

Transcript Prepared by Clerk of the Legislature Transcribers Office
Transportation and Telecommunications Committee January 27, 2026
Rough Draft

MOSER: --Transportation and Telecommunications Committee meeting will now come to order. Today we have some appointments to consider. My name is Mike Moser, I'm the Chair of the committee. And with us today we have numerous senators from our board. We'll start on my left with Senator Bosn.

BOSN: My name is Carolyn Bosn. I represent District 25, which is in southeast Lincoln, Lancaster County, including Bennett.

DeBOER: Hi everyone, good afternoon, my name is Wendy DeBoer. I represent District 10 in vibrant northwest Omaha.

BALLARD: Beau Ballard in District 21 in northwest Lincoln and northern Lancaster County.

BRANDT: I'm Tom Brandt, I represent District 32: Fillmore Thayer, Jefferson, Saline, and southwestern Lancaster Counties.

FREDRICKSON: John Fredrickson, I represent District 20, which is in central west Omaha.

STORER: Senator Tanya Storer, District 43: 11 counties in north central northwest Nebraska.

GUERECA: Good afternoon, everybody. I'm Dunixi Guereca, LD7: downtown and south Omaha.

MOSER: Senator Ballard is also our Vice Chair. Our committee clerk is Katie Coquat. Our legal counsel is Gus Shoemaker. Filling in for Gus today is Mike Hybl. We have green testifier sheets on the table near the entrance to the room. If you want to complete one to testify, hand it to the page when you come up. If you wanna be recorded as present, but not testifying, you can sign the yellow sheet in the book on the table near the entrance. The Legislature's policy is that all letters for the record must be received by 8:00 a.m. the day of the hearing. Senators may come and go during our hearing. This is common, and may be required, as they may be presenting bills and other committees at the same time that we're meeting here. Testimony will begin with the gubernatorial appointments' opening statement and then we'll hear from supporters and then those in opposition and then those in a neutral capacity. Please begin your testimony by giving us your first and last name and spell them for the record. We will be using a three-minute

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timer system today. Please remember to turn off your cell phones. And I'll remind myself-- so that they don't go off during our meeting. And with that, Mr. Anderson, come on up. Come on down. Welcome.

MIKE ANDERSON: Hi.

MOSER: Tell us about yourself a little bit.

MIKE ANDERSON: Well, my name is Mike Anderson, M-i-k-e A-n-d-e-r-s-o-n, I'm a second generation dealer. We've been in-- we're celebrating 40 years actually this year in business as an auto group. And I grew up in the business my whole life and I've, I've worked full-time now for just under 32 years in the business. And married my wife, 28 years, and two boys. And what else would you like to know?

MOSER: Your boys involved in the [INAUDIBLE]?

MIKE ANDERSON: No, my oldest son, he passed away when he was 15. My youngest son is living in Arizona now, but I'm hopeful that at some point he'll want to get in the business. So we'll see.

MOSER: Yeah, it's hard for me to get my kids excited about working in my business.

MIKE ANDERSON: Right.

MOSER: Anyway. So let's see, have you been on the board before? Is this your first appointment?

MIKE ANDERSON: It's my first time, yes.

MOSER: OK, what interests you about being on the board?

MIKE ANDERSON: I think it's just, you know, the ability just to make a difference. I mean, I, I've known of the board and understood what the board's responsibilities are and just feel like, you know, I have been in the business for a long time and I can maybe lend some wisdom to the board, I guess.

MOSER: Cool. Questions from the committee? Senator Storer.

STORER: Thank you, Chair Moser. And thank you for being here and your willingness to serve. I'm just going to take an opportunity to educate myself a little bit more and ask you more about what the, the

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licensing board does, sort of what is the, the overall purpose and just what you can tell me about that.

MIKE ANDERSON: I, I would say the overarching purpose would be to protect the consumer. I think that we're kind of the governing body that holds all the people in our industry in check. And so I think we're more of a, to me, I would say more of consumer protection agency more than anything.

STORER: So you deal with complaints, like consumers can file complaints with your board? Is that part of the, the role?

MIKE ANDERSON: I don't know how that process, you could probably speak to Josh, maybe more specific on the process itself. But I know that, you know, when dealers do things that maybe that aren't in line with taking care of a customer, that that's when the board steps in or, you know, make decisions to fine or whatever to protect the customer.

STORER: OK, so you do have the ability to levy fines.

MOSER: Yes, that's, yeah.

STORER: Thank you.

MIKE ANDERSON: Yeah.

MOSER: Senator Guereca.

GUERECA: Thank you for being here, and again, willing to serve the state of Nebraska. What, what brands does your auto group carry?

MIKE ANDERSON: We have Ford and Chrysler brands, Kia, Mazda, Lincoln.

GUERECA: OK, thank you for being here.

MIKE ANDERSON: Yep.

MOSER: OK, other questions? Senator Brandt.

BRANDT: Thank you, Chairman Moser. Thank you for coming in here today. So I know your dealership has never had any problems, but when you look at all the other dealers out there, what, what would you say the

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number one thing is that you'd like to see this board fix that's going on in the industry today?

MIKE ANDERSON: Well, I would say probably more than anything would be to help also protect the dealer from the franchise that's trying to take over our business. That's another element of this, to help maybe have some input on that, I guess. But I don't know, I would say, you know, that's the biggest thing. I, I don't really-- personally in our business, I don't-- you know, we have customer issues. We just take care of them, make it go away. And so I guess, I don't know, just to be a voice of reason to, you know, make, make the decisions to help customers.

BRANDT: So can you expound on the franchise taking over the dealership? What exactly does that mean?

MIKE ANDERSON: Well, in our industry, the manufacturers, oftentimes, when they see how much money maybe a dealer is making, you know, they try to figure out ways that they can take some of that money and take the dealer out. And there's been experiments in the past where the manufacturers have gone in and, and basically bought dealers out and tried to run them themselves. And they, they see what Tesla's doing in our industry that doesn't have franchisees, specifically. And so, they're trying to figure out ways to, to be-- to do the same as what Tesla is. And so there is a risk in our industry, I think, for manufacturers to do that.

