



**Minutes of the Automotive Affairs Advisory Board**  
held on December 17, 2013 at 9:00 am  
at the Nevada Legislative Council Bureau  
Room 2134, 401 S Carson St, Carson City, NV. 89701  
Videoconferencing to Nevada Legislative Council Bureau  
Room 4406, 555 E Washington Ave, Las Vegas, NV. 89101

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*These minutes are prepared in compliance with NRS 247.035. Text is in summarized rather than verbatim format. For complete contents, please refer to meeting tapes on file at the Nevada Department of Motor Vehicles.*

**THIS MEETING WAS PROPERLY NOTICED AND POSTED IN THE FOLLOWING LOCATIONS ON December 5, 2013.**

Department of Motor Vehicles 555 Wright Way Carson City, NV. 89711	Nevada State Library 100 N. Stewart St. Carson City, NV. 89701	Department of Motor Vehicles 2701 E. Sahara Las Vegas, NV. 89104	Department of Motor Vehicles 305 Galletti Way Reno, NV. 89512
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Department of Motor Vehicles Website  
[www.dmvnv.com](http://www.dmvnv.com)

**1. Call to Order**

**2. Roll Call**  
9:07am

**MEMBERS PRESENT:**

Steve Yarborough - Chairman  
Robert (Bob) Compan  
Richard "Michael" Lee  
Lou Gardella

Sierra Service Station Co.  
Farmers Ins  
Lee Bros Leasing  
Jiffy Smog

**MEMBERS ABSENT:**

Donnie Perry

DMV

Dick Mills  
Gil Grieve  
Dennis Collins  
Joni Eastley

Pick N Pull  
Concours Body Shop  
Public  
Public

**INTERESTED PARTIES:**

Alex Tanchek

JK Belz & Associates

**3. Public Introductions**

A.

**4. Approval of Agenda**

A. Yarborough:

*5. Approval of December 2012 Meeting Minutes*

A. Last meeting we called for an approval of the [December 2012 minutes] and there were some correction that Robert noted; couldn't approve because there was no quorum so, they're still out there waiting for approval at some point in the future.

*4. Approval of Agenda*

A. And the approval of the [November 2013] agenda which is the same agenda basically as we had last time.

*6. Biennial Report*

A. Donnie is ill today and Donnie did announce that Troy is no longer representing the Department [DMV] on this Board. He has been asked to participate in another board that had a conflict with this. And so, Donnie Perry is the representation from the DMV. And he briefly went over some of the changes in the statutes from the previous legislative session.

*7. Consumer Complaints – Statistical Data Review*

A. Then [Donnie] provided us with the statistics of the Consumer Complaints which we have available here. Robert and Lou, do you have copies of those?

B. Gardella: I do not.

C. Compan: I do not have mine with me. But, I'm familiar.

D. Yarb: So basically, in the overview of those, there was nothing glaring with regards to complaints that the Department needed addressing. There was nothing that would create a need or a call for action through the review of those. What I stated was; as far as the number of complaints for the garages (which is the highest number overall) when looked it, in relationship to the number of repairs done on a daily basis in the industry were minimal as a percentage of the overall industry. That didn't seem to create concern or warrant any action.

E. Yarborough:

## 8. DMV Survey BDR 170

- A. Robert [Compan], you covered the conclusion of the BDR 170 with what the final regulations were on the body shop storage fees. Anything else you wanted to touch on that?

F. Compan: No.

G. Yarborough:

## 9. Legislative Updates

- B. We had no other legislative updates.

## B. Public Comment

- A. We did have a public comment from Ivie [Hatt] representing the Department [DMV] asking to look at and review for possibility the idea of an annual inspection, a safety inspection with regards to classic vehicle that have exempted themselves from the emissions program with the exemption for classic vehicle plate and one of Department's concerns that she addressed was there are no odometer verifications; because part of the exemption requires that a vehicle be driven a minimum amount of miles annually and she would ask that we entertain the possibility of an annual inspection; and because they're older vehicles, a safety inspection. Then that led into a discussion of an annual safety inspection of all vehicles similar to some of the eastern states that have requirements to do a minimum inspection; windshields, tires, operating lights, and possibly brakes. Vehicles that may be 10 years and older. And then comment to possibly every 3 years? Obviously we can't take action or make recommendations on that until we have a quorum and further discussion on it.

