

SENATE COMMITTEE ON TRANSPORTATION

MINUTES OF MEETING

MONDAY, MARCH 8, 1971

HELEN HERR, CHAIRMAN

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The meeting was called to order at 1. P.M. by
Helen Herr, Chairman.

PRESENT: Senator Herr
Senator Monroe
Senator Drakulich
Senator Dodge
Senator Harris
Senator Pozzi
Senator Manning

GUESTS: Mr. Wayne Tetrault, Department of
Motor Vehicles
Mr. John Ciardella, Department of
Motor Vehicles
Mr. Bill Fitzpatrick, Department of
Motor Vehicles, licensing
Mr. W. F. Rudd, Nevada Franchise
Motorcycle Dealers
Mr. Frank Shattuck, Nevada Franchise
Motorcycle Dealers
Mr. Paul Cunningham, SDA School
Mr. Wilbur Clause, Reno Jr. Academy
Mr. Douglas Johse
Mr. Homer Rodriguez
Mr. John Flanders, Flanders Cycle and
Marine, Dealer, Carson City

The Chairman requested the representatives from
the Motor Vehicle Department to speak first on SB 87.

Mr. Bill Fitzpatrick, of the licensing division
of the Motor Vehicle Department was requested to speak
first. Mr. Fitzpatrick explained the procedure of
licensing.

Senator Dodge inquired if this was a department
bill, and also asked if Mr. Fitzpatrick had any objections

to the bill.

Mr. Fitzpatrick referred to page 2, section 11, line 25, which says: Every motorcycle and power cycle driver's license issued under this chapter shall expire on the second anniversary of the date of birth of the applicant occurring after June 30 next following the date of its issuance, or on the applicant's reaching 18 years of age, whichever is first, unless sooner revoked or suspended. He said one could be licensed at seventeen and a half under certain conditions.

Senator Pozzi inquired if this bill comes under highway safety; Mr. Fitzpatrick said that he was not in on that, there were portions in conflict. He said some-one overlooked that, and some said that we are too permissive. Mr. Fitzpatrick said that Mr. Tetrault would speak on highway safety.

The portion of the bill pertaining to helmets has been discussed with the committee, and does not pertain to 14 or 16 year olds.

Senator asked a question, and the reply was: "Nevada is one of the states that does not allow people under 16 to operate a motorcycle, that there will be Federal Standards for 16 year olds."

Senator Dodge inquired about fatalities.

Mr. Tetrault of the Motor Vehicle Department answered this by stating that there had been 24 deaths in the state, that some₂ of these were under sixteen.

He stated that last year the under sixteens represented seven percent of all the accidents involved. That age group, the seven percent was out of the 24% of the applicants.

Senator Dodge: What percentage did you say?

Mr. Tetrault said seven percent of all age groups. Out of the under 16 there were 1000 people involved, 13, 14, and 15 year olds.

The Chairman said she thought it quite vital that this committee have all the statistics in regard to fatalities and the number in each age group.

Mr. Tetrault said that as far as the department was concerned it is part of highway safety, we can get the number of licensees. The Chairman said she would be glad to have this information.

Mr. Tetrault said there was a similar bill in the Assembly, that they had met with them and discussed A.B. 285; that this bill was made in line with AB 285, on page 2, Sec. 13 that was changed to: "No person shall authorize or knowingly permit a motorcycle or powercycle owned by him or under his control to be driven upon any highway by any person who is not authorized by this chapter to drive a motorcycle and powercycle."

In other words no father could contract for a child to drive a motorcycle.

Mr. Tetrault then went through all of the amendments to the bill, copy of the amendments are attached hereto, and made a part of these minutes.

The Chairman recognized Mr. Hill, who said:
"When this bill was brought up before the committee when we met the first week in January with our division chief who was concerned with this, first, whether to lower the age from 16 to 14, with no restrictions, or else the law should be done away with; that this law is unenforceable; we do not have deputies to check on these things.

A former Traffic Judge of Las Vegas also spoke on the matter of enforcement.

Mr. Frank Shattuck, representing Nevada Franchise Motor Dealers, when we learned about this bill, that is the reason the association was being formed, after the introduction of AB 285. We would like to go on record we are 100 percent for them; that they had looked at the assembly bill and they submitted that the amendments that have been proposed should be included in your bill."