BRANDT: And so the licensing board could prevent that from happening?

MIKE ANDERSON: I don't know if the license-- I know that if the manufacturer has an issue or a beef with a franchise, and that the one thing that the manufacturers do is they, they have what they call, you know, market share requirements. And so if the manufacturer doesn't agree with maybe a dealer or a dealer, you know, has kind of maybe had some issues with the manufacturer where they've sued them for one thing or another, you know, they can try to take the dealer out. And that's where I think the licensing board protects the dealer as kind of that last step where they would have to go before the licensing board--

BRANDT: All right.

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MIKE ANDERSON: --to make that happen.

BRANDT: Thank you.

MOSER: All right, thank you very much. Appreciate your willingness to serve, and thank you.

MIKE ANDERSON: All right.

MOSER: Next applicant. It's Dennis Butler. Oh, thank you. Hang on just a second, Mr. Butler. Are there any people here to support the nomination of Mr. Anderson? Is there anyone here to speak against his appointment? And is there anyone to speak in the neutral? I made that assumption, I can't assume those things. Thank you. All right, now, Mr. Butler, come on down. Welcome.

DENNIS BUTLER: Afternoon. I'm Dennis Butler, that's D-e-n-n-i-s B-u-t-l-e-r. I live here in Lincoln, 2119 Stone Creek Loop North, 68512. I am the at-large member of this board. Became interested in it because a really good friend of mine served in this position for several years. And he knew it was open and thought I might have an interest in it. I'm retired from 45 years in the insurance business. During that time, I had numerous clients who were franchise new car dealers. So I'm familiar with the industry. From my industry, I served as a leg chair for 15 years and dealt in these situations, both here and in D.C., but on federal issues. So I'm retired and I have the time, Senator, to do this, so I, I volunteer.

MOSER: OK, questions from the committee? Senator Fredrickson.

FREDRICKSON: Thank you, Chair Moser. Thank you for being here and for your service. How long have you served on the board?

DENNIS BUTLER: I-- I've been to two meetings.

FREDRICKSON: Oh, it's a new appointment.

DENNIS BUTLER: I'm new.

FREDRICKSON: OK, OK.

DENNIS BUTLER: I'm new, so.

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FREDRICKSON: All right.

DENNIS BUTLER: And me, not being a dealer, you can ask away on those questions and I'll defer to someone else.

FREDRICKSON: Thank you for being here.

MOSER: Other questions? So in the course of insuring car dealers, did you provide casualty insurance for their cars?

DENNIS BUTLER: No. No, it's a good question. My agency did employee benefits for employers.

MOSER: Oh, OK.

DENNIS BUTLER: We did--

MOSER: Personnel kind of thing.

DENNIS BUTLER: We did health insurance plans, dental plans, life insurance, those things for employees so.

MOSER: Yeah, I just, I think about all those millions of dollars sitting out on those lots and it would be quite an, an exposure to your business to have those where they can get hailed on and whatever.

DENNIS BUTLER: Absolutely.

MOSER: Any other questions for Mr. Butler? OK. Thank you.

DENNIS BUTLER: Thank you.

MOSER: You can go ahead and have a seat. Is anyone here to speak in support of Mr. Butler's appointment? Anyone to speak in opposition to Mr. Butler's appointment? Is there anyone speak in the neutral? Seeing none. All right, that'll close the hearing on Dennis Butler's appointment. Now we'll move on to Blake Dillon. Welcome.

BLAKE DILLON: Good evening-- or good afternoon everybody. Blake Dillon, B-l-a-k-e D-i-l-l-o-n, I'm officially here representing our motorcycle store which is Dillon Brothers Harley Davidson. We have, I think there's one motorcycle store on the board. I've been in the car business since-- officially since 1990, my whole life. I'm second generation, as Mike was, and have served on the board before. I can't

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tell you exactly when, probably 15, 15 years ago or so. My address--
do you need my address?

MOSEER: I'm sorry?

BLAKE DILLON: Do you need my home address?

MOSEER: No, and you did spell your name correctly?

BLAKE DILLON: I spelled it. Hope I spelled it correctly as well.

MOSEER: These hearings kind of blend together for me so--

BLAKE DILLON: I'm sure.

MOSEER: --I keep dropping little marker pins as I move along the map
here, reminding myself to dot all my I's and cross all my T's.
Questions from the committee? Yes, Senator DeBoer.

DeBOER: Thank you. So you served on the committee a long time ago?

BLAKE DILLON: I did.

DeBOER: What do you think is the most important thing you all do as a
committee? What would you say was the most important thing during your
time before?

BLAKE DILLON: I think Mike hit on them, but there are two things. It,
it's we protect the consumer. There's complaints made, as someone
mentioned earlier, to the board, which is then I think related to an
investigator with the board. And then we can make judgment on it. It,
it-- as Bill Jackson [PHONETIC] used to say, it deputizes the rest of
us because we kind of watch each other. And, and you learn things
being on the board that you didn't know for sure. There's, there's
laws that are changing and, and evolving, and you learn a lot. We have
a meeting once a year with the director. He holds a meeting for all
the dealers. And you learn a lot at those meetings.

DeBOER: How many meetings do you all meet as a commission per year?

BLAKE DILLON: It varies. I, and I've only been back on this for a
year, but we're trying to meet quarterly is what we're trying to do.

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DeBOER: Great. All right, thank you.

MOSER: Senator Guereca.

GUERECA: Thank you for being here, sir, and for your willingness to serve.

BLAKE DILLON: Yes, sir.

GUERECA: So who's Sid Dillon? I got to ask.

BLAKE DILLON: That's my father.

GUERECA: That's your dad?

