

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

**Eighty-Second Session
April 11, 2023**

The Committee on Growth and Infrastructure was called to order by Chair Howard Watts at 1:30 p.m. on Tuesday, April 11, 2023, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblyman Howard Watts, Chair
Assemblywoman Tracy Brown-May, Vice Chair
Assemblyman Max Carter
Assemblywoman Jill Dickman
Assemblywoman Danielle Gallant
Assemblyman Bert Gurr
Assemblywoman Heidi Kasama
Assemblywoman Elaine Marzola
Assemblywoman Brittney Miller
Assemblyman Cameron (C.H.) Miller
Assemblywoman Sarah Peters
Assemblywoman Shondra Summers-Armstrong

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Jann Stinnesbeck, Committee Policy Analyst
Jessica Dummer, Committee Counsel
Kathy Biagi, Committee Secretary
Garrett Kingen, Committee Assistant

Minutes ID: 767



OTHERS PRESENT:

Sean Sever, Deputy Administrator, Research and Project Management Division,
Department of Motor Vehicles

Chair Watts:

[Roll was taken. Rules and protocols were explained.] Welcome to today's meeting of the Assembly Committee on Growth and Infrastructure. We have a work session with many bills on it before us today. We will have one public comment period at the end of today's meeting. With that, we have ten bills on our work session agenda today. We will not be working on Assembly Bill 105 at this time. We are going to postpone that one.

Assembly Bill 105: Revises provisions related to broadband Internet. (BDR 10-712)

[Bill was agendized but not considered.]

Chair Watts:

I will now turn it over to our policy analyst, Mr. Stinnesbeck, and we will start with Assembly Bill 303.

Assembly Bill 303: Revises provisions relating to the towing of a motor vehicle under certain circumstances. (BDR 58-113)

Jann Stinnesbeck, Committee Policy Analyst:

[Read from Exhibit C.] Assembly Bill 303 was sponsored by this Committee and heard on March 21, 2023. It provides that an operator is prohibited from charging any fee or cost for the towing of a motor vehicle, including, without limitation, any fee or cost for the removal, impoundment, or storage of the motor vehicle, until at least 48 hours after the motor vehicle arrives and is registered at the place of storage. This bill also provides that an operator who tows a vehicle in violation of these provisions or charges a fee or cost in violation of these provisions may be subject to certain penalties, and the owners of the vehicle may bring an action against the operator to recover costs. The bill also sets forth certain reasons outside of the owner's control for which he or she is determined to be incapable of paying the normal rate charged for the removal and storage of a towed motor vehicle.

There was one proposed amendment to this bill by Assemblyman Miller attached to the work session document. This proposal: (1) provides that towing a vehicle solely because the registration of the vehicle is expired is a violation of the bill for which an operator is subject to certain penalties and provides that no fee or cost may be charged for such towing; (2) removes provisions prohibiting an operator from charging any fee or cost for the storage of a motor vehicle until at least 48 hours after it arrives and is registered at the place of storage; and (3) expands the option to pay a hardship tariff to certain additional circumstances where a vehicle is towed from a residential complex, revises provisions governing who is eligible for the hardship tariff, and limits the availability of the hardship tariff to once per year.

Chair Watts:

Do we have questions on this item?

Assemblywoman Dickman:

I really appreciate how hard people worked to get this to work, and I appreciate the exemptions from the hardship. The ones that are not exempted are, if I am understanding this right, if you are parked in someone's assigned spot, you would still be able to get this hardship exemption—blocking the driveway or garage parking. Is that correct or am I misunderstanding?

Chair Watts:

Yes. Based on some of the concerns that came up at the hearing, the latest amendment would not allow hardship care for blocking a handicap space, parking in a handicap space, or in a fire lane or zone. There is a section of the statute that combines both some serious conditions, but also parking in somebody else's spot. Unfortunately, all of those are caught up in one section of the statute. We are going to move this bill forward and encourage the sponsor and stakeholders to continue conversations. At this time, this is where we are in trying to address some of the concerns that were brought up during the hearing.

