

MINUTES OF TRANSPORTATION COMMITTEE MEETING - 56TH NEVADA  
ASSEMBLY SESSION - MARCH 19, 1971

209

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

Excused: Ashworth

Chairman Lowman convened the meeting of the Transportation Committee with representatives of various companies and organizations present to testify on bills S.B. 257, 132, 135 and 136 at 11:00 a.m. in Room 240.

S.B. 132 - Clarifies provision governing compensable housing in federal aid highway projects.

John Bawden, State Highway Engineer, said that it was a meaningless bill. He discussed existing Federal and State laws regarding relocation. He said that they were required to move someone from an old shack and move them some place that is safe and sanitary. Congress passed the Federal Relocation Act on January 2, 1971. He said that S.B. 339 is a new bill which has been drafted and includes what is in S.B. 132 with fee payments in it which is no longer necessary. The Highway Department would like to see S.B. 339 passed if it comes out of the Senate committee.

Kean moved to indefinitely postpone S.B. 132, Valentine seconded and it was unanimously agreed.

S.B. 339 - Conforms Nevada law governing relocation payments and advisory assistance to persons displaced by construction of federal-aid highways with federal law.

(This bill has not come out of the Senate committee as yet.)

Bawden said that it conforms Nevada law to the Federal program. He then discussed the relocation costs involved.

Valentine referred to Page 2, line 5, and asked why there was a minimum of \$2,500 to move a business. He asked why we had to do exactly what they say.

Bawden said he felt it should be done exactly as written as the wording is exactly as in the Federal law.

Bawden then introduced William Raymond, Deputy, Attorney General and Counsel for the Department of Highways.

A discussion then took place.

Valentine referred to Section 5 and asked if this could be retro-active.

Raymond advised that it became effective on the date of the act of Congress.

S.B. 135 - Permits Department of Highways to reserve easements, rights, and interests in property that is sold or exchanged.

Bawden said that when they have excess property they would like to sell it and include restrictions for the property they are selling. An example would be the maintenance of a drainage ditch on the property, etc. He advised that if a person purchasing property from them was not advised or notified about the restrictions beforehand, then they would need to go to court in order to enforce any restrictions in order to conform with the Federal laws. He said that the Federal law says 660 feet is the restriction for a billboard from the highway.

S.B. 136 - Permits Department of Highways to acquire property for public parks, playgrounds, recreational grounds and sites adjoining highway or freeway rights-of-way.

Bawden submitted an amendment to "K" (see attached).

Discussion then took place.

Howard asked if they would maintain these or if the responsibility would be given to the citizens to maintain.

Bawden advised that they just acquired the land and may be required to help develop part of it but that the local entities will be responsible for maintaining it.

A.B. 683 - Increases public liability insurance required on short-term leased vehicles.

John Ciardella, Department of Motor Vehicles, stated they were in favor of the bill. If passed, 482.295 which has the same existing language should be amended to bring it more into line.

Discussion then resulted.

A.B. 665 - Extensively amends law governing garages, repair shops, and parking area keepers, automobile wreckers and abandoned vehicles.

Ciardella presented a complete revised copy (see attached) and advised that they would like it to read as it does in the revised copy if it does pass. They have changed Section A & B on Page 3, lines 9, 10, 11, 12 and 13. "A" - the Department of Motor Vehicles; "B" - the notice to be sent to the Sheriff of the county; and "C" - should be sent to the Chief of Police in a city. He further discussed notices to the Department of Motor Vehicles and the towing of vehicles. Page 2, lines 28-39, has been amended to in effect allow automobile wreckers, if

licensed by the Department, to sell used cars in their wrecking yards. He said that the cars needed to be inspected and then received an inspection certificate from the Department. They considered the definitions from 14 states regarding an abandoned vehicle. He read the definition.

Discussion then resulted.

S.B. 377 - Repeals unnecessary traffic law.

This is a technical bill out of the Senate Judiciary Committee and repeals 484.281.

Kean moved do pass, seconded by Young and passed unanimously.

Kean read 484.281.

Kean moved to do pass, Valentine seconded and it was unanimously passed that an amendment on staggered registration be added to A.B. 628.

The hearing was adjourned at 11:40 a.m.

S.B. 339 - no action taken since committee does not have the bill.

S.B. 135 - Howard moved to do pass, Kean seconded and it was unanimously passed.

S.B. 136 - Valentine moved to amend and do pass, Young seconded and it was unanimously passed as amended.