BLAKE DILLON: And my brother. But it's, it's Sid Dillon is my father. And he's 93. Had lunch with him yesterday and still, still goes into dealerships almost every day. Makes-- let's me know that for sure. Just walks, walks through and says "I've been at work today." He's still, still doing well. Still driving.

GUERECA: Very good.

BLAKE DILLON: Yeah.

GUERECA: Excellent. Thank you, sir.

BLAKE DILLON: Yeah. Yes, sir.

MOSER: Senator Brandt.

BRANDT: Thank you, Chairman Moser, and thank you for appearing today. So you're the motorcycle representative on this board.

BLAKE DILLON: Yes.

BRANDT: What's different between a motorcycle dealership and a car dealership? Two wheels?

BLAKE DILLON: Two wheels and extreme seasonality. It's painful in the wintertime.

BRANDT: So today's a painful day?

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BLAKE DILLON: Yes.

BRANDT: Don't you get a lot of tire-kickers come in on a day like this?

BLAKE DILLON: Yeah. Tire-kickers aren't buying motorcycles. Yeah, it's, it's a very seasonal business. And if it wasn't a passion of my brothers and myself, I don't know that we'd stay in it. It's, it's a grind.

BRANDT: So motorcycle ridership is going up, down, staying the same?

BLAKE DILLON: It's, it's gone down a little bit, but it's evolving tremendously. We have a-- we teach people how to ride motorcycles on our property. The state teaches them but we also have a certified class. And the demographics of that class has changed tremendously in the last five years. It used to be all guys my age that were getting the motorcycle endorsement when they had a zero at the end of birthday or empty-nesters, kids done with college, those kinds of things. But now it's, we've got a lot of teenagers and twenty-somethings in our classes, which is refreshing. That's what we needed.

BRANDT: And they're riding hogs?

BLAKE DILLON: They're riding motorcycles. They're aspiring to hogs is the, is the deal. We also have a Honda Kawasaki Suzuki Yamaha dealership that sells to the, the younger generation. But yeah.

BRANDT: So last question. We passed the helmet law a couple of years ago.

BLAKE DILLON: Repealed the helmet law.

BRANDT: Yeah, what effect do, do you see from that? Any effect?

BLAKE DILLON: Not like we anticipated. It-- everybody was complaining about it when it was in effect. But ridership really hasn't changed. It, it didn't even affect our helmet sales that much, so I think it's-- people were skirting that law a little bit anyway with, with reproduction helmets and helmets that weren't really certified to be used, so that same person's probably riding without a helmet now. The

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people that really wanted to protect their, their heads are still buying helmets similar.

BRANDT: OK. Thank you.

BLAKE DILLON: Thank you.

MOSER: All right, any more questions? Doesn't appear. Thank you very much for your appearance with us today. Go ahead and have a seat.

BLAKE DILLON: Thank you, everyone.

MOSER: Yes. So is there anyone here to speak against Mr. Dillon's nomi-- or no, sorry, in support of Mr. Dillon's nomination? Anyone to speak in opposition? And is there anyone to speak in the neutral? OK, seeing none, that will close the hearing on Mr. Dillon. Clint Jones. Mr. Jones is from Columbus, so I know him, just [INAUDIBLE].

BRANDT: We're sorry.

CLINT JONES: I know all the secrets too. My name is Clint, C-l-i-n-t, Jones, J-o-n-e-s, and as Senator Moser said, my, my car dealership is in Columbus. And I actually reside in Senator Lippincott's district, so I live northeast of Genoa. This is my second appointment to this board, consecutive. So I guess I'm four years in maybe, it would be. You lose track of time. But I am one of the two independent auto dealers in-- on the board, meaning I don't have a franchise. So I'm the used car guy today. But anyway, yeah, any questions you have or--

MOSER: Senator Storer

STORER: Thank you, Chair Moser. And thank you, Mr. Jones, for being here.

CLINT JONES: You're welcome.

STORER: I was just curious, your term began in 2023. Is that right? Is what [INAUDIBLE].

CLINT JONES: It did. So we had a member of the licensing board that passed away and they needed to get somebody to finish out his, so that's why I'm in an odd renewal time. But yeah.

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STORER: So you're being, you're being reappointed for a term to start--

CLINT JONES: Would have started, boy I'm gonna have to defer to Josh on the exact dates and on--

STORER: And that, that's OK, I was just trying to understand why there had been such a delay in your coming before, before the committee here.

CLINT JONES: Yeah, and Senator Storer, that's a good question. But I just think where I finished someone's term-- I've been like this since I started. And, and I know one of the, one of the kind of agreements I guess that we have is that we stay on until they find our replacement. So sometimes somebody they might go a couple months past their term or whatever. So I kind of took that to mean I keep coming until they tell me not to come. And so I really honestly haven't paid any attention to it. I'm just like, OK, so I'll see you next time.

STORER: But you are in your third year of serving now?

CLINT JONES: Yeah.

STORER: OK.

CLINT JONES: Yeah.

MOSER: OK. Yes, Senator Bosn.

BOSN: As the other Columbus person in the room, tell me where Clock Tower Auto Sales is in Columbus.

CLINT JONES: I'm-- so you know where the airport is? I'm directly across Highway 30 from-- so next to Jimmy John's.

BOSN: OK.

CLINT JONES: Next to Verizon.

BOSN: Yep.

CLINT JONES: I'm the anchor business in that strip.

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BOSN: All right.

CLINT JONES: Yeah, so I'll be looking forward to seeing you.

BOSN: I haven't been living in Columbus in a couple minutes, but yes.

CLINT JONES: So are you, you're actually from Columbus?

BOSN: Yep, born and raised in Columbus.

CLINT JONES: I did not know that.

BOSN: Yeah.

CLINT JONES: Interesting. So there you go. Mike did you know that?

MOSER: Well, when I was 16 years old and working at Joe and Al's IGA--

BOSN: Oh, man.

MOSER: --her parents brought in, I don't know if she was even born yet, I think her brother John--

BOSN: I'm older than him.

