



**Transcript of Advisory Board on
Automotive Affairs**

Held on February 25, 2014 at 9:00 am
by Videoconference **from the** Legislative Counsel Bureau
Room 2134
401 Carson St.
Carson City, NV 89701
to the Grant Sawyer Building
Room 4406
555 E. Washington Ave.
Las Vegas, NV 89106

1. Call to Order by the Chairman "for possible action"

Steve Yarborough: 9:06 am

2. Roll Call

MEMBERS PRESENT:

Donnie Perry
Gilbert Grieve
Joni Eastley
Louis Gardella
Dick Mills
Robert (Bob) Compan
Steve Yarborough - Chairman

DMV
Body Shop
Nye Co Assistant Manager

Reno Auto Wrecking
Farmers Ins
Sierra Service Station Co.

MEMBERS ABSENT:

Michael Lee
Lee Bros Leasing

3. Public Introductions

Steve Yarborough: I think the intent there would be for us to go around and introduce ourselves and also introduce the person from the public of interest. Joni, want to start? Tell us your roll.

Joni Eastly: Yes, thank you. I am the Assistant County Manager for Nye County and I was appointed as a member of the public.

Robert (Bob) Compan: Representing Farmers Insurance Group of Companies. This is my second term on the Board.

Steve Yarborough: Current Chairman of the Board and I've been one the Board since the inception and the prior Board to that. And, I'm representing the auto repair industry.

Donnie Perry: Administrator for the Compliance Enforcement Division with Department of Motor Vehicles and I'm here to represent any concerns or issues the public may have, or Board members, in terms of the Department of Motor Vehicles.

Dick Mills: I'm representing the auto wrecking industry from Reno Auto Wrecking. I'd like to just explain my absences for the past few meetings. We had the wrong email address so, I've never been notified of a meeting and I think we have the rectified now. I apologize for not being at the meetings.

Steve Yarborough: We're very grateful you here today.

Gil Grieve: Good morning! I'm the owner of Concours Body Shop. I represent the body shop industry in the Advisory Board.

Steve Yarborough: I received a call from Michael Lee saying he would have to miss this meeting, when he re-checked his schedule. He had a conflict. And, in the South, go ahead.

Lou Gardella: Owner of Jiffy Smog, representing the emissions stations in Nevada.

Steve Yarborough: And from the public...

Ivie Hatt: I'm with the Department of Motor Vehicles, Emission Control Program

Aja Hensley: I'm with the Department of Motor Vehicles, assisting with the Advisory Board.

Renee Clark: I'm the Management Analyst for Compliance Enforcement Division, Department of Motor Vehicles.

4. Approval of Agenda Order "*for possible action*"

Yarborough: Next on the agenda is the approval of the agenda order. You all received a copy of the agenda from Aja, so if there are any comments to that.

Gardella: There's no agenda down here in Las Vegas. There's nothing here at all.

Yarborough: I'm sorry. Should I just read down it quickly and see if you have any comments, Lou? Or is there anything...

Gardella: No. You're fine. I just wanted to let you know there's nothing here, that's all.

Yarborough: Okay. Very good. Thank you.

Perry: Mr. Chairman...

Yarborough: Yes.

Perry: ...I think we need--when we take a look at the agenda we should possibly combine Items 6, 7, and 8 "*for possible action.*"

Yarborough: Correct. I agree. Is there any further comment to that? Okay. We will--I don't think that requires a vote. I think we'll just do that, because they're all in consecutive order, so we'll do that before taking action.

5. Approval of December 2012, November 2013, and December 2013 Meeting Minutes "*for possible action*"

Yarborough: Okay. If there's no other discussion on the agenda order, we have minutes from the December 2012, November 2013, and the second meeting in 2013 that all need--well, actually, the only ones that require approval are the ones that we had a quorum on, right? We just had a discussion on the two meetings that were held without a quorum. You can review the notes of what was discussed, but obviously, no action was taken on the November and December 2013 meetings. So from an approval standpoint, I think it's the December 2012 minutes that actually need approval. Correct? And, Lou, did you receive a copy of those from Aja?

Gardella: A copy of what again?

Yarborough: The 2012 minutes, the December 2012 minutes.

Gardella: Yes, I did.

Yarborough: Okay. Good.

Gardella: Yes. I did.

Yarborough: All right. Is there any comments?

Grieve: I make the motion to approve.

Yarborough: All right.

Compan: I'll second that motion.

Yarborough: All right. All in favor?

Group: Aye.

Yarborough: Great. Thank you. Okay.

Eastley: Mr. Chairman...

Yarborough: Yes.

Eastley: ...I'm going to abstain from voting on those. I wasn't a member of the Board then.

Yarborough: Okay.

Eastley: Thank you.

Yarborough: Great. So noted. Thank you.

6. Proxies

Yarborough: So Items 6, 7, and 8. The first item, proxies. The previous meetings we were challenged with having a quorum, so the question came up about proxies, and, I believe, Aja sent a copy of the Board of Commissioners from the Governor's Office statement about proxies. And, basically, she said that state agencies can have proxies, but a proxy cannot vote and all other appointees cannot have proxies, because their appointments are too specific. So, basically, the member represents the body, like the department, can have a proxy, the DMV. But the other assignments from the different industries cannot have a proxy. So industry-specific, Robert, myself, Gill, or Dick could not have a proxy. So that answered the question to having proxies. Is there any other questions or discussions to that?

Perry: Mr. Chairman, I think when we go into the NRS 487, that explains or outlines exactly what you have said, so if you would want to have a change we would have to make a change to the law order in NAC to be able to do that, to have proxy votes in place.

Yarborough: Correct. So I don't foresee that being an energy or an effort that this body would want to take on to change NRS or NAC. That's my opinion. Further comments to that? Okay. Great. All right. Well, given that we're kind of moving into the 487, Donnie, do you want to take that piece and conversation or is...

7: NRS 487.002

Perry: Okay. Mr. Chairman, that's--pretty much, I think we wrapped it up. We would have to have some type of discussion. We would have to introduce that amendment to the statute in order to have proxy members attend. We have--there's nothing in the statute, currently, in terms of having alternate members...

Yarborough: Um-hum.

Perry: ...or having people in to replace in the absence of the current Board members. But I think, according to the membership that we have here today, I don't foresee any problems in terms of not having representation in terms of the meeting. I think we straightened it out with members being appointed with getting the email lists and everything straightened out. So I don't foresee any future problems. The one thing that we do have, I believe, is two meetings per year...

Yarborough: Um-hum.

Perry: ...is that correct? That we have to have and I don't know if that's pointed out or addressed with the members. Right now, I don't foresee that as a problem. Does anyone--I think we should be able to make that.

Yarborough: Great.

Perry: So I'm not anticipating any problems and I don't know, I agree with you. But I don't know if we want to take that on as a challenge at this point.

Yarborough: Correct.

Eastley: Mr. Chairman, I do have a question. We only meet twice a year and, although I'm in an administrative position now, I served on the Board of County Commissioners for 12 years...

Yarborough: Um-hum.

Eastley: ...and I wonder how the Board can function and actually produce any meaningful work if you only meet twice a year and sometimes you can't get a quorum?

Yarborough: Addressing--yeah.

Eastley: I guess it's rhetorical. You don't have to answer that.

Yarborough: Right. No, no, no. The committee can assign--or the Board can assign committees if there's a pertinent issue that needs to be addressed or worked upon.

Eastley: Okay. And they would be issue-driven?

Yarborough: Right. Issue-driven.

Eastley: Got it.

Yarborough: And we can call for--and the Chairman can also call for additional meetings, if necessary.

Eastley: Okay.

Yarborough: The requirement of the Board is that we meet twice and up until this last session, we were required to prepare a report to the assembly--or to the council, you know, legislative body. And that was dropped in the last revision of the NRS. So right now, our primary purpose is to study the regulations that affect, you know, garage and wreckers, body shops--anybody to do with, pretty much, with the automotive industry and review the processes for registration and licensure and also look at the methods of disciplinary action.

So really, what we've been doing, of recent, is looking at the records of the Department of Motor Vehicles concerning complaints, reviewing the types of complaints, and then discussing if action is needed and if, through the conversations of this Board, we see that there might be some type of suggestion for legislative change to bring up between sessions.

Eastley: Okay.

Yarborough: So that's pretty much where we're at today. And, obviously, as conversations come out, if we see that there is a need to further explore, discuss, and make recommendations, then, of course, that's where we would go into committee and/or additional meetings throughout the year. All right? Great. Great question and I appreciate--

Eastley: That answers it. Thank you.

Yarborough: We'll look at that. Good. Thanks.

Mills: Mr. Chairman, do we have somebody appointed of all 10 members? Are there appointment to each--

Yarborough: Of the industry positions, we are missing one. Is that correct, Aja? The salvage--

Compan: I think you're correct. I think it was the wreckers.

Hensley: Yeah. I believe...

Compan: Salvage, not wreckers.

Yarborough: Did you...

Hensley: We now have two vacancies, one for the public. Dennis Collins did put in his resignation.

Yarborough: Correct.

Hensley: And then the other vacancy for salvage.

Yarborough: That's right.

Compan: And Eric Paton from Insurance Auto Auction has reached out to me. I know he's interested in becoming a member. They got locations both in the north and the south. So, Chairman, should he reach out to you? Aja, out to you or to Annalynne at Boards and Commissions?

Hensley: I can give him the link to the Boards and Commissions application on the website. That's where he would need to go. But I'm sure Annalynne can help him, too. So whatever's convenient.

Compan: Okay. I'll send him down there to Grant Sawyer and just get an application.

Hensley: Okay.

Compan: Thanks.

Yarborough: Great. Thank you. And, as far as a member of the public, Aja, would that be an assignment from the Governor's Office? Okay. So they're seeking that position now, I would think?

Hensley: I'm not sure if they're actively seeking, but it is another--it's the same type of appointment as the other positions.

Yarborough: Okay.

Mills: So they'd have to apply to the Governor for that?

Hensley: Um-hum. Yeah. It's the same process that you guys would need to go through.

Mills: And then should we recruit somebody or is it a--I mean, it would be nice to have (inaudible)...

Hensley: I'm not--you could. I mean, definitely, if you have suggestions. I don't know what, like, the qualifications are. I'd have to talk to Annalynne about that.