## C. Next Meeting and Adjournment

- A. Then we set this date for the next meeting. And called for adjournment.
- B.

## 5. Public Comment

- A. Yarborough: If there's no other comment, would call for adjournment because we can't take action. I'll open up for comments.
- B. Compan: Is there anything in the bylaws regarding attendance? I've never looked at them.
- C. Hensley: I'm not sure. I briefly looked at those after our last meeting but, they do need to be rewritten because of the law change with the report that you guys are no longer doing. I'm not sure what the process is though so, I'll have to find out.
- D. Compan: And I think there is some sample language out there from other boards and commissions regarding the responsibilities as a board member, to show up 50% of the time or something; I've read it on other board's that I'm in. Frankly we've all wasted our time today; you going there and us coming to Grant Sawyer [building] here. It's kind of a moot point.

- E. Lee: Gentleman, I'd like to volunteer to review these later. To do that with you and see if we can capulate it little closer to get a meeting here once a year, at least.
- a. Yarb: We're required to have two meetings between the sessions. I'll take that recommendation to look at the bylaws suggest language to bring the new bylaws into compliance with the legislative change; and look at membership. And also, Robert, may you know this with your experience; can proxies be tendered into a board for vote?
    - i. Compan: I believe so, but I'm not positive.
    - ii. Yarb: That will need to be something we look into as well.
- F. Compan: Last year at this meeting, we had a couple representatives from LCB that were at the meeting; were they there to observe or were they assigned to watch the process. I know that the DMV has an AG that can probably get with LCB to look at all these changes. Rather than you guys having to just go through them yourselves.
- a. Yarb: I'm going to refer the question over to our representatives from the Department.
  - b. Hensley: Ivie Hatt actually just showed up and she might actually be able to answer that for you.
  - c. Hatt: So, LCB usually shows up about legislative time to report back to the legislatures that are supporting this Board; what's going on. What kind of new laws you're looking at, what kind of changes you're looking at so, that's usually why they show up.
    - i. Compan: So, if we have a question regarding bylaws, reporting requirements, and attendance requirements, and wanted to make a change to the bylaws; would your [DMV's] assigned AG be able to assist us on doing that and then get the approval through LCB?
    - d. Hatt: That's correct. Because the Board falls under the Director of the Department so, a statutory change would come through our Department.
    - e. Compan: So with that Mr. Chairman, I think we should probably get with the Deputy AG assigned to the DMV to combat those issues. Then of course have a quorum to approve them.
    - f. Yarb: Agreed. And I'll ask our Department representatives to move forward on that on the interim with those recommendations.
- G. Yarb: Ivie we don't have a quorum, and we just basically did a quick review of agenda items from last meeting that we weren't able to take action on that were moved forward to this meeting, that we can't take action on. And I covered Public Comments briefly, on your request to look at annual inspections for mileage. Is there anything you would like to throw in for Public Comments while you're here?
- a. Hatt: Yeah. Did you guys look at agenda item 9 [of current agenda, 12/17/13]? Donnie [Perry] said you guys had some concerns with not being able to pull up that link? For the Body Shop Survey.

- i. Yarb: To pull up the survey to look at it? I had no issues with it once was explained to me. Gill was explaining it to the group. Was there any further questions?
- ii. Compan: I think the concern was it wasn't live yet. But it was by the time we had the meeting.

H. Hatt: So my only other thing was agenda item 8 [of current agenda, 12/17/13], which we can't take action on, that was to look at adding classic vehicles to your proposed biennial safety inspection. It's just the classic vehicle requesting exemption from emission inspection. So, will that be added to the next agenda?