MOSER: Or your dad's John.

BOSN: My dad's John.

MOSER: Yeah, so she-- yeah. So I've known the family forever, yeah.

CLINT JONES: But in all seriousness, this is-- I mean, I enjoy serving on this board. It's probably one of the things where I do, and some of the others before, we really can affect change. I think that we do focus on the consumer. If there's-- if it's a coin flip, I mean, we're definitely, we're going [INAUDIBLE].

MOSER: So if the consumers-- if the dealers are not following the rules, it affects the consumers.

CLINT JONES: Absolutely.

MOSER: And so you kind of try to straighten out the pack a little bit so they're all playing fairly. Senator Brandt.

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BRANDT: Thank you, Chairman Moser. You're probably the most qualified to answer this. We see a lot of swamped cars in the south from the hurricanes, brand new cars floating down the street. And I don't know why the insurance companies don't crush those cars, but they get sold and they get resold and the titles get washed. Do you see any of those vehicles end up in Nebraska because that sea salt eats up all of the components after three or four years.

CLINT JONES: Yeah, that's a great, a great observation. I personally have not bumped into anything like that. I know they exist. The biggest challenge we see as far as rust and things like that is New York. And we're not talking about cars that have damage on them, we're talking about just what they put on the roads and the air. There's just a lot of acidity in the air and we'll see those cars two years old and you get under them and all the bolts are rusted, and they've never been underwater. But, you know, as far as-- I understand your point about why don't they crush them. I'm, I'm assuming they're just taking components off of them, you know, a door that, you know, some body shop can clean up and, and ping on something else. I guess there's salvage value there, but you and I share the same question. I wonder why they don't just crush them as well because, to me, there's nothing good is gonna come from that car. The electrical issues and whatnot, but yeah.

BRANDT: So do you procure most of your cars at the auction?

CLINT JONES: We buy some at auction. We buy a lot of cars off the street. My dealership has been for about 15 years and, day one, we wanted the reputation that no matter what we'll put a number on every car. You know, you might not like the number I give you on your car, but I want the reputation that if you need to get rid of a car, go see that guy. He'll give you a number and he'll back it up with his checkbook on spot. So we buy a lot of cars off the street. We buy a lot of cars directly from other dealers, big dealers. I mean, you had spoken earlier about thinking about the liability on the insurance side with, with Mr. Butler. As big as some of those dealerships are, they still can't afford to hang on to all those used cars. I mean, you know, you, you start talking about \$25,000 a clip and you got a thousand of them out there, pretty soon, yeah, that's real money.

MOSER: Starting to talk government money.

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CLINT JONES: Senator money, right?

MOSER: No, that would be--

DeBOER: The other way.

CLINT JONES: Oh, oh, my bad.

MOSER: That would be a '72 Chevy with a lot of rust, that's what the senator have.

CLINT JONES: We-- and, and back to your point, there are, there are some pretty large dealer groups that for simplicity they, they will sell everything they sell through an auction. They don't want people coming directly to them and wholesalers and used car guys. But we have a few of those that will call us and say, hey, we're running these five cars through Omaha or Lincoln or whatever, they're right up your alley on what you're looking for. So we might go there to buy the car through the auction, but we knew the car was coming. So most of our inventory comes from the same small group of, of dealers.

BRANDT: OK, thank you.

CLINT JONES: You're welcome.

MOSER: Senator Ballard.

BALLARD: Thank you, Chair. Thank you for, thank you for being here, Mr. Jones, and for your willingness to serve. Is there different challenges in regulating used car dealerships opposed to new car dealership, or is a dealership a dealership?

CLINT JONES: No, there's absolutely different challenges. And it's, it's-- so I was a CFO for a car-- a franchise dealer group for 20 years. So I, I come from the accounting side, an open and independent dealership. And the challenges are huge. The two areas we see most is technology and training. The technology packages are used in dealerships like, like Tom McCaslin or Mike Anderson that was just up here. Those, those packages are upwards of \$70,000, \$80,000 a year, just to run the software. Well, used car dealers don't have that kind of horsepower. So we've got to figure out how to piece this \$59 a month QuickBooks package up with this over here that can print documents, with this lending platform over here. And we're piecing it

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all together. But the training side of it, the manufacturers-- in my opinion, from back when I was on the franchise side, the manufacturers do a good job with training. I mean, their people understand the product that they're selling, and they also handle a lot of compliance. You know, they, they make sure that at least the resources are there for, for a dealership to not have these challenges. On the independent side, what we've kind of found is that if you want that education, you have to go find it. Like it doesn't-- it's not part of a franchise agreement where people are required to do that. So big difference, yes.

BALLARD: As far as the regulation side goes, so is there-- you see a car lot pop up with maybe 15 used cars. Is that a, that, a problem in the industry, that people not getting the proper licensing, not going through the proper regulations?

CLINT JONES: So so our board has five investigators, they're, they're very good at what they do. They know the rules. Part of getting a license, they're going to sit down and talk with one of those investigators that is assigned to their geographic area. So we've got one in western, one in central western, one that handles central nebraska, and then we got one for Lincoln and one from Omaha. So before they get their license, they're going to set down and go through the rules and regulations and whatever else. But last year, a statute was passed where independent auto dealers are required to do continuing education now. So that helps, you know. So, I mean, you can't renew your license unless you do the continuing education. And then there's a new dealer class, so somebody that's applying for their first license, it's four-hour class. And, I mean, there's lot more education that's coming with it. And feedback has been really good.

BALLARD: Thank you.

CLINT JONES: Yeah. Good, good question.

MOSER: So, new dealers might not know all the nuances of what happens when you sell cars and what your responsibilities are, and so the training helps them follow the rules.

CLINT JONES: Mm-hmm. It does, and existing dealers too, Senator Moser, I mean.

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MOSER: Yeah, so they know what they can say in their advertising legally, and what they have to provide for disclosures and all those things.