Yarborough: Okay. Could I ask you to do that for us, Aja?

Hensley: Um-hum. Yeah.

Yarborough: And see if they have suggestions, because my only concern is that we, as members of industry, bring forth a member of the public, it could be somewhat perceived as self-serving...

Hensley: Um-hum.

Yarborough: ...in as much as--I think a member of the public should be totally objective and not associated in any way with the industry to keep us honest, right? Is that the intent?

Mills: I think that's why the legislature, in their wisdom, had two representatives for the public, to keep us honest.

Yarborough: Yes, and the Department, as well. So I think that's good. All right.

Compan: Mr. Chairman...

Yarborough: Yes.

Compan: ...maybe I can reach out to Joni. How did you find out about the position and, actually, get interested in it?

Eastley: Well I've served on other commissions in the past and I was contacted--I was on the Commission on Aging and my term was up and I was contacted by the Governor's Office and said, "Hey, would you want to serve on this one? We need somebody there." So that's how--I didn't serve--I've served on other boards and commissions.

Yarborough: Okay. (Inaudible). Great. So that's what we'd be looking for. So, Aja, if we could impose on you to do that, that'd be great. Thank you. Thank you.

8. Bylaws "for possible action"

Yarborough: So as additional conversation with regards to the bylaws, I believe, too, we had on the previous agenda when we did not have a quorum was the election of officers. And, I believe, we're due for--to revisit the officers of the Committee here, meetings of the Board. Does everybody have a copy of the bylaws with them? Okay. Good. The Board shall be a Chairperson and a Vice Chairperson and recording of the minutes by the Secretary, who is not elected into the term, which we appreciate Aja for that position and the position that Ivie held for a great length of time. Does it speak to the term?

Eastley: They're two years.

Yarborough: Two years. Okay. Yeah, shall serve two years. So I have been the Chairman for two years and Gill, are you the Vice Chair?

Grieve: I'm sorry?

Yarborough: You are the Vice Chair, right?

Grieve: Not to my knowledge.

Yarborough: Not to your knowledge.

Grieve: Not to my knowledge.

Yarborough: Is it anywhere in our records?

Hensley: I'd have to look back several years, but I was not aware that there was an appointed Vice Chair.

Yarborough: Okay.

Hensley: So you guys are welcome to appoint that today.

Yarborough: Okay.

Hensley: And I do want to let you know that, Steve, you're the only one that cannot vote for that.

Yarborough: Okay.

Hensley: But everyone else.

Yarborough: All right. That's fair. That's fine. All right. Well, then I would like to open up, if I may, nominations for Chairman and Vice Chairman.

Perry: Mr. Chairman, I think that's going to be addressed in Item number 12. I mean, we can have some discussion (inaudible) take a look at that.

Yarborough: Thank you. Thank you for keeping me--oh, that's it right there. Yeah.

Compan: That's what he gets paid the big money for, Mr. Chairman.

Yarborough: Yeah. That's right. We're all volunteers. So, all right. Yeah, on the bylaws isn't there something about compensation there? Do we want to address that? Given that, is there any further discussion about the bylaws and review of the bylaws? I know that part of the reason we had that on the agenda was to look at the possibility of adjusting the ability to vote during a meeting in absence of a quorum. But I think, as Donnie has pointed out, that going forward we should be able to maintain a quorum and should be no further problems there. Okay.

Hensley: I do want to point out that the report that was removed, that you guys are no longer required, that does need to be removed from the bylaws, too.

Yarborough: Oh, okay. And can you reference me to that section?

Hensley: It's under *Purpose*.

Yarborough: Okay. Section 2?

Hensley: Letter D.

Yarborough: D. Okay. (Inaudible), can I get a motion from the Board to remove Section D?

Eastley: So moved.

Mills: Second.

Yarborough: All in favor?

Group: Aye.

Yarborough: Aye. Let the records reflect that the Section D has been removed from our bylaws to stay in accordance with the NRS changes of the last session. All right.

Perry: Correct.

Yarborough: Correct.

Perry: And I believe that the discussion we had was that it's no longer required but, it was up to the Chairperson if they wanted to have the report.

Yarborough: Submit a report...

Perry: Correct.

Yarborough: ...if there's a notable action that we deem necessary to take to the legislature?

Perry: Yes.

Yarborough: Great. Okay. Thank you, Sir. All right. Any further discussion of 8, bylaws? Okay. Very good. Thank you.

9. Consumer Complaints - Statistical Data Review

Yarborough: Number 9, Consumer Complaints, Statistical Review. And, again, we truly appreciate the work that the Department's done to bring this to us, Renee and Donnie, to have this available has made tremendous change in the ability to discuss intelligently what the impacts of the industry are to the consumers and where it needs to be looked at and addressed and conversations about that, so thank you.

Perry: Okay. Mr. Chairman, I'd just like to point out a few items on the report and then I'll let Renee follow up if you have anything additional that you would like to add. We'll start up at the top and take a look at the type of licenses. Body shops; it shows that we have 291. Salvage pool, 6. Wrecker, 66. Garages, 1,537. And then emission shops, we have 422 for a total of 2,322. We can take a look at how many cases that we initiated during this period. It was 692 cases that came to us; 203 of those cases came through complaints.

Take a look at the percentage on the body shops and the percentage of 43 is pretty consistent with the last report that we had. For those who don't have it in front of you, the last report was 38. This up here is 50--is now 43. I think we saw a slight

improvement in terms of full garages. At the last report it was 62 and this current report is 56. And, I think, on the last report you put together some numbers and showed us where we could actually get that down to 31 percent, based on the 52 cases that we totally took a look at.

So I would ask that the members of the Board, as well as the public, take a look at what you have. If there's any questions, you can contact myself or Renee. And I'm not sure, Renee, if you have anything you want to add to the report? Like the Chairman said, you've done an outstanding job in compiling these numbers, so if there's anything I've left out, please add to it.

Eastley: Mr. Chairman, can I ask a question? And I'm going to drive you crazy this morning, because I'm new, so...

Yarborough: No, that's fine. We welcome input.

Eastley: How do the complaints come forward? They are filed with the Compliance Enforcement Division and are they in the form of telephone calls or written complaints or both?

Yarborough: And I will refer that to the representation from the Department.

Perry: Well, it's a variety of avenues where we get the complaints. Some are initiated through the department. Some are initiated from the citizenry and we get complaints through emails. We get them on telephone calls. We get them reported directly to offices. From an investigative standpoint, some come through field services.

Eastley: So, Donnie, the ones that are initiated by the Department, how would you initiate those and why?

Perry: We do training, so we have our investigators go out and do audits on businesses.

Eastley: Audits. Through the audit process. Okay.

Perry: And so part of the audit that comes out is remedial training if we find any deficiencies, in terms of how they're operating.

Eastley: Okay. And, well, I have one other question, Mr. Chairman.

Yarborough: Yes.

Eastley: Will a case always result in an action? I notice that the case that--for instance, in body shops, 58 cases, 58 actions. Garages, 305 cases, 305 actions. And sometimes the complaints are--well, they are. They're less than the cases. Are the complaints included in the cases, in the number of cases?

Perry: So, ma'am, when you say always, you know, that's a relative term. So it may not necessarily result in a negative action, but there's some type of follow-up action that happens. Once it's investigated, it may turn out to be unfounded, but there's still follow-up on it.

Eastley: Okay. So if you open a case file on something, there's always going to be an action, even if it's no action. You're not going to do any...

Perry: Correct.

Eastley: Okay.

Perry: Then we'll have to close it out.

Eastley: So then maybe I need to ask one of you ladies.

Perry: Renee.

Eastley: That the complaints--let's just use body shops for an example; 25 complaints, is that 25 part of the 58 cases? That's what I needed to know. Okay. Thank you. Mr. Chairman, thanks.

Perry: And then I would ask--you were done with your question, correct?

Eastley: Yeah. Um-hum.

Perry: And then I would ask Renee if you want to add anything to the statistical report, in terms of what you find or my analysis about the complaints and how we generate complaints and such.

Clark: Well, I'll just add that the number of cases and the number of actions will be the same, because this report only pulls cases that have a closure and a disposition. There might be some out there that are open, but until it's decided, it's not in this report, because we don't know if it's going to be unfounded, if they're going to be fined, et cetera, so it's not in this report.

Eastley: So this report comes out twice a year? Okay.

Perry: Unless we see a need to run it, you know, more than that. And then the report is going to catch up on previous--like you said, some reports may stay open. So some reports from a previous one that was dated on 11/13/13--you don't have that one in front of you, I'm just giving you an example. They may not have been closed in this report, but they may have gotten closed on the one that we just presented, which is here on 2/21/14. So they catch up.

Eastley: Can any of these ever result in criminal action?

Perry: Yes.

Compan: And some of them, I've seen, have been referred to the AG's Office.

Perry: Yes.

Eastley: Okay.

Compan: Yeah, so...

Eastley: Oh, okay. Referred to other government agencies

Perry: Yes.

Eastley: So I'm sure that's what that probably means. Thanks.

Compan: Mr. Chair, Bob Compan. You know, the report--I commend you for it. I enjoy it. It's good reading, but at the same time, it's confusing. You know, I see where you've taken actions on it. Is there any way that we can differentiate between an action that is taken by, other than the agency that's for the report to be reported? Did it come from the public? Did it come from the agency through an audit?

Perry: Do you have (inaudible)?

Clark: Do you mean you would like to see who initiated the...

Compan: Not exactly who. Was it--but...

Clark: Not specifically.

Compan: ...in general, specific. Yeah. Was it, you know, a customer or was it actually as a result of an audit from the agency? Because it may be that there's possibly other issues out there that aren't being addressed, because the average consumer doesn't know where to file a complaint. I know that the Consumer's Bill of Rights are posted in all the body shops and things of that nature. But I've never read them and I'm in the industry. But if that could be done.

Clark: I believe that is captured in the case file database.

Compan: Is it?

Clark: Not in the report currently.

Compan: Oh, right.

Clark: I'm saying, I could probably--I'll have to look into that. But (inaudible) possibility.