Assemblywoman Dickman:

Okay, thank you. I find many of these very problematic. I will have to be a no.

Chair Watts:

Thank you. Members, are there any questions? Seeing none, I would accept a motion to amend and do pass A.B. 303.

ASSEMBLYWOMAN PETERS MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY BILL 303.

ASSEMBLYWOMAN BROWN-MAY SECONDED THE MOTION.

Members, is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN DICKMAN, GALLANT,
GURR, AND KASAMA VOTED NO.)

I will assign the floor statement to Assemblyman Miller. Next on our work session is Assembly Bill 304.

**Assembly Bill 304: Revises provisions governing certain special license plates.
(BDR 43-699)**

Jann Stinnesbeck, Committee Policy Analyst:

[Read from [Exhibit D.](#)] Assembly Bill 304, sponsored by Assemblywoman Anderson, was heard in this Committee on March 23, 2023. It removes the requirement to provide proof of current or former employment as a professional full-time salaried firefighter or volunteer firefighter in an application for the renewal of special license plates recognizing such employment or service. There is one proposed amendment to this bill by Mendy Elliott, with Flynn Giudici Government Affairs, which exempts special license plates to encourage the donation of human organs from provisions limiting the number of separate designs of special license plates that the Department of Motor Vehicles may issue at any one time. The proposed amendment is attached to the work session document.

Chair Watts:

Members, are there any questions on this item? Seeing none, I would entertain a motion to do pass A.B. 304.

ASSEMBLYWOMAN DICKMAN MADE A MOTION TO DO PASS
ASSEMBLY BILL 304.

ASSEMBLYMAN MILLER SECONDED THE MOTION.

Members, is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Anderson. Next on our work session is Assembly Bill 315.

**Assembly Bill 315: Establishes various provisions relating to geothermal energy.
(BDR 58-947)**

Jann Stinnesbeck, Committee Policy Analyst:

[Read from [Exhibit E.](#)] Assembly Bill 315 was sponsored by Assemblywoman Hardy and heard by this Committee on March 30, 2023, and requires the Director of the Office of Energy within the Office of the Governor (GOE) to coordinate with certain entities to recommend best practices for issuing a permit for geothermal energy. The bill creates, temporarily, the Geothermal Energy Systems Demonstration Program. The bill requires the Office of Energy to conduct an interim study relating to geothermal energy. Lastly, the bill prohibits certain restrictions on the use of a system for obtaining geothermal energy by the owners of real property.

There is an amendment on the bill which: (1) removes provisions creating and regulating the Geothermal Energy Systems Demonstration Program; (2) revises provisions concerning the recommendation of best practices for issuing a permit for geothermal energy to require consideration of environmental impacts; (3) directs the GOE to conduct a study during the 2023–2024 Interim concerning the use of geothermal energy in Nevada; and (4) requires the Director of the GOE to apply for federal grants related to geothermal resources development and foster the growth of geothermal resources in Nevada.

Chair Watts:

Members, are there any questions on this bill and the proposed amendment? Seeing none, I will entertain a motion to amend and do pass A.B. 315.

ASSEMBLYMAN GURR MADE A MOTION TO AMEND AND DO PASS
ASSEMBLY BILL 315.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

Members, is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman Hardy. Our next item on the agenda is Assembly Bill 336.

**Assembly Bill 336: Revises provisions governing driver authorization cards.
(BDR 43-837)**

Jann Stinnesbeck, Committee Policy Analyst:

[Read from Exhibit F.] Assembly Bill 336 was sponsored by Assemblywoman González and others and heard by this Committee on March 28, 2023. It removes the prohibition against a driver authorization card (DAC) being used to determine eligibility for benefits, licenses, or services issued or provided by the State or its political subdivisions. The bill changes the expiration date of a DAC so that a DAC expires as prescribed by regulations of the Department of Motor Vehicles (DMV), which must ensure, to the extent consistent with federal law, that a DAC is valid for the same length of time as a driver's license. There is one proposed amendment to the bill by Assemblywoman González. It restores the prohibition against a DAC being used to determine eligibility for benefits, licenses, or services issued or provided by the State or its political subdivisions; and adds Assemblyman Miller as a primary cosponsor and Assemblyman Watts as cosponsor.

