

Assembly

MINUTES OF TRANSPORTATION COMMITTEE MEETING - 56TH NEVADA ASSEMBLY SESSION  
FEBRUARY 23, 1971

53

Present: Lowman, F. Young, Kean, Howard, Ashworth and Prince

Excused: Valentine

Chairman Lowman convened the meeting of the Transportation Committee with representatives of various companies and organizations present to testify on bills A.B. 285, A.B. 120, A.B. 258 and A.B. 279 at 11:00 A.M. in Room 240.

A.B. 285 -- Prescribes proper equipment and operation of motorcycles and establishes motorcycle driver's license procedure.

Bill Fitzpatrick, Safety Traffic Division, advised that the bill related to Chapter 483 of the present statutes. He stated that all comments he made before were unnecessary. Most of this bill is a duplication of Chapter 483 on motor vehicle licensing. The grandfather clause would need to be added to the bill. He felt that sub-section 2 of Section 18 should be rewritten.

Wayne Tetrault, Department of Motor Vehicles, made a statement on Sections 19 to 46 of the bill. (See Attached)

Brian Firth, private person, Carson City, objected to the following: Page 5, Section 34, lines 43 and 44, with the exception of police officers, Page 4, Section 26, sub-section 24, lines 46-49, no criminal intent if a person disobeys this law.

Darrell Capurro, Nevada Franchised Automobile Dealers Association, advised that representatives of the Automobile Dealers were interested in this bill.

A.B. 279 -- Licenses and regulates ambulance, air ambulance and school bus personnel and A.B. 282 -- Raises standards for ambulance personnel and equipment.

Howard Hill, Director, Department of Motor Vehicles, on A.B. 279, advised that they were going to come up with a new section for this bill. He questioned Page 1, Section 5, line 14, the word "License" is misleading in this section. There is question that it confuses drivers' license with the health division license. They cannot interpret the intent.

Mr. Warren Ross and Roger Trounday, Health, Welfare and Rehabilitation Department, questioned line 20. They advised that the Board of Health examines the attendants as to their proficiency but should have no responsibility on qualifications to operate a vehicle.

Ashworth suggested making this into two separate bills.

Ross again questioned if they were going to supervise the licensing for operation of these vehicles. He also suggested separating these into two bills.

Howard said that there were problems pertaining to the school buses. Prince said that he couldn't see any merit in the bill at all.

Young advised that the Department of Education was not represented although he felt they would probably want to be.

Capurro questioned air ambulances for transportation other than an ambulance if a seat were taken out.

Assemblyman Darrell Dreyer explained the purpose of the bill.

A.B. 282 — Chairman Lowman advised that Assemblyman Howard McKissick did not want to testify for this bill.

Marsha Giller, Aids Ambulance Service, Reno, advised that Section 1 is adequate, stating the age limit of drivers and attendants; she wanted to add a sub-section that there be a driver and an attendant. It does specify that the bill requires it and she feels that there should be two people — one driver and one attendant; Section B regarding first aid equipment for an ambulance should meet the standards of the American College of Surgeons Committee on Trauma. This should also be directed mainly to private ambulance services rather than public ambulance services. She also feels the driver should be over 21 and have a certificate. She suggested another change in the insurance coverage in sub-section 3, line 23, from \$25,000 public liability and property damage to \$500,000 plus \$500,000 mal-practice liability. She advised that it runs her firm about \$800 per year for five vehicles.

Howard felt that this should be with the regulatory powers and local entities on a county level.

Ron Cassingham, Inspector, Nevada Highway Patrol, felt that this bill would present some problems. He said we are duplicating the amendments, as A.B. 282 is an amendment of 202590 and A.B. 279 also amends 202590. He felt that Marsha Giller made some good points. Paragraph 1, C, regarding throwing out of equipment if it is 5 years old. The provisions of 282, if adopted, should be incorporated into 279 of the statutes. Line 13 "and not over 5 years old" should be stricken.

Young advised and it was agreed that the phrase refers to consumables.

A.B. 337 — Provides for the state's withdrawal from Vehicle Equipment Safety Compact. Dreyer explained the purpose of this bill.

Freddie Little, Deputy Director of the Department of Motor Vehicles, stated that they were interested in this bill. They need cheaper services than the American Association of Motor Vehicles Administrators can give to them.

Hill said that a lot of the standards have been encompassed into the Federal Highway Safety Act. The Administrators do the things that this Compact does but it costs the Department only \$500 per year while the Compact costs an additional \$1200 per year. The Department must give a year's notice to the Compact for resignation from the organization and the Department has budgeted to do so.