CLINT JONES: Absolutely.

MOSER: But an independent car dealer has to be a pretty much a hustling businessman to keep cars coming in and keeping them going out because--

CLINT JONES: Yeah, we're made a little different, Mike.

MOSER: You're what?

CLINT JONES: We're made a little different.

MOSER: I have in my own business, I have some franchises. And some days I buy more stuff from customers that come in than what I sell.

CLINT JONES: And the biggest challenge to your point is, on the franchise side, you know, we had people that we could, you know, when you have a challenge, you fix it by giving that challenge to one of your people. I don't have anybody to give it to, you know. I mean, there's four of us, and the primary focus is handling their customer base and doing that. So when you have a challenge, you got to figure it out. But yeah, no, it's a good observation.

MOSER: OK. Any other questions from committee members? I think you've got one segment out on your sign.

CLINT JONES: I do?

MOSER: When I drive, I'm pretty sure the--

CLINT JONES: What are you doing out that late at night?

MOSER: Well, I drive-- it's that big lighted sign by the clock tower thing is your sign, I think.

CLINT JONES: Yeah, it is.

MOSER: And I see it, so it must be working when I drive by.

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CLINT JONES: I'll pay attention.

MOSER: Yeah. Probably cost you 50 grand.

CLINT JONES: You're probably right.

MOSER: Good luck.

CLINT JONES: Yeah.

MOSER: Any other questions? All right, thank you very much.

CLINT JONES: Yeah, you're welcome. Thank you, guys.

MOSER: Nice to see you again.

CLINT JONES: You bet.

MOSER: OK, is there anyone here to speak in support of Mr. Jones' nomination? Is there anyone to speak here in opposition to his nomination? Is there anyone here to speaking in the neutral? OK, seeing none, that'll close the hearing on Clint Jones. And that'll move us on to Steven Matus. Is that the proper pronunciation? Come on up.

STEVEN MATUS: Congratulations, not too many people get that right. Good afternoon. My name is Steven Matus, S-t-e-v-e-n M-a-t-u-s. Happily married, I have three adult children and eight grandkids, and new to Nebraska. I've been here about a year and a half. Prior to that, I've spent the last 23 or so years in Oregon. So full disclosure, I'm still a Ducks fan, but I'm working on it. I got a call a few months back to join the board, and I thought it was a great opportunity to, to get involved and represent my industry. I'm a general manager at Champion Homes in York. So the manufacture, factory-built structures and housing, so a little different I think than everybody else here. So again, I thought that was a good opportunity to get involved and maybe give back.

MOSER: So how many, how many manufactured home dealers are there in Nebraska? I mean, are there a lot?

STEVEN MATUS: I would say probably--

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MOSEER: Well, let me back up. You manufacture them, do you retail them yourself directly or do you sell them through dealers?

STEVEN MATUS: We have to sell through dealers. We can't sell directly to the public.

MOSEER: OK.

STEVEN MATUS: And the board actually handles the licenses for our salespeople at the factory. And to be honest, I don't know who handles the licensing for the independent retailer.

MOSEER: And they're, they're like modular and sectional kind of homes?

STEVEN MATUS: Yes, yes, we do the HUD code homes, which everyone's probably pretty familiar with. We also do IRC, which is the traditional building code for site-built homes. We do multi-story, multi-family.

MOSEER: So do you sell home packages with all the walls all nailed together and you get a stack of walls? Or is it all put together into a finished home?

STEVEN MATUS: No, it's all put together in a finished home. Yeah, there's, depending on the structure itself, there is the site work can vary. Sometimes you have to crane the roof in place and that sort of thing.

MOSEER: Yeah, if it's too hall-- too tall, the hall.

STEVEN MATUS: Right, right.

MOSEER: Yeah. Questions? See, we've learned something ourselves today.

STEVEN MATUS: Perfect.

MOSEER: We didn't know they regulated manufactured homes.

STEVEN MATUS: I didn't, either.

MOSEER: OK. No further questions? Thank you very much.

STEVEN MATUS: Perfect.

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MOSER: Appreciate your appearance.

STEVEN MATUS: Thanks, everyone.

MOSER: So is there anyone here to speak in support of Mr. Matus? Anyone here to speak in opposition to Mr. Matus? Anyone here to speak and the neutral about his nomination? Seeing none, that will close the hearing on Steven Matus and we'll ask Mr. McCaslin to come up. You gentlemen are all behaving so well and making this go so smoothly. We appreciate the brevity.

THOMAS McCASLIN: Thomas McCaslin, T-h-o-m-a-s M-c-C-a-s-l-i-n, Broken Bow, Nebraska. I'm the dealer principal of Gateway Motors, 20 years now. I don't know how, but it is. We have Chevrolet, Chrysler, Dodge, G3. This is my second appointment.

MOSER: OK, questions for Mr. McCaslin. Senator DeBoer.

DeBOER: We kind of did all our questions, you saw. We're sort of like-- but what have we not asked that we should ask? What would you like to tell us about what you guys do, what you think we should know so that you can do that you currently can't do. Since you've already been.

THOMAS McCASLIN: Since I've been on the board, we've actually, a lot of my counterparts have talked about the consumer protection, and I'll talk about the dealer protection side of it too. So since I've on the board, we've had two hearings for dealers that the manufacturers were trying to take the license away from them. And so we-- it was brought to us in a hearing and we both of them kept their dealerships and their franchises. So, you know, we also are able to maybe read through the lines a little bit and look and give our opinions that way too.

DeBOER: Thank you.

MOSER: So the motivation of a manufacturer to change dealers might be they could find a dealer that might sell more cars?

THOMAS McCASLIN: Performance, yeah. Yep.

MOSER: Does the dealer pay for the franchise when you buy it from Ford or whomever?

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THOMAS McCASLIN: No.

MOSER: But you just have an agreement that you'll sell certain brands of cars and that you will meet certain quotas and requirements or whatever.