Chair Watts:

Members, I have a quick note of clarification. I know there was a lot of conversation during the bill hearing about ensuring that this lines up with the provision for a driver's license in terms of renewal every eight years and then for the 65-and-older renewal every four years.

The regulations that are pointed to in the bill as it was presented will do that. It will line up the driver authorization card in the identical fashion as the driver's license, so there was no need for any additional language on that. Members, are there any questions on this item?

Assemblywoman Gallant:

Have there been any discussions about being able to do this online so that it can coincide with the DMV's updating of their system?

Chair Watts:

This was a question that came up from one of our members during the DMV's budget hearing and presentation. They indicated there would be the capability to move this process online once the modernization is complete. It is their intent to do so, which is why there is no additional language added to this bill.

Assemblywoman Gallant:

From what I understand, it states in the current legislation that they have to come in and prove residency. Am I correct on that? We do need something in legislation that will allow it to be done online.

Chair Watts:

Mr. Sever, would you like to come up and see if you can get us clear as mud on this one? Perhaps folks would be able to submit those things online instead of in person in the future. Please go ahead.

**Sean Sever, Deputy Administrator, Research and Project Management Division,
Department of Motor Vehicles:**

Yes, if you make it in line with our transformation, we will be able to do that in the future. But I do need to double check, and I can get back to you.

Chair Watts:

Thank you. If you can check on that and see if there is any statutory language that would prevent online renewal for the driver's authorization card, and please let us know. We would like to make sure we get that addressed before the bill passes. I do not want to get it held up right now, but we want to make sure there is nothing in statute standing in the way of that happening once the modernization effort is complete.

Assemblywoman Kasama:

I just want to note I will be a yes in Committee and reserve the right for the floor.

Assemblywoman Dickman:

Ditto, what she said. I also want to ask you, in your explanation did you mean people over 65 who are getting a driver's authorization card will have to do it every four years?

Chair Watts:

That is correct. Members, are there any additional questions? Seeing no other questions, I would accept a motion to amend and do pass A.B. 336.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 336.

ASSEMBLYWOMAN GALLANT SECONDED THE MOTION.

Members, is there any discussion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblywoman González. Next on our work session is Assembly Bill 407.

Assembly Bill 407: Revises provisions governing the release of personal information by the Director of the Department of Motor Vehicles. (BDR 43-751)

Jann Stinnesbeck, Committee Policy Analyst:

[Read from Exhibit G.] Assembly Bill 407 was sponsored by Assemblyman Carter and was heard in this Committee on April 4, 2023. It prohibits the Director of the Department of Motor Vehicles (DMV) from providing personal information for: (1) any commercial purpose; or (2) commercial use in the bulk distribution of surveys, marketing material, or solicitations. The bill also provides that the release of personal information by the Director for activities relating to research and the production of statistical reports is only authorized for noncommercial activities.

There is one amendment by Sarah Voehl and Millie Mummery. It deletes the existing provisions of the bill and provides that the Director of the DMV shall not release any personal information to any person or federal, state, or local governmental entity for any purpose relating to the enforcement of immigration laws, unless: (1) the subject of the information provides consent; or (2) the requesting agency presents a lawful judicial order, judicial subpoena, or judicial warrant. When responding to a lawful judicial order, judicial subpoena, or judicial warrant, the DMV shall disclose only those records or information specifically requested.

Chair Watts:

Are there any questions on this measure? Seeing none, at this time I would accept a motion to amend and do pass A.B. 407.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 407.

ASSEMBLYWOMAN BROWN-MAY SECONDED THE MOTION.

Members, is there any discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMEN GALLANT AND
KASAMA VOTED NO.)

I will assign the floor statement to Assemblyman Carter. Next on our work session is Assembly Bill 425.