Mr. Bill Rudd, also representing Nevada Franchise Motorcycle Dealers spoke on the bill. He said that he represented the people; that they were very concerned individuals, business men, and responsible citizens of

our community; he said that forty percent of his business was in powercycles in the State of Nevada. That Nevada has the largest motorcycle sales in the United States, excepting Alaska. He said that a great many of cycles are engaged in school activities; that their attitude is that adult education should be involved; that he was engaged in a driver school aside from the business at hand. That with proper guide lines the State of Nevada should further cut down accidents; that they would back the cc minimum. We are backing the elimination of power cycles from the highway, but merely for adjacent highways. The State of Nevada is not equipped with public transportation. As far as accidents from my standpoint there are no more percentage wise.

Senator Monroe remarked that the purpose of this is to control people, another big problem is trying to enforce the laws where there are infractions, the police cannot chase kids on motorcycles.

Mr. Rudd said that they were trying to find some answer to this; inside or outside of the law. We also have a fifty miles speed limit on these when the cycle is on good level ground, we could legislate something in there to modify the powercycle. A true governor could limit the speed to a certain extent, at forty miles an hour, a cycle could not make Mt. Rose,

If you wanted to get up Washoe Hill you could not make it. There should be 100 cc on motorbikes; it is a light weight motorcycle, you might compare it with a motor like a Volkswagon. It is not a hazard, that 50 miles an hour is about the right speed to allow transportation to and from the home; we have grown and grown and we have transportation problems the same as traffic problems. There should be restrictions in certain areas, I don't believe a youngster should take off for Hawthorne or Las Vegas.

The Chairman remarked there should be some way the 14 or 16 year old should be restricted, but to enforce it would be another thing.

Mr. Rudd said quite true, something should be written into drivers licenses to make people aware of the motorcycle, a motorcycle should be the same as a car.

Senator Monroe asked: "What about the mufflers?"

Mr. Rudd said that they were backing something that does further than the muffler, I believe it is in the Federal law, a motorcycle part, we dealers feel that is our largest complaint.

Senator Monroe: "I think the noise is very bad." He said that was his pet gripe against the motorcycle. And Mr. Rudd said his pet peeve was the noise. There are things in the book on this, but it is a matter of

enforcement.

Senator Monroe said the noise was so bad you could hear them for forty miles, the sound goes all over the area.

The Chairman inquired about the muffler on the motorcycles.

Mr. Rudd said that was to break up the noise, but the kids like the racket of the motor. Mr. Rudd referred to the 16 and 18 year old, they are in high school, by and large, and they ride a motorcycle; they are able to buy a larger bike. The dealers feel that mororcycle are very vital to the children.

Mr. John Flanders, Flanders Cycle and Marine Dealer, Carson City was recognized by the chair.

Mr. Flanders stated that the number of ac cidents were seven fatalities out of the 24, who were under 15. He cited the death of a three year old who was riding with her father, after researching the records it was found that two boys, fourteen years of age were riding down the road; that a drunk approached from behind and killed them both, these boys were going 35 miles an hour; this man admitted to driving over a hundred miles an hour. Another case was down at Gardnerville, a boy was signalling for a left turn, a driver passed in a no pass zone, posted 25 miles an hour, he was going fifty miles an hour. It

I don't understand why these accidents are written up in the papers, the story appeared in the Carson City paper and further down in the article that there were three auto deaths and a bike death, but I don't think it is right. I am the father of two sons, 12 and 14, and have talked to them about this. One thing is that if a boy rides a motorcycle two years before he goes into an automobile, if he is going to injure someone he will be injuring himself. You take a boy just out of driver's school, and you let him drive an automobile, he does not realize the power of that car, and loads it up the first thing with a group of youngsters and shows them how fast he can drive. If he has ridden a motorcycle, he has learned to look to the left and to the right, and is prepared for the car.

Discussing recreation Mr. Flanders figured there were five thousand kids in this state; that they put in an average of 3,000 miles, it takes up their time and they stay out of trouble. He had talked to the Police Chief he said, and if there was an habitual offender they would take him off the road. Mr. Flanders said this would do more for the program, to take away from them the privilege of riding.

Referring to maintenance, a boy knows nothing about a car, he said he had seen people who did not know where the gas cap was, and many other things, but a boy learns maintenance the hard way when he starts with the motorcycle; that it keeps them alert.

Senator Monroe asked if a sixteen year old came in would you sell him a bike. If a kid comes in and says he wants that Honda, a dealer doesn't have much choice, he will go elsewhere if I do not sell it to him.