A.B. 683 - Valentine moved to indefinitely postpone. Discussion then resulted. There is a bill to repeal it. Kean seconded and it was agreed with all members of the committee with the exception of Young voting no.

A.B. 638 - Valentine submitted amendments. Discussion then resulted regarding 3,501 lbs. or more. On line 8, it would say after semi-trailer having a weight of 3,501 lbs. or more. Also taking out Section 5.

Kean moved to do pass as amended, Prince seconded and it was unanimously passed as amended.

A.B. 665 - Valentine moved to indefinitely postpone and Howard seconded. A discussion then resulted. Valentine said that one later section on the first page that they should notify the Department of Motor Vehicles, the Sheriff of the county and the Chief of Police if it is in the city. There is a section on Section 2, Page 2, "and signature" which is needed.

Lowman suggested getting a new bill. The committee members were unanimous for an indefinite postponement in favor of a

new bill.

The meeting was adjourned at 11:50 a.m.

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ASSEMBLY

AGENDA FOR COMMITTEE ON TRANSPORTATION

\*  
Date MARCH 19, 1971 Time 10:00 a.m. Room 240

207

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

S.B. 257

ESTABLISHES REGISTRY AND DRIVER'S  
LICENSE EXAMINATIONS FOR PERSONS WHO  
ARE BLIND, PARTIALLY BLIND, OR NIGHT  
BLIND.

S.B. 132

CLARIFIES PROVISION GOVERNING COMPEN-  
SABLE HOUSING IN FEDERAL AID HIGHWAY  
PROJECTS.

S.B. 135

PERMITS DEPARTMENT OF HIGHWAYS TO  
RESERVE EASEMENTS, RIGHTS, AND INTERESTS  
IN PROPERTY THAT IS SOLD OR EXCHANGED.

S.B. 136

PERMITS DEPARTMENT OF HIGHWAYS TO AC-  
QUIRE PROPERTY FOR PUBLIC PARKS, PLAY-  
GROUNDS, RECREATIONAL GROUNDS AND SITES  
ADJOINING HIGHWAY OR FREEWAY RIGHTS-OF-  
WAY.

\*SUPERSEDES PREVIOUS AGENDA FOR 3/19/71.

\*Please do not ask for counsel unless necessary.

HEARINGS PENDING

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

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

ASSEMBLY

AGENDA FOR COMMITTEE ON TRANSPORTATION

208

Date MARCH 19, 1971 Time 10:00 a.m. Room 240

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
A.B. 389	PROVIDES METHOD OF ALLOCATION OF COSTS OF RAILROAD GRADE CROSSINGS AND AUTOMATIC PROTECTION DEVICES.	
A.B. 577	MAKES CHANGES IN PUBLIC UTILITY LAW RELATING TO HEARINGS OF THE PUBLIC SERVICE COMMISSION.	

\*Please do not ask for counsel unless necessary.

HEARINGS PENDING

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

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

March 8, 1971

The Honorable Mel Close  
Chairman, Commerce Committee  
Legislative Building  
Carson City, Nevada

Re: Proposed Amendment, S.B. 136

Dear Senator Close:

At the hearing of this bill in the later part of February, your committee was informed by John Bawden, Nevada State Highway Engineer, that an amendment would be submitted so as to comply with certain requirements of the Federal Highway Act of 1970.

It is respectfully requested that the following language be inserted:

"(k) For public parks, playgrounds, recreational grounds and sites adjoining highway or freeway rights-of-way and acquisition of replacement housing sites; and acquisition, and rehabilitation, relocation, and construction of replacement housing."

Very truly yours,

JOHN E. BAWDEN-State Highway Engineer

By:

William M. Raymond, Deputy  
Attorney General, Assistant Counsel,  
Department of Highways

WMR:jqw

## AMENDMENT TO A.B. 665

SUMMARY - Extensively amends law governing garages, repair shops and parking area keepers, automobile wreckers and abandoned vehicles.  
Fiscal Note: No. (BDR 43-1822)

AN ACT relating to garages, repair shops and parking area keepers, automobile wreckers and abandoned vehicles; requiring reports on stolen or abandoned vehicles to the department of motor vehicles; modifying requirements for statements of charges for automobile repairs; clarifying the law governing the separate conduct of the businesses of used car dealer and automobile wrecking; adding a definition; providing penalties; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY,  
DO ENACT AS FOLLOWS:

SECTION 1. NRS 487.010 is hereby amended to read as follows:

487.010 1. Whenever any vehicle of a type subject to registration under the laws of this state has been stored in a garage or parked in a trailer park or parking area for 30 days or if the keeper of the garage, trailer park or parking area knows or can ascertain the ownership but has reason to believe that such vehicle is stolen, abandoned or secreted he shall immediately report the presence and license plate number of such vehicle by registered or certified mail, return receipt requested, to:

(a) The department of motor vehicles; and

(b) The sheriff of the county in which such vehicle is garaged or parked; or in the event, such vehicle is garaged or parked in an incorporated city, the chief of police of the city.

2. Upon receiving the notice set forth in subsection 1 of this section, the department of motor vehicles shall immediately:

(a) If the vehicle is registered in this state, notify the legal owner and any holder of a security interest who appears of record.

(b) If the vehicle is registered in another state, request from the appropriate agency of that state the name and address of the legal owner and holder of a security interest. If such names and addresses are obtained, the department of motor vehicles shall notify each of such persons. The department of motor vehicles may utilize local law enforcement agencies of the State of Nevada to obtain the necessary information.

3. Failure to comply with the provisions of subsection 1 renders any lien for storage in excess of 30 days void.

SEC. 2 NRS 487.035 is hereby amended to read as follows:

487.035 1. In every instance where charges are made for the repair of an automobile the person making such charge shall present to the person requesting the repairs of the person entitled to possession of the



## AMENDMENT TO A.B. 665 (Continued)

automobile a statement of the charges containing the following information:

- (a) The name and signature of the person authorizing or requesting the repairs;
- (b) A statement of the total charges;
- (c) An itemization and description of all parts used to repair the automobile indicating the charges made for each part;
- (d) A statement of the charges made for labor; and
- (e) A description of all other charges.

2. Any person violating this section is guilty of a misdemeanor.

3. No lien for labor or materials provided under NRS 108.267 to 108.360, inclusive, may be enforced by sale or otherwise unless a statement as described in subsection 1 has been given by delivery in person or by certified mail to the last-known address of the registered and the legal owner of the automobile.

SEC. 3 NRS 487.140 is hereby amended to read as follows:

Except as provided in subsection 2 a licensed automobile wrecker may be permitted to conduct a used car business in conjunction with his automobile wrecking business. Any automobile wrecker who wishes to engage in a used car business shall obtain a separate license therefor and may conduct such business from his place of business established for auto wrecking.

2. Any automobile wrecker who was licensed as a used car dealer on April 5, 1963, may continue to conduct a used car business after obtaining an automobile wrecker's license without renewing his used car dealer's license.

3. The department shall supply dealer's report of sale forms to such automobile wreckers. Upon the sale of any operable vehicle by the wrecker, he shall deliver to the purchaser a dealer's report of sale and immediately return to the department the certificate of dismantling issued by the department. Upon receipt of such documents, the department shall issue a certificate of ownership to the purchaser.

SEC. 4. NRS 487.210 is hereby amended to read as follows:

487.210 As used in NRS 487.220 to 487.270, inclusive, unless the context otherwise requires:

1. "Abandoned vehicle" means a vehicle that is left remaining on any

publicly maintained highway, street, alley, or on private property without the owner's or custodian's consent for more than 48 hours, a vehicle that is being stripped or vandalized, or any vehicle that a peace officer deems to be abandoned, regardless of the time.

2. "Department" means the department of motor vehicles.

SEC. 5. NRS 487.220 is hereby amended to read as follows:

487.220 1. It is unlawful for any person to abandon a vehicle on any publicly maintained highway, street, alley, or on private property without the owner's or custodian's consent.

2. The registered owner of any vehicle abandoned on any public property shall be responsible for the cost of removal and disposition of such vehicle.

SEC. 6 NRS 487.270 is hereby amended to read as follows:

487.270 1. Whenever a vehicle has been removed to a garage or other place as provided by NRS 487.230, the owner of the garage shall have a lien on the vehicle for the costs of towing and storing for a period not exceeding 90 days.

2. If the vehicle is appraised at a value of more than \$100 and is not reclaimed within 90 days, the owner of the garage may satisfy his lien, in accordance with the provisions of NRS 108.267 to 108.360, inclusive.

3. Any person who violates any provisions of NRS 487.210 to 487.270, inclusive, is guilty of a misdemeanor.