Assembly Bill 425: Revises provisions governing net metering. (BDR 58-1036)

Jann Stinnesbeck, Committee Policy Analyst:

[Read from [Exhibit H](#).] Assembly Bill 425 was sponsored by this Committee and heard on April 6, 2023. It authorizes the users of a low-income housing shared net metering system to participate in net metering. The bill excludes persons who own or operate a low-income housing shared net metering system from the definition of "public utility."

The bill provides for the administration of net metering with respect to low-income housing shared net metering systems, including the measuring of net electricity produced or consumed and the awarding of credit for excess electricity produced by a low-income housing shared net metering system.

The bill requires the Public Utilities Commission of Nevada to adopt regulations prescribing the form and substance for a low-income housing shared net metering tariff and a standard low-income housing shared net metering contract.

Lastly, the bill provides that, with certain exceptions, certain provisions governing the rates charged for the provision of electric service by the landlord of a manufactured home park or mobile home park or owner of a company town do not apply to the owner or operator of a low-income housing shared net metering system.

There is one amendment to this bill. It: (1) revises certain language related to low-income housing shared net metering systems; (2) revises the definition of "low-income housing shared net metering system" to provide that certain systems have a capacity that is sized to supply not more than 100 percent of metered historic usage or expected future usage; (3) revises the definition of "qualified multifamily affordable housing property" to provide that qualifying low-income residential buildings do not need to be located on the same property or contiguous property; and (4) removes language specific to low-income housing shared net metering from certain net metering provisions.

Chair Watts:

I will take a brief moment to note that I have been in conversation with some of those who testified in opposition to the bill. Those conversations are ongoing. We are not going to have any language that we have agreed upon before this upcoming deadline. It is my

intention to move this bill forward and continue conversations with those stakeholders to look at ways that we can potentially strengthen the bill and ensure some of the concerns that were addressed do not come to pass.

Are there any questions on this measure? Seeing none, I would accept a motion to amend and do pass A.B. 425.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 425.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

Members, is there any discussion? [There was none]

THE MOTION PASSED UNANIMOUSLY.

I will assign myself the floor statement. Our next work session is Assembly Bill 426.

Assembly Bill 426: Revises provisions governing special event advertising. (BDR 35-975)

Jann Stinnesbeck, Committee Policy Analyst:

[Read from Exhibit I.] Assembly Bill 426 was sponsored by this Committee and was heard on April 6, 2023. It exempts commercial advertising for special events from placement restrictions, public nuisance classification, and certain fees as it relates to advertisements on or near certain highways and rights-of-way. The bill has one proposed amendment to the bill by Chair Watts. The amendment: (1) removes provisions relating to advertisements on bridges and temporary structures or barriers erected on a highway; (2) removes the convention and visitors authority as the certifying entity; and (3) removes provisions relating to outdoor advertisements and public nuisance.

Chair Watts:

Members, are there any questions on this item? Seeing none, at this time I would accept a motion to amend and do pass A.B. 426.

ASSEMBLYWOMAN DICKMAN MADE A MOTION TO AMEND AND DO PASS ASSEMBLY BILL 426.

ASSEMBLYWOMAN BROWN-MAY SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblywoman Summers-Armstrong:

I wanted to acknowledge that my questions were answered regarding marketing support for trafficking during these major events. I think we have some good things happening.

Chair Watts:

Thank you. Members, is there any other discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign that floor statement to Assemblywoman Brown-May. Next on our agenda is Assembly Bill 456.

Assembly Bill 456: Revises provisions relating to railroads. (BDR 58-974)

Jann Stinnesbeck, Committee Policy Analyst:

[Read from Exhibit J.] Assembly Bill 456 was sponsored by this Committee and heard on April 4, 2023. The bill prohibits the operation of work or freight trains that exceed 7,500 feet in length on certain railroad tracks in this state. The bill also restricts the duty hours of yardmasters. Lastly, the bill requires a local authority or Nevada's Department of Transportation to install traffic-control devices and automated traffic enforcement systems at certain railroad grade crossings.