Compan: I think it would be good just for a point of reference, so we can understand how, you know, the perception of the public is, you know, under scrutiny. I know in my industry, in the insurance industry, you know, everything is broken down by consumer complaints and by, you know, audits, which in our case they call them market conduct exams. So you can get a snapshot of exactly what you're looking for. That'd be great.

Clark: Just for clarification, you would like to see how the case was initiated...

Compan: Yes.

Clark: ...by either the public, the department, or other?

Compan: Yes, please, if possible.

Clark: Okay. (Inaudible).

Perry: And if we can't pull it out of this report, just for the informational purposes, we are going to a new case management system, i-Sight. And then, hopefully, when we put the data for retrieval, perhaps we could put that in as one of the items that we want to pull out of that report. So, hopefully, if it's not available through this method, when we go to the new case management system--and I believe it should be coming up online

any day now, we should probably be able to get that information and have it available for the next report.

Compan: You know, and, Mr. Chairman, if you'd humor me just a minute. I look at it--my job, I'm a lobbyist, mainly. So I'm looking at it on the legislative front and what happens here, the gentlemen and ladies that sit at these exact chairs during the 17 weeks and the interim years. And these are the kind of questions, when something comes up as a kind of complaint, that they would like to use as information and related data, so they can have some, kind of, grasp of what's going on, especially if there's a piece of legislation being introduced.

Yarborough: I certainly appreciate that. Thank you.

Compan: Okay.

Yarborough: And I would like to add, too, that there's several ways, just being in the industry, that customer complaints come to us. And that's, you know, certainly through the Department of the Registration and Licensing Boards. We also have complaints that are registered through the Better Business Bureau that we respond to. And most of us, probably especially on this Board, would like to resolve complaints before they ever get to any of that level, but this is a good representation, probably, of all of the types of complaints that come forward to the Department. Previously, they also would be registered through Consumer Affairs, but then that was rolled up into the Department's responsibilities. And so I know that other agencies that are contacted by the consumers are referred to the Department. So, typically, they'll come through the Department.

And as I've said in previous reviews of these statistics is that it's really important to note that while this could look like a large number, when you look at the number of repairs, the number of body repairs, of automobile repairs, the number of services, emission tests that are done every day in the industry, this is a very small percentage of the grand total. We process, in our shops, an average of 10 tickets per day on auto repairs and probably another five smogs per day. So that really--and I'm sure Gill probably processes, what, 20 tickets a day of (inaudible)...

Grieve: Thirty.

Yarborough: Yeah, 20 to 30 tickets per day. So when you see a total complaints and--from an industry of 55 and you know one shop is processing 30 tickets per day, there's bound to be some misunderstandings, confusion, complaints. And, I think, the Department's done a good job of actually vetting out what those are and if there is action to be taken or if they're unsubstantiated. And a lot of times it's merely a matter of not crossing a "T" and dotting and "I," so to speak, in the processes.

So, again, I applaud the work that the Department has done to provide this information. As Robert has said, this has always been the challenge when we're being faced with legislation, like you said, from the people that sit in these chairs, is that they're addressing complaints from a consumer or a group of consumers that may or may not warrant legislative action in trying to, so to speak, you know, shoot the flea with a shotgun or whatever. So thank you. Is there any further discussion on this section?

Mills: Chairman, Dick Mills. I'd like to compliment you on this. I've been on this Board for eight years and these are very meaningful to me and for our industry. It's nice to--

they're readable to me and I like the additions that were proposed, but these are excellent, excellent reports. Thank you.

Compan: I don't want to sound like a buzzkill.

Yarborough: Come on, buzzkill.

Compan: Thank you very much. And I love the reports and I think they're great. And, of course, you know, I just always like to see more and, you know, try to digest and get more in. Is there something in the report that shows--and maybe I'm looking at it. So, for example, looking at body shops from line 19 through 39, you know, Cease and Desist, 41CI Citation, 6 Auto Business and so on, so forth. Refer to other agency, video training. Is there a mechanism for the Enforcement Division to assess fines? And that would be my first question. And second, if there is, is it referred to in this report and how is that tracked?

Perry: Well, that's currently tracked through our performance measures that we do internally. To answer your question, yes, it is a method for us to assess fines. We usually go through this step in terms of cease and desist, first before we do, you know, a penalty to it. And then if there's going to be a fine, sometimes it's worthy of issuing their fines and then we will issue a citation where they have to go through a hearing officer and then the hearing officer may assess a crime, I mean, a fine. And for our performance measures funded division we track whether or not the fines--what's the outcome of the hearing. So it's tracked internally through what we call our priorities and performance-based budgeting. So we track it through that mechanism.

Compan: Thank you.

Perry: Is it another way, Renee, or anything else?

Clark: If that fine had been assessed to any of these businesses, it would've been one of the items. It would be AF, admin fine, and none of these cases have a fine assessing as the outcome.

Yarborough: I think I would like to ask Lou for some comment on that. I know, as an emissions station, that's probably the closest we come to seeing fines through their enforcement on the emission control stations. We are the one subset of these industries that has continuous audit and review through covert action. So we get letters of statements saying that we're allowed so many disciplinary actions before a fine will be imposed. And we see that. The owner of the shop--when an emission inspector fails to properly conduct the inspection, a letter stating that, yeah, if this continues, there will be a fine and the dollar amounts are stated in those letters. So, I think, the processes by which the emission enforcement is done has done a great job of keeping us, as an industry, away from the fines by keeping us constantly on our toes and keeping us reminded of the processes required to do an emission test properly. Lou, would you like to add to that and can I get your input on that?

Gardella: Yeah. All the complaints that they have at the emission station, an interesting fact I see is the bulk of them are in compliance. And, I think, some of that would be from lack of knowledge from the general public when their vehicle's tested and they're rejected, because they've had work done in a shop or the battery's been disconnected and they have a rejected test. And, you know, they feel they shouldn't have to pay for

the test and so they complain to the DMV and, I think, that's probably the bulk of that one.

And as to what you said, Steve, yeah, we're constantly being presented with coverts by the DMV and we have some inspectors that are lazy and, you know, obviously are not doing their job properly, which reflects on these numbers also. And we are a monitored agency and we do get notices. And if, as the owners or the employee, you can be fined and lose your license if you don't do your job properly. But, like I said, the statistics are great. I would just remember to mention, you know, more that of the 300-and-some-odd complaints that 250 of those were in compliance. And, I think, in my best educated guess, that would be because, you know, the general public believes that the emissions stations are the State of Nevada and are very upset when their test is rejected and they have to pay for the test and so forth.

But, on a whole, it's a very low number considering the number of tests performed in Nevada exceeds, I don't know, is it 1.4 million or something like that, tests that are performed every year, plus 10 percent are redone. That we have a very low number that, I think, we should be kind of proud of, but it would be nice if it was at zero.

Yarborough: All right. And I thank you.

Perry: And one of the things that we're focusing on, in terms of your question here, what we're doing is we're looking at education and compliance over the enforcement perspective. That's one of the goals and where we're trying to head with this. So as long as we can get the compliance and we can educate the businesses through remedial training, then we're successful in terms of what we would like to accomplish. But we do have those mechanisms in place when we have to go to an enforcement perspective, up to and including summary judgments, when we just arbitrarily go in and shut a business down because they're not in compliance, and they've been given very, you know, a number of significant warnings to take place and nothing is--they're not progressing, in terms of positive actions.

Eastley: So how is that information communicated to the consumer? I'll use, like, health inspections as an example. Many times you'll see the results of a health inspection listed in the newspaper or an establishment may have the letter in their window; this is an "A" establishment. Is there a rating that corresponds with this report? And I know it's complaint and audit driven...

Perry: Um-hum.

Eastley: ...but so are Department of Health inspections.

Perry: What I'm hearing you say is like if a...

Eastley: Yeah. How do I know--if I'm the woman who's taking her car into an auto body shop and there have been numerous complaints filed against that provider, even though they've been resolved; they've either paid an administrative fine or they've gone through additional training. How am I going to know that this is an establishment that's had complaints filed against it?

Perry: Well, I'll have Renee see if we can answer that question. But I want to say--well, you're talking about like in a restaurant industry, if they fail the food service inspection, then it may get posted in the business someplace...

Eastley: Yeah.

Perry: ...for the consumer...

Eastley: For the consumer.

Perry: ...to understand. And I'll ask Renee, if, you know, we currently have that type of practice.

Clark: It is my understanding that you can contact the Compliance Enforcement Division, local offices, and they can run the query to tell you if a particular business has had those complaints. They don't give you details, but they (inaudible)...

Perry: But currently we don't post it at the business, per se.

Eastley: Okay. That's fine.

Compan: Bob Compan. It brings up a good point. And (inaudible), Mr. Perry, if you don't mind. You know, body shops are licensed, you know, there's, you know, "A" license and now there's an A++. What's the new--

Clark: Class "A."

Compan: The class "A" license, right. But, you know, and part of that for the consumer, and I eluded to earlier, is the Consumer Bill of Rights. But I'm not really sure, and I'd have to pull up the NRS and it would probably take me a few minutes, on the Consumer Bill of Rights. But I think there is something regarding NRS, that if you have an issue you can contact the Enforcement Division and I'm not sure. I would have to query the statutes, which I'll probably try to do real soon. But if not, it's something that certainly should be, maybe, considered to make the public aware that they do have an option if they want to go into a shop, that they have a phone number that they can call to find out the disposition of that shop or any complaints that occurred that are on file.

Eastley: Why not list them all on a website and...

Grieve: Well, this is Gill Grieve from Concours Body Shop and I get that. I get asked that question quite often, you know why should I choose you over somebody else? And that's a very common question. And for the most part, you have the Better Business Bureau you can go to, which I think is a great source. Angie's List, to me, it's not quite as nonpartisan.

Unknown Speaker: Isn't that a paid (inaudible)?

Grieve: Yeah, I was going to say because it's a paid website. But, again, you can...

Unknown Speaker: A paid website.

Grieve: ...again, the reviews, I've seen the reviews and, again, it's pretty legit from where I sit. Through the years we've talked about, hey, bring that survey back up trying

to tie something like this to the survey for the consumer to be able to go to the body shop website to grade body shops, you know. There's different forms of stores out there. Everybody's got a different philosophy and a different game plan. Again, this is an industry of no standards and the consumer is always--should beware of what we do. That's a great question.