Mr. Flanders said that if an individual father came in he has to sign for the boy; that he will bring him through the powercycle, and then up to the power cycle, or a bigger size bike. After he is sixteen he can buy a \$350.00 or \$500.00 cycle. He said that when he was sixteen, and he knew from personal experience you ride a smaller bike first, then you go to the more powerful cycle.

Senator Monroe asked what about these provisions in Section 13?

Mr. Flanders said that most of these regulations have been on the books in Reno, Carson City and Las Vegas. He said he knew of a fellow who bought a Honda and had a muffler on his bike, he went for three weeks

around the school, and nobody said anything about it, then the very first day he took off his helmet he was caught, and you have never seen such a bitter kid for two years, but this was law enforcement; there is a helmet law, a law that says only one person shall ride on a cycle with one seat, but you watch fifty to seventy percent of them do it anyway. You know children, they are stubborn; if you give them an inch they will take a mile. He said that in conversation with the Chief of Police of Carson City, that he said, don't pass something you cannot enforce. In Las Vegas the other night when the Welfare demonstration was going on a man spoke to the fourteen to eighteen year olds, and that about seventy-five percent of that youth group was in that classification; that this age group has a little more drive, but most kids have to earn money to pay for their bikes. It is just like everybody else, we pass laws, speed laws of sixty miles per hour, and it is exceeded, and this from adults.

The witness was excused.

The Chairman announced that the Senate was about to meet; that it would not be possible to hear from any more witnesses, and thanked everyone for being present.

The meeting adjourned at 2 P.M. to await the further call of the chair.

Respectfully submitted,

E. Story, Secretary

APPROVED:

HELEN HERR, SECRETARY

SENATE

335.9

AGENDA FOR COMMITTEE ON TRANSPORTATION

MONDAY Date Mar. 8, 1971 Time 1 P.M. Room ~~205~~ 243

Bills or Resolutions to be considered

Subject

Counsel requested*

SB 117 <i>held</i>	Requires department of motor vehicles and Carson City assessor to perform registration duties in Carson City.	<i>Hold</i>
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SB 128 <i>Mar. 8</i>	Establishes minimum requirements for power cycles.	<i>Mar. 8-243</i>
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*Senator
Here, be
will be additions
any of the agenda ⁷⁰*

Xp ~~8-2-84~~

*Called Mr. Jendi Will be here.
Insur. people - oppose.*

*Please do not ask for counsel unless necessary.

HEARINGS PENDING

Date _____ Time _____ Room _____
Subject _____

Date _____ Time _____ Room _____
Subject _____

SB 87

AMEND AS FOLLOWS:

Amend Section 13, Page 2 by deleting Lines 33 through 36 and inserting:

" Section 13. No person shall authorize or knowingly permit a motorcycle or power-cycle owned by him or under his control to be driven upon any highway by any person who is not authorized by this chapter to drive a motorcycle and powercycle."

Amend Section 14, Subsection 3, Page 2, Line 46 by deleting "seat" and inserting "motor-cycle or powercycle."

Amend Section 16, Page 3 by adding:

"A person driving a motorcycle or powercycle shall ride only upon the permanent and regular seat attached thereto."

Amend Section 20, Subsection 2, Page 3, Line 21 by inserting after "headgear" and before "on" the words "securely fastened".

Amend Section 21, Page 3, Line 31 by inserting after "powercycles" and before "unless" the words "or transparent windscreens for motorcycles or powercycles."

Amend Section 24, Page 3 and 4 by deleting Section 24, Subsection 1 and 2 and inserting:

"Section 24. Every motorcycle or powercycle shall be equipped with brakes adequate to control the stopping and holding as prescribed in NRS 484.593 and 484.595."

Amend Section 30, Page 4, Line 27, by deleting "both of".

Amend Section 33, Subsection 4, Page 5, Line 2 by deleting "the operators and chauffeur's licensing law" and inserting after "provisions of" "NRS 483".

Amend the bill as a whole by inserting:

"Every motorcycle or powercycle upon a highway of this state at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, because

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Page Two

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 illuminated devices as respectively required in this chapter.

Every motorcycle or powercycle upon a highway shall be equipped with stop lights and turn signals to be lighted in the manner prescribed for the use of such devices.

Every motorcycle or powercycle 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.

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

Every motorcycle or powercycle manufactured after January 1, 1972, shall be equipped with electric turn signal lamps.

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.

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.

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."

"This act shall become effective on January 1, 1972."