There are three proposed amendments to the bill. The first one from Assemblyman Carter provides certain requirements for the operation of wayside detector systems on railroads in this state and deletes sections 2 through 8 of the bill. The second proposed amendment by Jason Doering requires, except for trains or equipment stopped due to mechanical failure where separation or movement is not possible, any train or equipment that has come to a complete stop and is blocking a railroad-highway grade crossing to be cut, separated, or moved to clear the crossing upon the approach of any emergency vehicle. Lastly, the City of Henderson defines "railroad" as a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails for the purposes of section 1 of the bill.

Chair Watts:

Before we move forward, after additional conversations and evaluation, I think the best way for this bill to move forward would be to delete section 1 of the original bill and proceed with the proposed amendments relating to wayside detector systems and blocked crossings. The deletion of section 1 of the bill no longer necessitates the City of Henderson's amendment. The proposal would be to amend and do pass the bill, deleting all sections of the original bill and accepting the additional amendments provided by Assemblyman Carter and Mr. Doering. Before we get to that motion though, I want to see if members have any questions.

Assemblywoman Kasama:

I have no questions, but I will want to spend a little bit more time on that.

Chair Watts:

Understood. Just to be clear, section 1 of the original bill is the provision that relates to train length. I do intend to move this bill forward, but I understand that some folks, especially those who have concerns, may need some time to process this before figuring things out.

As always, you may always reserve your right. You do not have to say so on the record. If your position changes before you get to the floor, please do let me know. Are there any additional questions?

To make sure this is clear, I will restate this and make it very clear for the record. I would accept a motion to amend and do pass A.B. 456, removing sections 1 through 8 of the original bill and adopting the amendment by Assemblyman Carter related to wayside detector systems and the amendment provided by Mr. Doering related to blocked crossings.

ASSEMBLYWOMAN BROWN-MAY MADE A MOTION TO AMEND
AND DO PASS ASSEMBLY BILL 456.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

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

THE MOTION PASSED. (ASSEMBLYMEN DICKMAN, GALLANT,
GURR, AND KASAMA VOTED NO.)

I will assign that floor statement to Assemblyman Carter. We will move on to the last item on our work session for today which is Assembly Bill 457.

Assembly Bill 457: Removes a requirement for the reissuance of certain license plates every 8 years. (BDR 43-1078)

Jann Stinnesbeck, Committee Policy Analyst:

[Read from Exhibit K.] Assembly Bill 457 was sponsored by this Committee on behalf of the Office of Finance in the Office of the Governor and heard in this Committee on April 4, 2023. The bill removes the requirement for Nevada's Department of Motor Vehicles to automatically reissue license plates every eight years. There are no proposed amendments to this bill.

Chair Watts:

Members, are there any questions on A.B. 457? Seeing none, at this time I would accept a motion to do pass A.B. 457.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG MADE A MOTION TO
DO PASS ASSEMBLY BILL 457.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

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

THE MOTION PASSED UNANIMOUSLY.

I will assign that floor statement to Assemblywoman Dickman. Thank you, members. That concludes our business for the day. The last item on our agenda is public comment. Is there anyone wishing to make public comment? [There was no one.]

Please stay tuned for our next meeting. We do have a couple of bills that are out there. As soon as we have it figured out, we will have an agenda out to everyone, so be on the lookout for that. Thanks for your time and attention. We are adjourned [at 1:57 p.m.].

RESPECTFULLY SUBMITTED:

Kathy Biagi
Committee Secretary

APPROVED BY:

Assemblyman Howard Watts, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is the Work Session Document for [Assembly Bill 303](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 304](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Assembly Bill 315](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Assembly Bill 336](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for [Assembly Bill 407](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Assembly Bill 425](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for [Assembly Bill 426](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit J](#) is the Work Session Document for [Assembly Bill 456](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit K](#) is the Work Session Document for [Assembly Bill 457](#), presented by Jann Stinnesbeck, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.