Eastley: Yeah. I agree and if we're already keeping a database of the type of complaints and what the resolution is, it would seem to me like it would be easily unloadable onto a website, so that somebody can search by the entity's name. And the number of complaints that I see resolved, I wouldn't think anybody would be afraid of this, and if they are, maybe they need to be.

Grieve: Again, my thinking, it should go back to the website, you know.

Eastley: Yes.

Grieve: Because the web--when I say the website, the body shop survey site, because again that kind of ties everything that we do together.

Compan: Mr. Chairman, Bob Compan. I'd like to make a motion that the Board consider a recommendation based on the Board to look further into the possibility of some kind of notification that the consumers can look at on the DMV website in reference to the...

Eastley: I agree.

Compan: ...aforementioned entities that are looked at by this Board.

Grieve: I would second that.

Yarborough: Okay. We have a motion. We have a second. I'd like to open that up for conversation.

Eastley: I just have a procedural question. We're not bound by the Open Meeting Law? Because that's not on the agenda.

Compan: I think we're in the agenda. I mean, I think that that's what we're discussing as part of the--is the report. And I'd have to defer to...

Eastley: Yeah, because it's only listed as a data review. But I don't know if we're bound by the Open Meeting Law.

Perry: Yes, we are bound by the Open Meeting Act.

Yarborough: Yeah.

Perry: Yes.

Yarborough: Okay. So...

Compan: I mean, certainly if we're bound by it and it's not allowed, I mean, I'd have to defer to legal counsel and we don't have anybody here. So, I mean, if not then I'll...

Eastley: I don't...

Compan: ...redact my motion and move it to be placed on the next meeting notice and item agendaized for the next meeting.

Eastley: Bob, can I make a suggestion about that? Maybe if we could instruct staff to put something together and bring it back to the next meeting for review, so we can adopt it.

Compan: That would be great.

Yarborough: I'm...

Eastley: Everybody look at staff, okay?

Compan: They're like fine, more work. Thanks.

Yarborough: Well, since we're not going to be able to take action on it, we can still have a discussion on the matter, right?

Eastley: Yes. Right.

Yarborough: Okay. So a couple of things that I'd like to point out; that the process of reporting would have to be refined that it didn't improperly paint a picture of an industry that might be doing the job properly.

Compan: Right.

Yarborough: And I'm going to refer back to what Lou's comments were and my comments with regards to the Emission Program. An emission station that is doing the job right will create more complaints than any industry, because they're doing the job as prescribed by law. In other words, we know a lot of times when a car comes in that the vehicle will fail, because the check engine light is on the dash. The consumer knows that the check engine light is on the dash, but we are required by law to process the test knowing that the vehicle is going to fail. So we plug in our test equipment. We process the test and we hand a failed certificate to a consumer and they say, "Well, you knew the check engine light was on before you started the test. Why did you go ahead and do the test and charge me the money?" That creates a complaint and yet it's unsubstantiated in accordance with the law. But if that was reported as a complaint, even whether it was resolved, you would see the best shop with the highest complaints, even though they're resolved, because they were doing their job properly. Would you agree, Lou?

Gardella: Yeah. A case in point; I had an inspector just recently have a lady come in and it happened to be a DMV covert and had a check engine light on. And instead of doing his job properly and testing the vehicle and failing that person, he told the lady, "You know, you should go get that fixed first." Well, sure enough, he received a letter. I received a letter. He's reprimanded and we get that every day and going back in history, they move the inspection, the physical inspection, tampering inspection, to the back of the test, because the consumer was visibly--almost every one of them were upset because we went ahead and proceeded and tested the vehicle. But the DMV states, in their procedures, that we are required to test every vehicle as presented unless otherwise for a safety reason. And so the consumer doesn't understand that why would we test that vehicle knowing it was going to fail? And so, inherently, you

know, we refer them back to the Emissions Lab or they file a complaint, and that happens every single day.

And if you do your job right and you do it in the prescribed manner as the DMV states, you are going to generate consumers that are unhappy, because they don't agree with it. Everybody has their opinion on how the emission program should be run, but the only person that matters is the DMV. And so having some form of reference where they could go on and say, "Well, this body shop got good recommendations," you know or this emissions stations--in our business, as a stations, Steve is correct, if you're doing your job properly, you're going to have complaints. And so I would have a little bit of an issue with that or how they treat emission stations.

Compan: Well, then, you know, I can, you know, we can look at referring that and changing and it's Bob Compan, again, to, you know, maybe only reflect complaints that are justified. Would that be fair enough?

Gardella: Oh, yeah, most certainly. Yeah.

Grieve: Gil Grieve here. You must remember, I'm in a very subjective business. Everything you see in mine is visual and back to that it's very subjective. It needs to be a fact-based grading system. I agree with the grading system, but again, it needs to be a very fact-based, five basic reasons of why. In my world, I get condemned if the consumer decides they--I call them when a car is ready for delivery. If they don't call me back, they believe that that rental car should be extended for the next two or three days. Well, when all of a sudden they don't call me back and they get charged for that rental car, who's the bad guy? I am. And it will show in my CSIs. Did I do a bad job on that car? No. It was a communications issue on the consumer side. So, again, like Steve, we all have our crosses to bear here and we have to very concerned to give the consumer the correct information, not emotion-based information.

Perry: Mr. Chairman, Donnie Perry.

Yarborough: Please.

Perry: One of the things I want to point out is this is a good discussion to have, but when we compare it to the rest of our industry, they have specific food safety standards that they have to comply with. So it's standards that's put in place. With us, with the Department of Motor Vehicles and the businesses that are here, as Lou mentioned here, the thing that happened to him. He said a covert. What a covert is, it's an audit. So it's a covert audit that's done to see if the businesses are in compliance with standards that we've put in place. But it's not a department of standards.

And what I would like to say is that, I think we had some discussion here at the previous meetings, where we didn't have a quorum, about a statewide safety inspection program. So, I think, something like that's going to have to be brought into consideration before we can talk about--like a standard. Like the food-safety standard is a national standard. Different restaurants, which is what the Department of Motor Vehicles kind of operates. It's like different restaurants have different standards that they apply to their particular business. Like Starbucks, in terms of coffee, and other restaurants. But in addition to that, they also have the national food-safety standards.

So they can fail an individual business restaurant compliance piece. But they also have national standards for when the Department of Health comes in.

Eastley: So we don't have standards, is that what you're saying?

Perry: We don't have a statewide safety-inspection program. And that's one of the things that's been discussed both at this Board, as well as what the Inspection and Maintenance Program--and one of the things that we talked about that was in terms of classic vehicles, how to bring that on board. Am I correct in talking about the national program? So not a national program, but a statewide program. So I think that there are--while this is a very good discussion, I think there are other steps that need to be looked at before we--because it's--a lot of the businesses are regulated differently.

Clark: May I also make a comment, please? Regarding the emission station stats; of those 302 cases, only 6 were complaint driven.

Perry: Right. Um-hum.

Clark: Most of those were the covert audits, as you say.

Yarborough: Um-hum.

Clark: So they're not as--I think Mr. Gardella thought it was 302 complaints.

Eastley: But I heard--

Clark: That's just the total cases. Only six were complaint driven.

Eastley: I agree with what Gill says, though. Not necessarily putting everything out there, but only those, either complaints or audits that resulted in an action that was upheld. I don't know why that would be a problem.

Grieve: This is Gil Grieve. Unfortunately, this is an industry of no standards. It's always been an industry of no standards.

Eastley: Thank you for saying that, because as...

Grieve: Well, it is. It's--

Eastley: ...as Donnie was talking, I thought, well, this is very interesting. The industry has no standards at all, no wonder there are so many complaints.

Grieve: Thank you.

Eastley: Well, I'm sorry, but that's what--

Perry: But the industry has standards.

Compan: And, for the record, I'm, you know, I'm Bob Compan. And I'm looking at five pages of NRS...

Perry: Right.

Compan: ...you know, that have standards. I mean there are standards. There are standards for body shops, standards for a garage.

Grieve: Those are repair procedures is what those are.

Perry: Right.

Compan: Exactly.

Grieve: Those are not industry standards.

Compan: I get it, Gill. But, you know, and when we look at the report on complaints and it's relatively small considered to the amount of business...

Eastley: Yeah.

Compan: ...that was done. However, until it was brought our industry's notification regarding towers on the NRS and regarding--on the requirements for complaints, we were never really given the mechanism or knew that there was a mechanism to go and complain to the NTA or when we were going with the RFQs in Southern Nevada with the tow drivers on the three different tow yards to try to get some kind of stable rates down there. At that time, once we found out the mechanisms there was for complaints, wow, did they shoot up. They went from zero to a hundred in 6.2 seconds, so--well, maybe not that fast, but wishful thinking.

But I just want to leave it out there as something maybe staff can look at. Different methods, different ways we can do it. I'm sure everybody has varying different opinions, Mr. Chairman. But it's something, I think, that's important to the Nevada consumers.

Yarborough: Okay. Thank you. And I'd like to, for the record, state that having been involved in this for almost 30 years through the different evolutions of this Board and committee and different legislative sessions where regulations were proposed, that the challenge has always been is regulating an industry when it is a, as Gill said, subjective, when it with regards to quality and workmanship. That it would take such a cumbersome machine to create a standards and an enforcement of standards with regards to auto repairs to when or when not a part should be replaced in a maintenance cycle, a lot of times, is the opinion of a technician. It gets challenged. It creates complaints. Were the estimates just and fair? You know, and what those standards are.

And the point that we have made in those previous legislative hearings is that the State of California has incorporated a Bureau of Auto Repair that's larger, probably, than our whole state's government agencies, in and of itself, as a bureaucracy. And the complaint rates in California are no different with that bureau in place, the fines and the administration and the enforcement, through the Bureau of Auto Repair. The complaint rates that we are seeing here are still greater in California with that whole establishment of a process by which to regulate the industry.

So it really still comes back to consumer awareness, consumer education, and the great new tool that we have, social media, as to which shops are doing a good job, which shops are not doing such a good job. Yelp and all of these different rating systems and survey systems that are out there, it's pretty easy to quickly identify a shop that's not a good player in any one of our industries. And it's very, very difficult to enforce and promote shops that are doing a good business through a regulatory body.