A.B. 338 — Makes "school bus" definitions in NRS consistent with each other. Dreyer explained the purpose of this bill.

Inspector Cassingham, advised that it would amend 43.16 as the bill is to be consolidated or amended and is exactly the same as in the 44 Section. The purpose would be to have one meaning for "school bus".

Capurro advised that he received a call from James Wood of Reno, operator of Tanner Lines, and that there are some problems concerning this bill. Lowman advised that it would be put on the agenda for Thursday, February 25.

A.B. 370 — Removes ambiguity from driver license law.

The public hearing was adjourned at 12:05 P.M.

Young moved to "do pass" A.B. 337 and 370 and to hold up A.B. 338, Ashworth seconded the motion, and the motion was unanimously passed.

Prince moved to indefinitely postpone A.B. 279, Ashworth seconded the motion, and it was passed unanimously.

Young moved to amend A.B. 285, Prince seconded the motion, and it was unanimously approved.

The committee meeting adjourned at 12:15 P.M.

cr

TESTOMONY BY A. WAYNE TETRAULT  
ASSISTANT HIGHWAY SAFETY COORDINATOR

STATE OF NEVADA

BEFORE THE ASSEMBLY TRANSPORTATION COMMITTEE  
LEGISLATIVE BUILDING  
CARSON CITY, NEVADA 89701  
February 23, 1971 - 10:00 A.M.

IN SUPPORT OF AB-285

My testimony is in two parts: first, shall be the Department's justification in support of AB-285 and secondly we have some suggested changes and additions to AB-285.

First of all, U.S. Secretary of Transportation John Volpe has instructed the National Highway Traffic Safety Administration to support and encourage all states to adopt a minimum licensing age of 16 to drive any type of vehicle.

At the present time only seven states, which includes Nevada, allow 14 year olds to be licensed to drive a powercycle. Two of these states also allow 14 year olds to drive automobiles.

Last year in Nevada we had 976 motorcycle riders involved in injury accidents. Their ages ranged from 3 years old to 70 years old.

The use of protective headgear has had very good results in reducing motorcycle related injuries and deaths. For example, in Ontario, Canada, a 35% reduction in deaths was experienced the first year their helmet law was in effect. Idaho showed a 12% reduction in injuries the first year their helmet law was in force. As of January 1, 1971, 42 states require all motorcycle riders to wear helmets.

In Nevada last year, 50% of our motorcycle deaths involved head injuries.

Many arguments are presented against the use of helmets such as:

Hearing and vision are reduced by wearing a helmet. The answer to this is that hearing is also reduced when a person is driving a car, probably more so. Helmets do not substantially reduce the field of vision and vision can be improved by wearing goggles or some other form of eye protection.

Page Two

Another argument is that helmets are uncomfortable -- all I can say to that is -- so are fatal head injuries. And, wearing a helmet is just a matter of getting used to doing.

Also, from time to time the question of Constitutional rights comes up. As of November 1, 1970, there have been 38 cases where headgear legislation has been upheld. This includes at least 3 U.S. Supreme Court decisions.

The cost of a helmet is often brought out against requiring the use of helmets. A good helmet costs approximately \$40.00, but this cost is substantially less than the medical cost associated with head injuries.

I would like to read a letter from James Wittenberg, the State Personnel Administrator.

We would now like to make some suggested changes and revisions in addition to those made by Mr. Fitzpatrick.

Page 4, Section 22, Paragraph 1 (line 28)

Paragraph 1 does not correspond to paragraph 2 in Section 22. Paragraph 1 deals with how a person shall ride a motorcycle. This paragraph should be Moved to Section 21 which also deals with the same subject.

Paragraph 2 of Section 22 should be moved to Section 24 which deals with arm signals. Actually paragraph 2 of Section 22 could be deleted as Section 24 says the same thing only in more detail.

Page 4, Section 26, Paragraph 2 (line 48)

Insert the words "securely fastened" between headgear and on the head. If a person does not fasten his chin strap the helmet could come off in an accident and he would not have the protection of the helmet.

Page Three

PAGE 5, Section 27 (line 9)

Insert the words "and transparent windscreens for motorcycles" between the words motorcycles and unless.

Section 26 requires the Department of Motor Vehicles to establish standards and this addition in Section 27 would be consistent with the wording in Section 26.

PAGE 9, Section 46 (line 36)

We would suggest that this act become effective January 1, 1972, to allow the Department of Motor Vehicles sufficient time to establish standards as required in Section 26.