THOMAS McCASLIN: Right. So they have a way to grade us. They call it an RSI, which is retail sales effectiveness, and--

MOSER: Wouldn't that be RSE?

THOMAS McCASLIN: It's weird.

MOSER: Yeah, OK.

THOMAS McCASLIN: Yeah, you would think so, but yeah. And so that basically, you know, they-- each dealer is based off of, in the automobile side of it, I, I shouldn't talk about trucks and that's because I don't know that much about it. But based off of what you sell compared to what the state average is. So even though I'm in Broken Bow, Nebraska, I'm compared to the dealers in Lincoln, you know for the state average.

MOSER: Well, you would have a little smaller market in Broken Bow though, right? Wouldn't they give you some dispensation?

THOMAS McCASLIN: No, they don't care. No, they do not.

MOSER: Would there be any dealers in little towns if you guys didn't stick up for some of them?

THOMAS McCASLIN: It would be a lot harder for the smaller dealers to survive without us, yes, yes.

MOSER: Senator Guereca.

GUERECA: Thank you for being here, sir, and for serving. So does that mean that the two hearings you had were from dealers outside of the metropolitan areas?

THOMAS McCASLIN: Nope.

GUERECA: They were both metro-based dealers?

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THOMAS McCASLIN: No, one was rural, one was metro. One was a big truck dealer, and the other one was a GM.

GUERECA: Thank you.

MOSER: Senator Storer.

STORER: Thank you, Chair Moser. So I'm a little bit fascinated as well on that, on the hearing process. So what authority then does your board then has final say? Or how does that process work in terms of--

THOMAS McCASLIN: It's, it's not final say, and we can have Josh jump in here if we'd like to, but we, we make a recommendation.

STORER: OK. To the agency?

THOMAS McCASLIN: Yes. To the manufacturers.

STORER: To the manufacturers. OK, interesting. Thank you.

THOMAS McCASLIN: Yes, thanks for representing us.

STORER: Absolutely. Broken Bow is my midpoint home, by the way. That's my stopping point, about halfway to actually where I live, even though that's--

THOMAS McCASLIN: Well, you can't miss me. I've got the biggest buildings right there at the stop-- first stoplight.

STORER: I know right where you're at.

THOMAS McCASLIN: The first of three stoplights.

STORER: Three of four in my entire district, by the way, I think.

MOSER: So what's going on in the auto business? Are electric cars slowing down a little bit in sales or--

THOMAS McCASLIN: Yes, they are. Yeah, my dealership in particular, I have had-- I am an EV dealer. I signed up for it voluntarily, which was the thing to do to play along with the manufacturer and--

MOSER: Well, you want to give them a chance.

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THOMAS McCASLIN: Right, yep. And I have retailed one electric vehicle in my-- since-- I think since 2022, basically, is when I became an electric dealer. I've had five I think in stock and dealer traded four of them out and retailed one.

MOSER: Were they hybrids or just full on EV?

THOMAS McCASLIN: Full on electric. Yep, and these were all GM Chevrolet products.

MOSER: Yeah, I rode in a hybrid over the weekend. I was at a business meeting. Man, that was quiet.

THOMAS McCASLIN: They have their place.

MOSER: Yeah, but--

THOMAS McCASLIN: The last couple of days was not their place.

MOSER: Yeah, you'd be running the heater and the meter would be going hiss.

THOMAS McCASLIN: Yes.

MOSER: Like that, yeah. OK, any other questions? Thank you very much. Appreciate your willing--

THOMAS McCASLIN: Thank you.

MOSER: What's that?

BOSN: Mine made it here just fine.

MOSER: You, you drive an electric.

BOSN: I do.

BALLARD: [INAUDIBLE].

DeBOER: Geeze.

GUERECA: Beau.

BOSN: Shots fired. Wow.

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MOSER: Is there anyone here to speak? Let's stick to the agenda here. Is anyone here to speak in support of Mr. McCaslin? Anyone here to speak in opposition to Mr. McCaslin? Anyone here speak in the neutral for Mr. McCaslin? Sure, come on up. The hearing's going too fast.

JOSH EICKMEIER: Oh yeah. I think you're the only one concerned about that.

MOSER: So, Senator Storer had a question about--

JOSH EICKMEIER: Real quick though, Josh Eickmeier, J-o-s-h E-i-c-k-m-e-i-e-r, Director of Motor Vehicle Industry Licensing Board.

MOSER: Did you want to ask your question about the dealerships?

STORER: Yes, thank you, Chairman Moser. In terms of like the hearing process, I was just curious sort of what role the board and the agency play with, you know, in between the manufacturer and the dealer. [INAUDIBLE].

JOSH EICKMEIER: So we-- there can be different types of hearings that we may hold depending on what the issue is. If we can issue a-- so essentially, it would be me as a director would review the investigation by our investigator, and the recommendation from the investigator may be a \$2,000 fine. So if I agree with that, then we would send the dealership basically a waiver that says you can pay the \$2,000 fine and waive your hearing or, if you would like to, you can come before the board for a hearing. We don't have too many of those. Typically the dealer will pay the fine and then the waiver-- then the board at our next meeting is made aware in our agenda, these were the fines that were levied, that were paid, and so on and so forth. What they're talking about specifically is the, with the franchise law in Nebraska is, is if a manufacturer is trying to either alter the, the area of responsibility of the dealership or they're trying to eliminate their franchise, we would also, the board would have that hearing. And the conclusion of that hearing would be, it's a quasi-judicial, where it's the APA, that agency decision by the board would then could be appealed to district court. They don't have to, but they would then-- in fact, we have one of ours, I believe, in front of the Supreme Court soon. That I'm just monitoring to see what the-- but at that point, it's out of our hands. The Attorney General's Office handles those. We just sit back and, and, and watch.

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STORER: So they have to go through the hearing process with your board first?

JOSH EICKMEIER: Yes, they can't skip us.

STORER: OK.

JOSH EICKMEIER: Typically when it's franchise.