What this has done here, and if we were going to move forward on this would be to clearly identify if they're out of compliance through the regulations that are in place and if there's a violation or infractions of law that can be identified through NRS and through statute, then that's what would be reported, because the quality and workmanship issues are so subjective, as Gill refers to.

Grieve: Right.

Yarborough: And without a--I mean, you'd have to have a standard for everything of which you would have to then enforce and have trained enforcement officers that would say what is the difference between, on a brake pad, 1/32 and 2/32 and when is it legitimately needing replaced versus an opinion of replacement based on the driving habits of the operator. And those types of things would become so subjective and such a chance of error that it's a very slippery slope when you get on that.

So, ultimately, what this body has done in the history of this body, and where we are today, was to create that Consumer Bill of Rights that clearly defines what a consumer's rights of action are with regards to automotive repair. And that was originally set up for strictly repair shops. And then that same Bill of Rights has been adopted into the other industries, as well, today. And I think that's the most important part is the consumer education of what their rights are and if there is a challenge to be able to know where to voice that complaint. And previously, as I mentioned, it was the Consumer Affairs and today it is the Department of Motor Vehicles.

And so, yeah, I think if we're going to post this that it has to be clearly, clearly defined as to what's posted, how it's posted, and what the information means. And that it doesn't create a false sense towards the legitimate shops that are out there trying, every day, to do a good job and avoid complaints.

Eastley: I absolutely agree with that, absolutely.

Yarborough: Yeah, this has been a long conversation. One challenge we had, previously, was that was when there's criminal acts or criminal actions being taken with regards to licensing and violation that there was also some concerns with the legalities of posting that prior to a full hearing and determination, and I remember that was a conversation that Donnie's predecessor had with this.

Perry: Right.

Yarborough: With the legalities.

Perry: We can only post it once it's become final, whatever the final outcome is for those events.

Yarborough: Right. And some of those--really the true criminal players in there will postpone and prolong and hide and duck from that continuously.

Perry: And (inaudible) one is five years.

Yarborough: Five years, right, and probably should be out of the industry by now.

Perry: Right.

Yarborough: And so...

Perry: So, Mr. Chairman, just for clarification...

Yarborough: Yes.

Perry: ...for staff. I know you wanted staff to do some research and report back. And we were talking about--you said the complaints. You want to look at notification and a posting on the DMV website and what...

Eastley: Only for those complaints and audits that have resulted in a disciplinary action that's been upheld. And, I guess, a follow-up question to that would be, is there an appeals process when there's...

Perry: Yes.

Eastley: There is. Okay. And who do they appeal to? What body acts as the...

Perry: Well, it's a variety of--it depends on what avenues...

Eastley: It depends. Okay. That's good enough.

Perry: ...they take.

Eastley: It depends. Okay.

Perry: Because if the outcome is negative when they go to a DMV hearing officer, they have...

Eastley: Yes.

Perry: ...the option of going into--

Eastley: That's what I wanted to hear. The DMV hearing officer.

Perry: Correct.

Eastley: Okay. That's it.

Perry: And then they have the option of going to a criminal court...

Eastley: Okay.

Perry: ...or a civil court.

Eastley: Okay.

Perry: So it's a really...

Eastley: Yeah. I'm really not interested in all complaints, because I realize a lot of them are going to have been resolved as unfounded, based on what I'm seeing in here.

Perry: Okay.

Eastley: But to protect the consumer, I don't see that there's anything wrong with any complaint that's been filed where an action results and it's been upheld...

Perry: Um-hum.

Eastley: ...to put that on the website. I don't see anything wrong with that.

Perry: Okay. Thank you.

Yarborough: Thank you. Then I would ask staff to--based on the motion and the second that no action was taken upon, that we put into some type of verbiage that would reflect a desire to do that and put that on the next agenda and that we can review that prior to that meeting to see if that's an area of action that we want to take. And then that action would be a recommendation that we would make to the next legislation, correct?

Perry: Yes.

Yarborough: Okay? All right. Any further discussions on that?

Eastley: Yeah. That would have to be referred to the legislature? That's not simply an administrative action that we can take ourselves to put information on a website? That's rhetorical. I know you can't answer it right now.

Yarborough: So far, anything that we have suggested has taken a change to NRS or NAC. And so it's had to go through Legislative Counsel Bureau.

Eastley: Okay.

Yarborough: Because we are not a governing body, so to speak.

Eastley: That's fine.

Yarborough: We're (inaudible).

Eastley: That's right. We're advisory. Yeah. You're right. Thank you...

Yarborough: Advisory, so--

Eastley: ...for reminding me of that.

Yarborough: Thank you. Okay. Good.

10. Vehicle Inspection Program "*for possible action*"

Yarborough: Vehicle Inspection Program; that would go to Donnie.

Perry: Yes, Mr. Chairman, it would come to me. And I'm going to defer that to Ivie Hatt, who is a member here, a guest--a member of the public.

Hatt: Ivie Hatt, Emissions Control Program. We had met twice before, had discussions. The Board had previously discussed putting into place a statewide safety-inspection program. At the last meeting it was kind of discussed and decided that the Board was just looking at doing the safety-inspection program for salvaged vehicles being put back on the road or rebuilt vehicles. And the reason why the Inspection and Maintenance Committee was interested in this idea that this Board had was to add odometer inspections to the program. But since you guys are just looking at doing a salvage and

rebuilt vehicles, we're withdrawing our request for adding the odometer, because it doesn't fulfill the purpose of what we're looking for. We're looking at all classic vehicles, and this would just be a small portion of it, so that's where we're at with that.

Yarborough: Thank you. So if I understand and I remember the conversations and looking at the minutes, that currently the only vehicles that are required to have a safety inspection are vehicles that are being put back on the road that have had a salvage title issued. And a registered or licensed shop has a form that's provided by the Department to do that inspection, to certify that the car has proper brakes, glass, and lights, I believe, are the primary source of that inspection--are the primary inspected items. The request for a statewide inspection on vehicles that are asking to be registered as classic was the suggestion of the Department.

Hatt: In the previous meetings of the Advisory Board, you guys had brought up doing a statewide safety inspection on all vehicles. The Emissions Control Program is having issues with classic vehicles with the odometers for getting odometer rollbacks. We have no way to verify the odometer. So if they're going over 5,000 miles a year and they're lying on the affidavit, we have no idea. So we thought it would be a good idea, if you guys were still looking at, going down the road, of doing a statewide safety inspection to request that odometers be part of that, because that would clear up our issue.

Compan: Can I ask a quick question? Approximately how many classic vehicles are registered in the state of Nevada?

Hatt: Thousands.

Compan: Thousands.

Hatt: Thousands.

Compan: Okay. So it would warrant some sort of attention...

Hatt: Yeah.

Compan: ...because they're benefitting from having status of that designation?

Hatt: Um-hum.

Compan: Thank you.

Yarborough: Now, I understanding--

Grieve: Gill--

Yarborough: Oh, go ahead, Gill.

Grieve: Gill Grieve. What is the cutoff, as far as age? Is it based on current model year back 25, then the bar moves every year?

Hatt: It moves--it's a rolling year. And 1996 right now or '98.

Grieve: So wouldn't (inaudible).

Perry: I just saw a 1996 Nissan pickup truck that was a work truck with a classic plate on it.

Grieve: I was going to say, wouldn't it be easier to redefine the classic car versus the age of the vehicle?

Hatt: Right. But this Board doesn't have that in its purview. So you guys did have the safety inspection in your purview, and so that's why we were thinking coming here and getting it wrapped up with that would've been great. But since you guys were just looking at doing the salvage, even though it's only required once a year, I think what you guys were talking about in the last meeting was doing it biennially, every two years, any of those vehicles coming back on the road. It doesn't help us with our...

Yarborough: Purpose.

Hatt: ...purpose. So the I and M Board is going to look at doing something else, continuing on. I'll go back to Miss Kirkpatrick who put into regulation--or into statute this classic vehicle program, show her that her intent is not what's happening with the program, is what we're looking at doing right now.

Yarborough: Owning classic cars myself, I truly appreciate the opportunity to be registered as a classic car. But, unfortunately, I think what has happened is the intent of classic car registration has been circumvented by people with older vehicles that are circumventing the Emission Control Program, and that's truly the problem today.

Perry: Yes.

Yarborough: Another concern is, if they are keeping older cars on the road, is the safety. Because the older cars--if they're doing this to circumvent the emissions test, which is a minor expense, what are they doing to circumvent maintaining a safe vehicle on the road?

So I would like to propose the idea that we do reopen the conversation of safety inspections for classic vehicles for the purpose of safety. And, obviously, that would include an odometer inspection. And if it's on a timed basis, whether it's every two years or three years or four years, just to certify that these older cars are, at least, in some resemblance of a safe vehicle that are going down our highway. Because a true classic shouldn't be a question, because of the pride and the care that's put into a true classic. But when we have an opportunity for somebody with a '96, what did you say, Nissan pickup truck?

Hatt: Um-hum.

Yarborough: Now, I'm a car guy. That's not a classic vehicle. Now, if it said Datsun on it, maybe. Because--but a Nissan, please. Help me understand.

Compan: I think it was Datsun, actually.

Yarborough: It was a Datsun?

Compan: (Inaudible).

Yarborough: Well, that's closer, because you know, there are no Datsuns left.

Compan: No. The funny thing was, I mean, it was clearly a gardening work truck. I mean, it had the tools on it, you know, the tank on it.

Yarborough: Right.

Compan: It was pulling some lawnmowers and he had a classic license.

Yarborough: Yeah, so they're circumventing the Emission Program through that registration, because obviously it's not a show car. They're not taking it in parades. And that's what the intent of the 5,000 miles per year was, that it is a show car, a parade car. It's a nice Sunday driver, a hobby vehicle versus a work truck.

Grieve: It's not a classic.

Yarborough: It's not a classic.

Compan: It could be in the gardener's parade. I don't know.

Yarborough: Yeah. They could put it in there.

Compan: Not to take them out, no disrespect.

Yarborough: The garden shows, but I don't think it enhances their business from a classic point of view. And that's what I use my cars for is to enhance the repair business. So I would entertain us possibly reopening the Vehicle Inspection Program for classic vehicles with the purview of safety and then, again, attaching the odometer inspection to it to maybe help the Department eliminate the unscrupulous use of classic plates, for lack of a better term. Is there any appetite for that?

