Greek Black organization, has incrementally raised my personal, educational and professional growth. We have historically contributed to society with positivity in areas similar to politics, arts and civil rights. The influence and contribution of the Divine Nine should be rewarded to don these license plates as badges of honor and enable us to promote the spread of scholarship, leadership, citizenship and fidelity among all.

JACQUELYN PIPPION-SWOPE:

I am a member of Sigma Gamma Rho Sorority, Inc., and I am in favor of S.B. 163. I have been a member since 1972, a pledge through Chicago State University in Chicago, Illinois. It is a common misconception about the Divine Nine's membership being only a college experience. However, membership in a Divine Nine organization is a lifelong commitment. Our commitment is to uplift the community as important drivers of services. Among us Black individuals, we continue to create notable leaders through many projects, presentations and progress within the organizations.

We work hard and are committed to the students' needs in school. We bring them encouragement and are available for them in addition to working with individuals in the community, ensuring each one of the students and children realize and understand education is for everyone, not only individuals. Our community services individuals; it does not matter who you are.

APRIL SANBORN (Administrator, Division of Central Services and Records Division, Department of Motor Vehicles):

The DMV is here in a neutral position. The questions asked regarding the Divine Nine license plates fall under the legislative-approved license plates category and are not bound by the same requirements of the first tier and second tier license plates. The organizations will not be required to submit a bond. They are not required to maintain a maximum or a minimum number of license plates nor are they required to maintain the 1,000 and 3,000 license plates as the tiered license plates. The Divine Nine license plates are not subject to those requirements.

Once the license plates are approved and the bill passes, DMV will begin conversations with the organizations and collaborate in the design process.

CHAIR HARRIS:

We will close the hearing on S.B. 163.

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SENATOR SPEARMAN:

I spoke about the first woman who is a part of the Thunderbirds, her name is Captain Remoshay Nelson, and she is a Delta. I neglected to mention the fact my father was an Alpha who pledged at Tuskegee Institute.

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CHAIR HARRIS:

Seeing no further business to come before the Committee, the meeting is adjourned at 5:34 p.m.

RESPECTFULLY SUBMITTED:

Debbie Shope,
Committee Secretary

APPROVED BY:

Senator Dallas Harris, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
S.B. 162	B	2	Senator Fabian Donate	Presentation
S.B. 162	C	1	Senator Fabian Donate	Proposed Amendment