STORER: You make a recommendation.

JOSH EICKMEIER: Well, I wouldn't call it a recommendation. It's a finding or a holding of the board. But that decision can be appealed by either party to the district court. And then it just works its way through the normal process.

STORER: So, and I don't know if this is a fair question. I don't mean to put you on the spot, but are there-- having been in the role you're in, are there updates for franchise laws that you think would be beneficial? Or do we have barriers that are being-- that are preventing growth in the industry?

JOSH EICKMEIER: As far as franchises specifically, I don't know that there'd be any changes that I would recommend, other than you need, you need somebody guarding the gate, just because the, the-- it's just like with other franchise laws you have, in alcohol, for example, franchise laws. You have a disproportionate balance of power between the parties. And so if, if you, you don't have the franchise laws in place and they're not being enforced, you know, you could see potentially a number of franchisees going out of business. You know, that happened, that attempted to happen in the past when, when the, the automakers had declared bankruptcy at one point. Well, through that process that potentially could have allowed them to eliminate franchisees, and they attempted to in some cases. And if it weren't for the board here and other states, you need somebody to, to put up a stop sign, say, hold on, we have a process for this. You can't just unilaterally do this. Make sure that the dealers are informed as to what their rights are. If they wanted to challenge that, they would have come before the board and we'd have that process. And it's a very thorough hearing. It's, as I say, quasi-judicial because it feels like a courtroom process. But, but ultimately, then the board would make

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that determination. And like I said, that decision could be appealed on up.

STORER: OK. One more question.

JOSH EICKMEIER: Yeah, absolutely.

STORER: Sorry, this is fascinating. So theoretically, I don't plan on opening a car dealership just for, you know, full disclosure here. But if, if I did, if I decided I want to get in the business, what does one do in the state of Nebraska to start that process to-- I mean, I assume that starts with your board?

JOSH EICKMEIER: Yes, absolutely. So I would direct you to our website, but on our website there is a-- we have a, where it says-- literally, it's a button that says, "become a dealer." And when you click on the button, it has the application itself, but it also has an instructional sheet and that talks about everything that's required in statute. So we always send people there first just because it will answer a lot of their questions. And then we always say, hey, call us when you've read this and what other questions you may have we can, we can answer. But it's, it's some of the statutory requirements for the facility, it has, has to be zoned for automobile sales. That can be an issue in some places. You have to have a sign. The letters have to be so big. It could get very detailed. But again, I think the intent of that was, you, you're trying to avoid the fly-by-night people that might just show up on the corner, sell you a car, and then it breaks down the next day and they're gone. You know, we require you-- that's why it seems somewhat mundane to say we require you to have a phone. It has to be listed with the, you know, a directory. You have to have-- maintain so many, 40 hours a week during those. That's the reason is because, again, as you mentioned, our board members and appointees talked a lot about the consumer protection component. And that's why that's all there, is so that-- because for a lot of people, if you never buy a house, if you ever buy a business, for example, your vehicles-- vehicle or vehicles that you buy throughout your lifetime are probably your most expensive tangible item that you're going to purchase. So for a lot of people, this is a big investment for them. The last thing you want to do is, is buy-- invest as much money, especially if you're doing a financing agreement where you're paying for this for a number of years and then you have an issue and you can't get a hold of somebody. You can't, you know, can't find a

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dealer or the dealership. You can find the person who sold you the car. That's one of the reasons why we, we also go after the people who are on the street selling cars. We call them "curbers," which is short for stone curbing, which is, you know, an old term. But basically if you're-- you'll see a car parked on the side of a highway, usually they're very busy highways where you see these vehicles because they want people to see their cars. But they'll have them on parked on, on the side of a road somewhere. The reason why we crack down on that is just because of the issue of they don't have a brick and mortar facility. When, when they sell you that vehicle, you may not, you know, suddenly their phone is disconnected and you can't get a hold of them and they just disappear in some cases. And so that's why the requirements we have for facilities, the statutes we have for consumer protection are all there to make sure that the customer has a recourse if they have an issue. And it doesn't mean that dealership necessarily did anything wrong, sometimes it's just a miscommunication. But we help facilitate those conversations to, to a remedy that everyone can be happy with, if possible.

STORER: I have one more question.

JOSH EICKMEIER: Of course.

STORER: The on the-- going back to the dates of the appointments, is there any reason that there's such a-- there's a variety. So some of these appointments were made in 2023.

JOSH EICKMEIER: Yeah.

STORER: Some as recently as, as '25.

JOSH EICKMEIER: I know that I just, I-- when we get notified of an appointment, that's when we know that it's been made. We don't have any control over the timing of it. We do-- we will communicate with the Governor's Office when we are getting down to our-- so we have 10 members, so 6 is a quorum. So as-- if we have vacancies, that is when we will get concerned just to make sure we fill the vacancies because, you know, you don't want to have seven people on the board that are, that are currently on the board, you go to the effort of, of planning your meeting, you book the hotel rooms, you do all the work for the meeting and then the morning of, two of them say they can't make it. And then now you can't, you can't transact business. And so we

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rather-- we want to be respectful of our board members' time, and so, as I know I think there was a lull in some of those appointments. But we're just happy that we're at full strength for the first time now in a while. And it is good to have 10 members because it makes scheduling meetings a lot-- like I said, we try to do at least quarterly. And we can now be planned accordingly and much better. So we're very pleased with our current situation.

STORER: Thank you.

JOSH EICKMEIER: Yeah.

MOSER: Other questions? How many cars can an individual sell in a year and not be a dealer?

JOSH EICKMEIER: So you have 8 in a 12-month period is the threshold. But when I say 8, those 8 have to be registered and you have to get a title in your name, you have to pay the sales tax, and then you can sell the vehicle.

MOSER: Oh, you can't just buy it and hold it and sell it to somebody else and skip the tax?

JOSH EICKMEIER: Correct, so that's called-- yeah, so that's called title jumping, is the term. It's a felony if you're interested. Just a heads up.