Grieve: I have one.

Yarborough: Okay.

Grieve: I mean, I have all kinds of appetites for all kinds of rebuilt things, because I'm-- this is Gill Grieve again. What I'm encountering is these cars have been able to be total loss, sold back to the public, allegedly safety inspected, driven, wrecked again, given back to guys like me, and, of course, that's a whole nother animal of its own kind. I think if we're going to do like these rebuilt totals or salvaged cars, I think that agenda of safety inspection needs to be a little deeper. You know, like should the trunk, like, be sealed so it's not sucking emissions into the passenger compartment? I'm not sure how many people see this going down the road, of recent, these cars hit in the butt have, you know, gaping holes in the deck lids and they're just pulling fumes in from the outside. I mean, again, they were a total loss for a reason. And I don't know and I've never got why the state is just so willing to sell them back to the consumer to be put back on the road as a safe vehicle.

Mills: Dick Mills...

Compan: Oh, sorry. Go ahead.

Mills: I have just a few comments. I'm from the auto-wrecking industry and, by law, every car that an auto wrecker buys, we have to turn it in and get a salvage title. So this car may have never have been hit. It may never have been wrecked. If the car comes

through my yard as a, you know, somebody bought from an impound yard or anything else with a clear title, has to be turned in for salvage. And then we can sell that car and put it back on the road with this inspection. This inspection has 19 different criteria that have to be filled out for this inspection. So, I mean, and it's not a cheap thing to do, either. They're \$65 to \$125 to do these vehicle inspections. So, you know, I disagree with Gill on that stuff. I think even cars that are repaired, legitimately, through Gill's body shop, are hit in the back and may have that same problem. Are you going to do inspections on every one of those cars?

I, you know, I don't--I have a couple comments, too, on the old car stuff. There's a place on the old cars where you certify under penalty of perjury that this car has under 5,000 miles on it. I mean, I think, if it's a problem maybe the Enforcement Division could go out and check these things. I don't see--I don't know if they're able to do that or not or pick some random ones and go do them or not. I don't know. And it also in the--it says that these vehicles must have an operable odometer.

So I don't know. I understand your point of the '96 car. I have an older car also that I have registered this way. And I certainly read that perjury thing every time I sign that thing. And, you know, it's pretty marginal whether I take it down and get a smog or do it this way. Because it's not all that easy to do.

Grieve: This is Gill Grieve again. Back to Dick Mills' point about cars that he sells. His cars are all complete. When you look at the list of requirements, they meet the requirements. Where I have the issue is where there's not enough requirements. I'm not into requirements, but if we're going to do certain things to allow these cars back on the street, there are certain things that should be done. Right now you can buy whatever you want and throw a tail light in it and drive it. You see it every day.

Compan: You know--Bob Compan. And, you know, one of the things that the insurance industry--and what I can bring to the table on that is I agree with you wholeheartedly. But it's not always coming from the salvage pools a lot of the times. You can sell a car as an obvious total loss or the insured may not have a--or the claimant may not have an insurance policy for collision on the vehicle and they're not requiring to the requirements of the DMV to report an accident within 10 days and filling out that paperwork, which somehow gets lost in translation. And, therefore, you know, nobody knows what's really going on. If the accident, you know, even happened.

But to answer, to the fact that, are cars getting properly inspected? I really don't know. I mean, there's, you know, it's a 10-point or 12-point inspection that gets looked at. There's certain shops that qualify for it. I think, certainly, it could be looked into deeper. You know, a car that's put on the road that's not repaired correctly, you know, whether it be, you know, hit in the butt with the exhaust coming in the back or an HSLA, you know, control arm that, you know, a structural element of the vehicle that's been worked on, that becomes a death-mobile, certainly traveling down the road, should not be on the road.

And, you know, we can't look at it as an insurance company when it comes back with a clean title. You know, we're going to insure that car. We don't have the capacity to look back and say, well, you know, get a CARFAX on it or whatever, you know, to say, okay, well, it's been worked on, but we don't know where, what type of body shop, what kind the repairs are. And, you know, many times I think, you know, we may even

send some stuff to your shop that's been redone and reworked that we have to have redone over and over again. And we live that, so I would like to see something that enhances, I agree with you, the program.

Grieve: Yeah. I have no issues with the way the insurance industry total losses cars. I have no--my issue is just the fact that every car that comes into my door--and I do, probably, two of these a week. All I have to do is sign off the box on the bottom. It's legitimate to go back and be put back on the road. I'm not opposed to it being on the road as long as the car is a good, safe, legitimate vehicle that is not endangering their lives and the lives of my children. Some of these cars shouldn't be on the street.

Yarborough: It's certainly an interesting conversation with regards to the inspections. California has a separate license by garages for brake and lamp inspection. Of course, the emissions inspection and, I believe, brake inspection was one of the old licenses I used to hold in California. But that would be a whole nother area of enforcement with the Department if we had additional requirements for the way the inspection is processed. Because, right now, that inspection can be done by any licensed garage, I mean, today, correct?

Grieve: Yes. But, for example, suspension components, that could be one more line there. It's a visual inspection. It's a subjective inspection, to a degree. But back to that professional garage license; he pulls it up in the air and a tie rod ends are worn out on it and one's going to pop out of its holder, does it meet the criteria of the list as it stands? Yes, it does. Should it be on the street? No, it shouldn't. That one more box would keep it off the street until he--and again, I don't mind it being on the street as long as they take the time and spend the money to make the car safe.

Yarborough: Well, all of us have our spouses on the streets with us, of course...

Grieve: Yes, we do. Yes, we do.

Yarborough: ...and that's the concern, right?

Grieve: It's just--I think the definitions of the safety inspection, potentially, could be revisited.

Yarborough: Dick, could I ask you to read the items that are in the inspection now? Would that be too much trouble?

Mills: Sure. There's the windshield. Now, these are for pass/fail and N/A. But there's a windshield, side glass, rear glass, mirrors. There's a steering inspection, as you just referred to. Airbags, the frame, the headlights, tail lights, turn signals, park lights, brake lights, brakes, the horn, the muffler, mud guards. Those are popular. The windshield wipers, emergency brakes, safety belts and shoulder harnesses. And that's only a portion of this inspection. The inspection is a VP-64 form and it has three different parts to this form that have to be redone.

So, I mean, I--and, I mean, certainly, I don't know how you would add to this list if you wanted to. I don't know if that's a DMV privy to add to the list or if it has to go through NACs or NRSs. I mean, I'd certainly--I mean, those are--there are a lot of criteria in there. The steering's covered in there. Airbags, the frame...

Grieve: Well, like tires. I mean, but the tires aren't addressed. And then it comes back to that CSI thing, the customer service. You know, you don't want to sign the car off because the tires are past the wear bars. Well, it's not on the list.

Mills: Um-hum.

Grieve: So since it's not on the list you've pretty much got to pass it off. Back to one of my pet peeves as far as is the cabin being airtight. So many of these cabins aren't airtight after they've been compromised. And to me that's a bigger issue than people give it credit for, because the, you know, O2s it sucks into the cabins.

Yarborough: I see two issues here. One is the existing inspection that Ivie addressed for salvaged cars being relicensed. And then the second issue is, before the issuance of a classic car, should that car be required to have a safety inspection or ongoing safety inspection program, because it's declaring as an older vehicle? And they're also looking for special recognition by the state to become exempt in the Emission Program. And because the ease of entry to that classic car right now is not challenged, we have a lot of people that are abusing that form of registration.

I might suggest that we do create a committee to look at safety inspections, revisiting the safety inspection and the process for the salvage registration process and then also a safety inspection for vehicles that are self-classifying as classic. And with that, then make a recommendation and an agenda item for our next meeting, which would probably be toward the end of the year. So it'd give us some time to meet in a committee format to really look at this and really examine all the ways that one, it could be enforced, two, what the implications are, what the cost to the consumer are, which are going to be important. And then if it is agreed upon by this Board, that it would be taken to the legislature for--LCB for possible write-up and amendment or adoption in NRS or NAC.

Compan: Now, Mr. Chairman, can I make a--you know, committee sounds great, but you know, it takes a lot of work and forming committees and bureaucracies are always a hard thing. Might it be better if there was a workshop that was, maybe, scheduled by the DMV or a series of workshops where the public and all interested parties could show up to discuss the issues and matters at hand? And out of that, you know, we could still have it agendized based on the findings of the workshop and the recommendations of the DMV to move forward with any kind of drafting of possible regulations or legislation that may be founded by the committee--by the workshop.

Yarborough: Right. I (inaudible)...

Compan: And would that be appropriate? I'm probably reaching out to staff on that.

Yarborough: Well, my purview, as far as our responsibilities, I think that takes it outside of ours and that would probably be more of the responsibility of the Department to start the workshops and initiating that. We can make a suggestion to the Department, as a committee--as a Board or under our purview would be bringing forth suggestions directly from this Board. So I think the workshop have to be initiated through the Department.

Compan: Okay. With clarification, the committee would be members of this committee? So it would be a subcommittee of the committee on the committee to be an advisory committee?

Yarborough: Robert, can you restate that?

Compan: I'm actually on a few of those committees, so that's why I know them so well.

Yarborough: Yeah. Yeah.

Compan: So, I mean, you take a subcommittee off of this. But, I mean, then I think if you did that you would have to publicly agendize that and then have invitations to the public to get involved with that, as well.

Yarborough: All right.

Compan: We can't get a quorum but, we did today.

Mills: I have a question, too. When we were talking about the classic vehicles (inaudible) and I kind of got--for the do an enforcement portion of that thing, I got some rolling eyes of you. Obviously, you guys have talked about this. Is there enforcement type? I'm not looking directly at you.

Unknown Speaker: Oh, I'm like...

Mills: Just at this particular moment, but I--is there enforcement of this by the Department?

Perry: On odometer rollbacks, is that what...

Mills: On the...

Yarborough: Or the 5,000?

Mills: ...vehicle exemptions of the classic car vehicles. I mean, do you go out and occasionally see if there's under 5,000 miles or if the odometers are working? Or, I mean, is there any enforcement done on this at all?

