



**Minutes of the Advisory Board on
Automotive Affairs**
held on January 09, 2007 at 10:30 am
at the Nevada Department of Motor Vehicles
North Conference Room, 305 Galletti Way, Carson City, NV. 89512

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

**THIS MEETING WAS PROPERLY NOTICED AND POSTED IN THE FOLLOWING
LOCATIONS ON JANUARY 03, 2007.**

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

1. Call to Order

- A. Steve Yarborough called to order the meeting of the Advisory Board on Automotive Affairs at 10:49 am.
- B. Board introductions took place along with the public that was present.

MEMBERS PRESENT:

Dick Mills, Pick -N- Pull
Steve Yarborough, Sierra Service Station Co. - Chairman
Susan Fisher, Consumer
Troy Dillard, DMV-CED

MEMBERS TELECONFERENCED:

Michael Spears, Collision Authority – Co-Chairman
Robert Ellis, B&E Auto Auction
Steven Craig, AAA Nevada

INTERESTED PARTIES:

Peter Krueger, NPM/CSA

2. Review of Boards Drafted Cover Letter for Boards Report

3. Review of Boards Drafted Report to the Governor and LCB as Required by NRS 487.002 (*Items 2& 3 fell here*)

- A. As required by NRS 487.002 the Board is required to on or before January 15th of each odd-numbered year, prepare and submit a report concerning its activities and recommendations to the Governor and the Director of the Legislative Council Bureau for transmission to the Legislature. The Boards Cover letter and report has been generated and distributed to all Board members for review, discussion and approval.
- B. The Board reviewed the report cover letter and approved it for Troy's signature without any changes. (*Copy of the cover letter is retained as Attachment A in main file*)
- C. The Board reviewed the report and approved it without any changes. (*Copy of the Boards Report is retained as Attachment B in main file*)

4. Informational Items (Discussion Only)

- A. At the last meeting the Board entered into discussions of putting forth a bill that would clean up the language within NRS 597 to clearly define the responsibilities of DMV and Consumer Affairs. In addition the Board requested Troy obtain an opinion from the Attorney General regarding the garage regulations chapter. The verbal opinion received back from the Attorney General was that DMV does not have specific authority for this Chapter. Troy informed the Board that Speaker Buckley has been researching this Chapter and he has scheduled a meeting for the 24th of January to find out where she stands on this. Troy will this topic to the agenda for discussion at the next meeting so that the Board may decide on how to proceed with looking at this for the upcoming session.
 - **Q.** Steven – Troy wasn't there also interest expressed by the Department of Consumer Affairs of being placed on this board? Have you heard anything further on this?
 - **A.** Troy – I have not heard anymore on this; however I would certainly support it especially since there are issues between Chapter 597 and 598.
 - **Q.** Then I would request you bring up a possible amendment for the placement of a Consumer Affairs Member to the board with Speaker Buckley.
 - **A.** Troy – I will certainly have that discussion with her. I will also contact Commissioner Jarmin with the Department of Consumer Affairs to see if she has continued to pursue this idea.

5. Public Comment – Discussion Only

- A. Peter Krueger with the Emissions Testers Council wanted to sit in on the meeting to see how the Advisory Board on Automotive Affairs works and also to find a common ground between the I/M Program and the Garages. Peter informed the Board that there are currently full service garages that are part of the I/M Program by choice because they

made a business decision to perform emission inspections then there are garages that are not part of the program because they do not provide an emission inspection service. A garage that is not part of this program is able to perform any type of repair of a vehicle including that of the emission system without any oversight or restrictions, but a garage that is part of the I/M Program falls under restrictions as required by both Federal and State law. This is an area that concerns the council. In addition to that the council is interested in pursuing amendments to garagemen insurance. Currently, bonding for an I/M station is \$1,000.00 for damage of a vehicle, which is not enough today.

- **Q.** Susan – In short, the industry would like to protect themselves and the bonding issue is a concern. You would like to see the bonding dollar amount rose, which has already been purposed for garages. Would this be under a different statute?
- **A.** Troy – No, there are no bonding changes submitted for garages; in fact there is no bond requirements for garages. The garages are given the choice of signing a form that says they will agree to a binding arbitration, which is what 90% of them do or they could post a bond or a certificate. The bonding increases that are being discussed with the industry are on the dealer side. This falls under Statutes outside the purview of this Board.
- **Q.** Steve – At least the garages have binding arbitration, so most financial issues may be resolved during the arbitration hearing process. With the garages in the I/M Program, as Peter had stated, I too am not sure the bond amount is adequate.
- **A.** Troy – With the Department there is a fundamental difference. The arbitration process for the garages does not fall under the DMV, it falls under the arbitrator. The Department does not get involved. Emission stations are a licensee of the Department and are required to hold a bond and complaints against these stations are processed by the DMV.
- **Q.** Steve – Troy, if a garage fails to adhere to binding arbitration, will the Department then step back in and enforce the bond?
- **A.** Troy – I am not certain, but I believe that if the garage fails to adhere, we still are unable to enforce the arbitration results but the Department does have the authority to revoke the garages registration.

6. Next Meeting and Adjournment

- A. The Chairman will call the next meeting shortly after Session starts. This will allow enough time for Departments clean up bill to be received back from LCB and reviewed by the Board members. Additionally, Troy will have had a chance to meet with Speaker Buckley and discussed Consumer Affairs position on NRS 597.
- B. The meeting adjourned at 11:08 am.