I. Yarb: I would suggest that we just move this agenda forward and if there are any other agenda items brought forth by Board members, the public, or by the Department, to be added to this agenda for a future meeting because we will need to take action at some point on a couple of the items; approving the minutes and approving the agenda and determine what action we want to take on that. And hopefully by then we have some new bylaws to look at; or amended bylaws that would address attendance and the change in the reporting requirement.

a. Hatt: Does the current bylaws address that?

b. Yarb: The membership? I didn't see it.

c. Hatt: I thought it said in there that if there were two missed meetings, you can request that they be removed and a new member be added.

[Bylaws of the Nevada Advisory Board on Automotive Affairs]

[Membership]

[3.1 Meeting Attendance] "If a Board member is unable to attend two of the two regularly calendared meeting of the Board in any given year, a letter will be sent by the Board to the representative agency that such Board member represents requesting either a commitment to future attendance, or, in the alternative, requesting the agency to designate a replacement to fill that Board position." [If the Board member does not represent an agency, the letter will be directed to the Board member requesting a commitment to further attendance, or, in the alternative, a request that the board member step down from said Board position so that a replacement can be designated by the Governor.]

d. Yarb: So we would ask write a letter to the Wreckers and the Salvage Pools; would be the two groups that two missed meetings. And Lou [Gardella], a reinstatement to the Board, or never really removed from the Board, he just needs to get his paperwork in. The Emissions guy.

i. Compan: Lou can do that today. Boards and Commissions is here in Las Vegas.

J. Yarb: Renee [Clark], is that all the groups that are represented? Emissions, Repair?

a. Clark: DMV, Body Shops, Wreckers, Garages, Salvage Pool...

b. Compan: I think we're missing from Salvage. I've reached out to salvage pools so; there should be an application forthcoming if it hasn't been received yet. I talked to Copart, IAA, and Mr. Ellis as well.

- c. Yarb: I'll try to contact Dick Mills. And that group, the wreckers, do they have an association or is Dick Mills the representative; because he has been historically.
- d. Compan: They have an organization. They're represented by Paul Enos; from the Nevada Truckers Association. They have a tow council; they represent the wreckers; Paul Enos would probably be the first place to start.
- K. Yarb: Renee was mentioning a couple other agencies...
  - a. Clark: The Insurers of Motor Vehicles and New or Used Motor Vehicle Dealer.
  - b. Yarb: Michael [Lee] is the New or Used Motor Vehicle Dealer representative and Robert, you're the Insurers representative right?
    - i. Compan: That would be me.
  - c. Yarb: And the two members of the public, which haven't been available to the Board for creating a quorum.
- L. Hatt: Would it be a good idea to have alternatives added to your memberships?
  - a. Yarb: I think that's a great idea.
  - b. Hatt: See if that's something we can cover in the bylaws as opposed to changing it in statute.
  - c. Compan: As you were saying, Mr. Chair, maybe a proxy. That would be perfect.
  - d. Lee: If we were able to use a proxy that would solve that. So, if we wanted to keep it more public oriented; at least get the members here. It would be a good move.
- M. Yarb: Aja or Renee, who would champion that cause, as far as getting with the AG's representative to the Department?
  - a. Clark: You probably want to talk to Donnie [Perry]; where he wants to go.
  - b. Yarb: Fair enough.
- N. Yarb: We'll take these recommendations forward and follow-up with Dick Mills, Paul Enos, and Donnie [Perry] as far as looking at the adjustments to the bylaws that are necessary. And also looking at proxies or alternatives for meeting membership requirements.

## 6. Next Meeting and Adjournment

- A. Yarb: We still need to have a meeting; it will be after the first of the year. I would look for suggestions possible mid-February at this point. February 12<sup>th</sup> or 11<sup>th</sup>, tentatively.

## 7. Meeting adjourned

- A. 9:30am