Hatt: We were given no authority within the statute. We have no teeth. We can't...

Mills: Yeah.

Hatt: ...nothing. We can enforce nothing. They fill out that liar sheet and we take their word for it.

Yarborough: I'm sorry, Ivie. What did you call it?

Hatt: A liar sheet.

Yarborough: For the record.

Mills: So there's no enforcement to this penalty of perjury? I don't have to think about this every time I sign it now? I mean, I feel better signing it, but I--

Hatt: No.

Mills: There a lot of legitimate cars out there that (inaudible)...

Hatt: The only way we catch it is if we document it one year when they come in and register. And when they come in to renew, we look at the odometer and see if they've gone over the 5,000 or if they've gone backwards in odometer, because they're guessing.

Yarborough: Because they forgot what they wrote down.

Hatt: Yeah, they forgot the year before.

Yarborough: Oh, did I say 75,000? I meant--I must've read that wrong. Well, we have, on this agenda item, the Department formally withdrawing their request to look at this and we have quite a lively conversation about it and, as your Chairman, I don't know what the next step is on this. I'm going to refer it back to staff or to the Department.

Grieve: Could it--Gill Grieve, back to the classic cars. If it's a classic car--like Dick's got one and Steve's got one. I bet they would be willing to take the time annually to get inspected, I'm guessing, maybe. Am I stepping out of turn, Mr. Mills? Do you take yours in or do you...

Mills: I'd just go down and get it smogged. It'd be a heck of a lot easier than getting inspected.

Grieve: Yeah, I was going to say, well, yeah, I was going to say--

Mills: It's marginal right now whether I want to go down and have it smog (inaudible).

Grieve: Well, and knowing that the smog's--knowing, for the most part, these cars would not pass smog, couldn't you make it to where the standards would be set to where it would be more of an inspection and an odo inspection more than a smog inspection?

Hatt: We would still have to add that into the statute. Yeah.

Mills: NRS statute?

Hatt: Yeah. That's something that we are looking at meeting with Assemblywoman Kirkpatrick and discussing with her.

Grieve: I'm not smart enough to know all the smog standards as far as what it should be at idle versus what it would be wide-open throttle. But I have to believe that there could be something out there to make it work.

Yarborough: Well, the car that's in the smog program, '68 and newer does have parameters that when they're running properly, they'll pass the smog, when they're repaired and they're running properly. So a '68 Mustang that's properly tuned and the rings are in good shape on it, it will pass the HC and CO inspection without any problem. If it's--

Gardella: I have a question, if I might interject.

Yarborough: Thank you.

Gardella: I understand the Senator, when they passed that bill, that there was no means of enforcement and, in fact, we informed her of it that the DMV would not be checking for mileage and that the program would be abused, which obviously it has been. But my question to you and to the DMV, is it not your job to enforce the law? Now, if the law that was passed says the car is driven for less than 5,000 miles, wouldn't it be up to you to ensure that car is driven less than 5,000 miles? Because in the past, whenever DMV saw something that was--there was not enough legislative action or verbiage to do something they proposed changes to the NRS or NAC at public workshops or as such and instigated laws, either through the Environmental Commission or between sessions.

Because, I mean, I guess my question in plain language is, if the law says the classic car has to be 20 years old, which could be the Nissan or whatever. It could be any car, but it's driven less than 5,000 miles a year. Now, the language didn't say how you were going to check that. But isn't it the DMV's--shouldn't it be the DMV's position that in some way, shape, or form that you should be checking that? And if you don't feel you have the authority right now, shouldn't you do what you did before to get that authority? You know, either have them come into to the VIN inspectors or to an emissions station or something where you can verify the mileage, because the law is not being enforced as it's written. I mean, I don't know if I've explained myself correctly, but I'm trying to get there. So I think you understand what I mean.

Yarborough: Thank you, Lou.

Hatt: The only way we can verify--catch them, right now, is on that affidavit. So we--yes, we will require them to come down to the lab and get their odometer looked at if there is a discrepancy in what they're reporting on their affidavit. Their odometer's gone back from the year before. That's the only way we can enforce it right now. And then we do require them to go get an emission inspection. And we are moving forward with meeting with Assemblywoman Kirkpatrick to get changes into NRS, if she'll entertain that.

Gardella: If I might add, if you're doing that in that manner, wouldn't it not behoove you to make sure that language--if you're going to check mileage every year, that that would be a requirement to stay in the program. Because I know that Debbie had voiced concerns that so many people have abused it that once they're in the system that they could not, you know, be taken back out of the system. That, you know, my suggestion to you would be that however you're going to address checking that mileage, that that would be a requirement to stay in the classic car program. So if you do have the people that are driving their cars for work, you know, 10, 20, 30,000 miles a year, whatever they're doing, that they would have to meet the 5,000-mile criteria to stay in the program.

Yarborough: You know, the truth is, most classic cars don't have classic--or not--that's not a fair--I don't have classic plates on my cars, because I have personalized plates and my cars are outside of the Emission Program. A classic car that's inside the Emission Program--I'm not quite sure why they were exempted from the Emission Program to begin with when it's for the statement of owning a classic car, right? I mean, you'd put a classic plate on there any say, hey, I'm a classic. It's more of a vanity plate registration option. Like getting art plates or fireman plates or whatever else was my

understanding of the original intent to circumvent the Emission Program, which is what we have now, is completely outside of the intent of offering, through the Department, a classic car plate, right? Good luck with the Senator. All right. If there's no further--oh, go ahead.

Perry: No, go ahead.

Yarborough: If there's no further suggestions or no further comments on this, I think we need to move on on it with no action.

Perry: Okay. Well, just to wrap up that discussion, what I would do about the workshop is to get back with the Director and see what his position is, in terms of holding a workshop for that, so...

Yarborough: Okay. That sounds good. We'll accept that. I mean, I don't think it requires action. Thank you. Thank you to the Department. Thank you, Ivie.

Mills: Workshop on what? I just--to clarify. You're going to ask the Director for a workshop on classic cars? On what?

Perry: It's the--what did you--what was your question about the--

Yarborough: Suggestion.

Compan: Yeah. My suggestion was a workshop on classic cars and the licensing of classic cars and the maintenance of their status as a classic car.

Perry: (Inaudible) public.

Unknown Speaker: I'm not--I wasn't addressing any emission issues.

Perry: Right.

Yarborough: All right. Thank you. Any further comments on that? Great. Thank you. Boy, Ivie, you sure know how to lively up a conversation. Thank you. And we do appreciate you being here just with your working knowledge of this body. So we do appreciate that. Thank you.

11. DMV Survey - BDR 170

Yarborough: The next agenda item, DMV Survey - BDR 170. Donnie.

Perry: Yes, Mr. Chairman. Donnie Perry. This item was on the agenda based on the previous meetings that we had. There was some confusion or misunderstanding as to where the surveys were located on the DMV website. And Renee was able to go and check that and provide information on how people could get to easier access to our website and see where the surveys are located. So I'll let Renee follow up on that.

Clark: I'm sorry, I'm not sure what you want me to pull open.

Perry: The...

Clark: ...(inaudible) that day that we were--the last meeting I had found it on the DMV website.

Perry: Yes. Um-hum.

Clark: It's on the Compliance Enforcement Division page. I believe it's below the section of the Verification of Business Licenses and there's a link for Body Shop Survey for the rates and the storage, I think, was what the concern was. I'm not sure what else (inaudible)...

Perry: So what we wanted to share that the information is on the DMV website, because I think there were a number of people who could not find the data.

Clark: Okay. Yes, that's correct.

Yarborough: And we're referring to the survey that's provided to the shops to establish what the rates are for storage and for hourly rates for repair?

Clark: Correct.

Perry: Yes. Right.

Yarborough: Similar to the survey that the emission control stations provide for the hourly rate to establish the maximum commission fees, right?

Perry: Yeah.

Yarborough: Similar. Okay. Thank you. Any questions on that? Any comments?

Eastley: Yeah, but from the new person. 170 did not result in a bill, so I was confused about this. There was no bill that came out of that BDR.

Compan: Did you say build?

Eastley: Bill.

Yarborough: BDR.

Eastley: BDR, Bill Draft Request.

Compan: There was a bill that came out, okay. I know...

Eastley: Maybe it got combined with something else, because I'm looking at...

Compan: That was--

Eastley: ...BDR 170 and there's no--

Compan: It was my bill. Let me find it for you.

Eastley: Thank you.

Compan: I've had several.

Eastley: You it came out of the Assembly Committee on Commerce and Labor.

Compan: It came out of--right. It did. Give me just one second, Mr. Chairman.

Yarborough: No worries.

Compan: Go back into my 2013 legislative tracking.

Eastley: Want to just let me know after the meeting?

Compan: Yeah.

Eastley: Okay.

Compan: It was a bill that mandated that a prevailing rate on body shops can't be more than 150 times what the current prevailing rate is based on the DMV statute. 2013--I can give it to you really quick. It was a senate bill. Let's see if this is it. I may have to get back to you on that. but it's--

Eastley: Okay. That's fine.

Compan: ...it was--I think it was to--well, for some odd reason, I'm not picking it up. But, yeah, it was a--oh, there we go. No, that wouldn't be it. I'd have to pick it up.

Eastley: That's okay.

Compan: But, yeah, SB 170. I think it was SB 170, not BDR 170.

Eastley: Oh, that's what--okay. Although, BDR 170 did say, "revises provisions for body shops," but there was just no link to a bill, which usually means it never...

Compan: Are you in your legislative website?

Eastley: Yeah. Um-hum.

Compan: Okay. Go into the 2013 Legislative Session.

Eastley: Yeah.

Compan: And you can probably see SB 170. That should probably be it.

Yarborough: Okay. Is it all right if we move to the next agenda item?

Compan: What was the question on that anyway? I forgot (inaudible)...

Yarborough: What was BDR 170?

Compan: Oh.

Yarborough: Yeah. The survey--but the...

Compan: Where the survey was and...

Yarborough: Yeah. And the survey does exist and it is accessible through the site is the answer, right?

Mills: Could I just ask a question? Dick Mills.

Yarborough: Yes.

Mills: Yeah. What do you think of the survey? I mean, you're the body shop representative. Do you have any thoughts on that survey? I (inaudible)...