MOSER: Not interested in getting one.

JOSH EICKMEIER: If a friend of yours, if a friend of yours was thinking about, no.

MOSER: Yeah, I'm asking for a friend.

JOSH EICKMEIER: Correct, correct.

MOSER: He sells a few cars on the side.

JOSH EICKMEIER: So yes, and, and, and that's part of the incentive to being a dealer is that the dealers don't pay sales tax on those vehicles because they're in their inventory. And so we, when we do-- and again, we're administrative. So our focus is we want to educate people. So if we do hear of someone selling cars, we'll try to make contact with that individual and see, OK, one, are they just comp--

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had no idea of these requirements, and we educate them. We'll give them information to become a dealer. Here, here's the application and the process for that. And we try to, to get them on the right track and at least make them aware of what they're doing. Because obviously if you don't have to pay the sales tax, you know, there's a better margin on that, if you don't have to register the vehicle. But, but yes, title jumping is a problem because that's how you avoid paying the sales taxes. And so then that also becomes a Department of Revenue concern potentially.

MOSER: OK. Yeah, I knew a gentleman that once owned a franchise. And then when he retired, he'd buy and sell a few cars. And I was always wondering how he got away with that. But he must not have sold eight, because he didn't ever do time that I know of. Senator Brandt.

BRANDT: Yeah, that, that kind of spurred a question. So I'm from a very rural district and it used to be the local mechanic would go to the auto auction and, you know, 10-15 cars a year. And I think that all has evaporated because of the rules. Do you guys have like a small car permit for somebody that maybe wants to do 25 cars in a year or something like that, you know, that's far removed from, you know, the urban areas? Because we've got spots, and I know she's probably got the same thing in her district where you could be 50 or 100 miles away from a franchise dealership.

JOSH EICKMEIER: Right.

BRANDT: And so we kind of, you know, our local mechanics fix the cars and we aren't afraid to buy used. Does the licensing board have a special license for small or rural?

JOSH EICKMEIER: We don't.

BRANDT: Have you ever thought about that?

JOSH EICKMEIER: Once in a while, we'll get questions. I would call that more of a hobby license. I think the, the, the statute actually talks about how the dealer is, this is supposed to be their primary source of income. I mean, this is meant to be like, this-- if you're a licensed dealer, this is serious for you. This is, this is what you're doing as a business. It wasn't, I don't think, contemplated that it would be a hobby or, or you know, because and we do have some that may be they'll specialize in, in like classic cars, and so they're not

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moving them, they're not selling them as quickly. But we typically don't, you know, as far as meeting those requirements, we're also very much complaint-driven. And so even if you're not selling a lot of vehicles, we are not harassing you necessarily about your keeping hours. We just want to make sure that if someone tries to get a hold of you, you're available. And so some of those requirements may seem burdensome if you're only going to be selling, you know, five or ten, you know, vehicles a year. But as the statutes are, are currently written, that's unfortunately there is-- there isn't. The other one we get oftentimes is with the internet, I often say the internet ruins everything. But with the internet, you have people that want to be dealers but not have a physical dealership. And we said, well, we don't have a broker's license either available. And so in Nebraska, when it comes to that, we say, no. We want to be able to find you. We don't want to have to chase down an IP address on a computer. We want to have a brick and mortar building. And again, similar to what you see on the alcohol side with franchises, that they want us to have a manager who is in Nebraska, who is physically there, that's what we would expect. So that if our investigator comes to your dealership doing an investigation, they expect you or someone to be there or there's gonna be a note on the door that says, I'm at the auction, I'll be back at 2. We want something to be able to find you. Our investigators, you know, don't want to have their time wasted if you're not there. And if they check on you multiple times and you're never there, then we'll start looking at whether you're maintaining your hours and what's, what's going on. During COVID, we kind of laxed a lot of those requirements just because of everything else going on in the world. But now we, we-- at some point you have to stop using COVID as an excuse, although some people still try to. But that's where we, we are now. So to answer your question, no, we don't have a hobby license. But, you know, if that's something that I can talk to our board and see if they have an opinion on it, but we don't have that available now.

BRANDT: All right, thank you.

MOSEER: Along the lines of what Senator Brandt was asking about. So a mechanic has cars come in to get them fixed. The customer says, a car's not worth that much money to me, just keep it. So then if he fixes it and sells it, he can't sell more than eight cars without being a dealer?

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JOSH EICKMEIER: Correct. If he's not a dealer, we would expect him to have-- him or her to have the title put in their name, and then they would pay to have it registered and plated and, and titled, do all that process, and then that individual could sell up to 8 in a 12-month period. In those scenarios, we would encourage that person, you already have a facility that you're working at. See if the zoning would allow for it in your area to make that your dealership.

MOSER: It might be cheaper to pay the \$500 to be a dealer than to pay--

JOSH EICKMEIER: There are other expenses.

MOSER: --several thousand dollars on every car for sales tax.

JOSH EICKMEIER: Right. They would, they would still have to have a bond, they have to have insurance and such. But yes, generally speaking, we would say if you think you're gonna, you know, I don't know what that, what the, the sweet spot is as to how many vehicles before it makes sense, but we would encourage them to just get licensed and save themselves a headache. Because what will happen is they'll say, well, I'm only gonna do 8. Well, then this really sweet deal comes along that's 9 and 10 and 11, and then they find themselves in a tough spot. So just to do everything above board, the safe harbor would be to get the license.

MOSER: All right, thank you so much for your testimony.

JOSH EICKMEIER: Thank you. I'll get you--

MOSER: I think you need to fill out a green sheet.

JOSH EICKMEIER: Yeah, appreciate it.

MOSER: OK, is there anybody else to speak in the neutral? Our pages today are Kleh who is attending UNL and Luke who is attending UNO. We thank you for your service to the committee. And with that, that will finish our hearing for the Transportation and Telecommunications Committee.