We would like to recommend the inclusion of the following language in AB-285:

1. Every motorcycle ~~or power cycle~~ upon a highway of this state at any time from a half hour after sunset to a half hour before sunrise and at any other time when, because of insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead shall display lighted lamps and illuminating devices as respectively required in this chapter.

2. Every motorcycle ~~and power cycle~~ upon a highway shall be equipped with stop lights, turn signals and other signaling devices to be lighted in the manner prescribed for the use of such devices.

1. Every motorcycle ~~and power cycle~~ shall be equipped with at least one tail lamp mounted on the rear, which, when lighted as required by this chapter, shall emit a red light plainly visible from a distance of 500 feet to the rear.

2. Such lamp shall be wired to be lighted whenever the headlamp is lighted.

1. Every motorcycle ~~and power cycle~~ manufactured after January 1, 1972, shall

be equipped with electric turn signal lamps.

2. Such lamps shall be located on the front and rear and shall indicate an intention to turn by flashing lights in the direction toward which the turn is to be made.

3. The lamps showing to the front shall be mounted on the same level and as widely spaced laterally as practicable and, when signaling, shall emit white or amber light, or any shade of light between white and amber.

4. The lamps showing to the rear shall be mounted on the same level and as widely spaced laterally as practicable, and, when signaling, shall emit red or amber light, or any shade of light between red and amber.

# NEVADA

## STATE PERSONNEL DIVISION

GOVERNOR  
HOWARD E. BARRETT  
DIRECTOR OF ADMINISTRATION

PERSONNEL ADVISORY  
COMMISSION

WALTER D. JOHNSON  
CHAIRMAN

ORAN K. GRAGSON

ROBERT T. McADAM

MRS. HANNAH PALLUDAN

ORVILLE R. WILSON

JAMES F. WITTENBERG  
PERSONNEL ADMINISTRATOR

CARSON CITY

January 19, 1971

60

Mr. John McSweeny  
Highway Safety Coordinator  
Department of Motor Vehicles  
Carson City, Nevada

Dear John:

This is with reference to our recent discussion regarding the proposed legislation requiring anyone riding a motor bike to wear a helmet meeting prescribed safety standards.

A little over a year ago my oldest son was involved in an accident with an automobile while riding a motor bike. In reconstructing the accident it was evident that had my son not been wearing a helmet at the time of the accident he would have been far more seriously injured if not killed.

At the impact with the automobile he was hurtled into the side of the car striking head first.

We really didn't fully appreciate the necessity of a proper head gear until the accident at which time the absolute necessity of a helmet became very clear.

The extreme vulnerability and disadvantage at which a motor bike rider places himself at every intersection also became very clear to us,

Best regards,



James F. Wittenberg  
Personnel Administrator

JFW/yem



ASSEMBLY

AGENDA FOR COMMITTEE ON TRANSPORTATION

52

Date FEB. 23, 1971\* Time 10:00 a.m. Room 240

| <u>Bills or Resolutions<br/>to be considered</u> | <u>Subject</u>   | <u>Counsel<br/>requested*</u> |
|--|--|-------------------------------|
| <u>A.B. 285</u>                                  | <u>PRESCRIBES PROPER EQUIPMENT AND<br/>OPERATION OF MOTORCYCLES AND ESTAB-<br/>LISHES MOTORCYCLE DRIVER'S LICENSE<br/>PROCEDURE.</u> |                               |
| <u>A.B. 120</u>                                  | <u>AUTHORIZES DEPARTMENT OF MOTOR VEHICLES<br/>TO REGULATE NOISE EMISSIONS FROM MOTOR<br/>VEHICLES USING PUBLIC HIGHWAYS.</u>        |                               |
| <u>A.B. 258</u>                                  | <u>REQUIRES PROOF OF OWNERSHIP OF A<br/>VEHICLE BEFORE ISSUANCE OF CERTIFICATE<br/>OF REGISTRATION.</u>                              |                               |
| <u>A.B. 279</u>                                  | <u>LICENSES AND REGULATES AMBULANCE,<br/>AIR AMBULANCE, AND SCHOOL BUS PERSONNEL.</u>  |                               |
|  | <u>*SUPERSEDES PREVIOUS AGENDA<br/>FOR FEBRUARY 23, 1971.</u>  |                               |

\*Please do not ask for counsel unless necessary.

HEARINGS PENDING

Date \_\_\_\_\_ Time \_\_\_\_\_ Room \_\_\_\_\_  
Subject \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_ Room \_\_\_\_\_  
Subject \_\_\_\_\_