Grieve: Well, the survey is something we have to do every year. In 2013, we finally got a reason to have it, was in SB 170 for the storage bill, how it tied storage to the labor, if memory serves me, which I thought was a great thing. I mean, I'm not opposed to the survey. I think it's good public knowledge. I think it's, you know, it doesn't have a lot of teeth. It's just one of those things we go in and we can put down what we want and then when business really happens we kind of charge whatever we feel we want to. It's...

Yarborough: Sounds like Ivie's liar statement.

Grieve: Well, you know, it's just one of those that it's been there for 15 years now, but again, my thanks to Bob Compan. We finally got something out of it, which was a storage bill.

Yarborough: Very good.

Grieve: Thank you again, Bob.

Yarborough: Thank you.

Compan: No, thank you guys for supporting it, since we're giving thanks. We can spread the love.

Yarborough: Kumbaya. All right. Thank you.

12. Officer Reappointment "*for possible action*"

Yarborough: Next agenda item, 12, Officer Reappointment. And now we're to that place where--thank you for correcting me previously. But we do need to have offers for reappointment for Chairman and Vice Chairman. So I will entertain nominations for Chairman.

Mills: I nominate Steve to do it again. You've done a great job for 15 years.

Compan: The bylaws allow that?

Eastley: Yes.

Yarborough: Isn't there term limits? How about we make a motion for term limits?

Eastley: No parole. There's no parole in all this.

Mills: You're declining, I presume.

Compan: I'll second that motion.

Yarborough: I will gladly continue in this position if there's not somebody that's interested in taking it and...

Eastley: Move the nominations be closed.

Grieve: Second that.

Yarborough: Did I hear a train somewhere in the background?

Compan: You can call for the vote now and you're not allowed to vote, remember?

Yarborough: Okay. All right. Call for the vote.

Unknown Speaker: All in favor?

Group: Aye.

Yarborough: All right. So moved, I guess. Thank you for the vote of confidence. To Vice Chairman now and since we don't know who the Vice Chairman was, I'll open the nominations to a Vice Chairman.

Grieve: I'll nominate Bob Compan.

Eastley: Yeah. I'll second that.

Yarborough: All in favor?

Group: Aye.

Yarborough: So moved.

Compan: Gee, thanks.

Yarborough: See you in about 15 years. What's that old saying? You can come, but you can never leave? Hotel California, that one. Yeah.

Compan: I've been there and I left.

13. Other Legislative Update(s)

Yarborough: All right. Other Legislative Updates. Round table, do we have anything else pending? Looking at from any of the industries looking for sponsorship, looking for action?

Compan: I don't know if this, Mr. Chairman, does fall under legislative or not. But Las Vegas Metro yesterday did two newspaper articles and a TV article on it. They have decided, in their infinite wisdom, to stop responding to non-injury accidents, which I think, is going to affect the industry. Because--especially down south. What is a non-injury accident? I mean, there's so many dangerous intersections. It's a trickle-down effect. And it's going to be a he said/she said kind of scenario. You know, most people know that an injury after an accident--a true injury doesn't really happen unless it's a fatality or broken bones, until two days after the accident responds.

And Metro's also advised us that they're not even allowing us to go into, as a consumer, to go into the police station to file a report at the station or even call in a report. And now that's going to affect the DMV, because now with the requirement, which is statutory, to report accidents where damage is over--to \$5500. I forget where it's at now. It's a certain dollar amount. I can't remember what it was. I know it's going up.

Yarborough: Specific dollar amount.

Compan: Maybe it was just even \$1,500. I really don't even remember what the figure is, to report that to the Department of Motor Vehicles. Well, if it's not reported to the police and they basically said in their conversation, "Well, but they still have to report the accident to the DMV, so therefore, it'll go on record." So you've got two issues here. One where people aren't really going to know to report accidents to the Department of Motor Vehicles. And two, you're going to have vehicles and accidents where citations aren't being issued where points are being levied through the DMV.

Eastley: So that means no traffic control, either, after an accident?

Compan: Nothing. Not a thing.

Grieve: Gill Grieve...

Compan: Unless the car is not moveable.

Grieve: ...Concours Body Shop. In Washoe County right now that is the standard.

Compan: Right.

Grieve: Unless there's an injury, the officials will not show up. Even if the car was to be deemed non-drivable for the most part...

Compan: Right.

Grieve: ...they'll show up as a traffic control, let's call it, but they're getting where they really don't want to get in to do citations for liability. And that's where me, the body shop guy--again, I'm kind of that middle man. I got the consumer on one side. I got the carrier on the other. And, of course, liability is always a very large issue in what I do. And without a police report it makes it very hard for the carrier or the consumer to find the liability.

Compan: Yeah. Well, for the purpose of--yeah. And I agree with that and it scares me. But for the purpose of this Board, I mean, it is really going to affect how the reporting goes to the DMV. You know, so I don't know what we can do, if there's some recommendations. If, you know, I just wanted to bring it up. I think it's going to be an issue. I don't know if, you know, Director Dillard is aware of it yet. You know, Washoe County and Clark County are really different municipalities, as far as size go. You know, the amount of accidents and the idiot drivers in Clark County is just--and that's not on the record. Yeah, it is. Is insurmountable in southern Nevada. I mean there's, you know, over 60,000 what they would quote as being non-injury accidents that are going to put, you know, persons at harm's way trying to be out there on an accident scene in a busy intersection using their smartphone to take pictures. It's going to tie up the court system. The city municipalities aren't going to get their fines from traffic fines that are levied. So it's really passing on a responsibility from one sector to the next sector, as far as responsibilities go. I think it's a poorly executed plan by Las Vegas Metro and we've gone on the record, as an industry, to note that yesterday.

Gardella: Isn't that the Sheriff trying to get a sales tax increase? Isn't that what he's doing that for?

Compan: Well, you know, I thought it was and I went, actually, to the last County Commission circus where they failed to pass the more cops tax. And I pulled their chief lobbyist to the side and asked him. I said, "Even if this is--if you get your tax, are you going to start giving, you know, the fees--are you going still be responding to injury accidents?" They go, "No. This is in a plan. This is happening regardless." So I thought it was kind of a threat that they were doing, but it's not. And, you know, and I asked their lead lobbyist. I said, "You know, at least, can we have some workshops? Can we try to figure this out? I mean, what if a car's disabled, you know, how are going to--they're not injured, but the car's disabled and it's in the middle of one of the busiest intersections?" They said, "Oh, okay. Well, if the car's disabled, we'll show up."

So without any forethought or any discussions--and there's a media blitz right now. I'm looking at the Fox 5 story while I was sitting here earlier. I mean, there's over a hundred people just up in arms reporting on it. It's not good. And I think that's what the consumers pay tax for. But it's going to affect DMV reporting. There's just no doubt about it. I mean, they're not going to be complying to the statutory requirements, because they don't really know to.

Eastley: If they're not going to respond on accident calls, they'll respond to the road rage that happens after the accident.

Compan: That's was in one of my quotes, in one of my stories. Yeah.

Yarborough: I know that it's not in our purview, but maybe we can ask them to remove, serve, and protect from their vehicles. Is that--

Eastley: Yeah.

Yarborough: Yeah. I don't know where we can take that, but that's good information, because it will impact a majority of this Board, members and the consumers. So it's definitely of interest to the Board and the consumers.

Compan: And the DMV.

Yarborough: And the Department, yeah. So it's certainly within our scope, but our ability to address it, I guess, that begs the question, is how would we address it as a Board? Ask for legislation to require the police to do their job; is that what you're saying? With regards to consumer automotive and the Department.

Compan: Yeah, it's a sticky wicket.

Yarborough: Yeah.

Compan: You know, I'm already worried when I get back to the Las Vegas McCarran Airport today, I'm going to probably have about 45 tickets on my car.

Yarborough: Yeah.

Compan: No, I just think that, you know, maybe in the management levels at the Department of Motor Vehicles that you can take a look at it. See what you think is going to be the impact on the reporting. Obviously, this clearly is going to put unsafe vehicles on the road, because of the lack of reporting as required and mandated by the Nevada statute. And that would just be my recommendations, Mr. Chairman.

Yarborough: All right. Thank you for your input there. Light materials. Yes. Okay. Any other legislative update or conversation?

14. Information Items

Yarborough: How about information items? Do we have anything on Information Items, 14?

15. Public Comments

Yarborough: 15, Public Comment. Ivie, do you have anything more to add?

Compan: Miss Public.

Yarborough: Miss Public.

16. Next Meeting and adjournment "*for possible action*"

Yarborough: Good. Next meeting--we have fulfilled our meeting obligations for 2013, right? This was the final meeting for 2013 that was slightly delayed. So we have a requirement to hold two additional meetings this year; is that correct, from our analyst and advisors? Okay. Time frames that work for everybody; I would say, fall and winter to complete our obligation for this year. We have nothing pending right now that would require a meeting any sooner from my observations. Late summer. Dates? Suggestions? (Inaudible).

Grieve: That would be after Labor Day?

Yarborough: After Labor Day, I would suggest, just because going into summer is our busy seasons. And then, of course, Aja will provide us with the invites to available dates around that period of time and then we can all respond to that.

Compan: Did that work good for you, Aja? That last time instead of before, where you went and put out a bunch of dates and people were able to respond and--

Hensley: Yeah.

Compan: ...then you were able to figure a quorum based on that?

Hensley: Yeah. If, you know, I have, at least, you know, a couple weeks timeframe to work with, that seems to turn out better for everybody showing up.

Grieve: How about October 14th? That's a Tuesday.

Yarborough: I think that would be a--yeah. A week before and after that Tuesday to have Aja put out and make sure everybody confirms that they can attend on the optional dates. October 14th.

Compan: That looks good, you know, for me. At this point, obviously. Who knows (inaudible)...

Yarborough: And can we tentatively look at the first two weeks in December?

Hensley: Um-hum.

Yarborough: Okay. Does that...

Compan: Looks good with me, too.

Yarborough: All right. 1 through 15 and 1 through 15 in October, right? All right. Then if there's no further comments, no further action, I would call for adjournment.

Compan: So moved.

Yarborough: All in favor?

Group: Aye.

Yarborough: So it is. Thank you all so much for attending and allowing us to close 2013.

Adjournment

10:58am