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H E A R I N G

M I N U T E S -- 57th Session

Assembly

ENVIRONMENT & PUBLIC RESOURCES AND FISH & GAME COMMITTEE-Room 214

March 26, 1973

Members Present: Chairman Bremner                      Banner  
                    Vice-Chairman Crawford                     Broadbent  
                    Ford     Jacobsen  
                    Gojack    Lowman

Members Absent: Smalley

Guests Present: Frank W. Groves                      Nevada Fish and Game Department  
                    Fred Wright    Nevada Fish and Game Department  
                    Bill Parsons    Nevada Fish and Game Department

Chairman Bremner called the meeting to order at 8:15 a.m. and stated that the purpose of this hearing is to hear testimony on A.B. 515, which states:

Provides for licensing of powerboat operators. \*

Mr. Frank Groves, Director of the Fish and Game Department of Nevada testified in accordance to A.B. 515. He read a prepared statement, which is attached.\* Also attached with the prepared statement are tables of Boating Statistics in Nevada.\*

QUESTIONS:

Chairman Bremner asked if they had any statistics as to how many residents of Nevada, and non-residents of Nevada have been in boating accidents. Mr. Bill Parsons answered his question by testimony below.

Bill Parsons, Chief of Law Enforcement of the Fish and Game Department, talked about the drownings in lakes and rivers, in Nevada, of Californians. He said they did not have a written or figured statistic for this type of thing.

Mrs. Ford asked if they were involved with the Lake Mead Program that is happening, and Mr. Parsons answered that they are jointly. Then Mrs. Ford asked how many body of waters in Nevada they have controls on and where do most accidents take place. Mr. Groves answered that they are responsible for all waters in Nevada, such as Lake Tahoe, Pyramid Lake, Lake Mead, and more. In answer to where most of the accidents happen, Mr. Parsons answered that there are significant number of accidents that occur at Pyramid Lake and Lake Tahoe is somewhat down in that category.

Chairman Bremner asked if he could give some principle reasons for the problems of drownings and such, and Mr. Parsons said that weather conditions have a lot to do with it. Seven lives have been

\* see Ex I

\* see Ex II

lost in total this year.

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Mr. Groves mentioned that this bill is over our capabilities at the present time to handle both spacewise, personnelwise and financewise. He said that the five dollar fee would not help staff or anything.

Mr. Lowman explained that he had this bill prepared, and the reasons for it was because of rapid growth and need for legislation very shortly. He said that it would be better to get ahead on a matter such as this, instead of behind, and the legislature has got to face growth and reareational facilities for areas such as this.

Dr. Broadbent asked if they knew of any other states who license powerboats, and Mr. Parsons answered that he knew of none in the western part of the country..

Dr. Broadbent also mentioned about a voluntary boat safety program, and mentioned that there are great problems in this matter of boat safety. A decal was mentioned to put on the boats after such a course of boat safety is taken. Mr. Parsons said that there are boat facilities that are available such as the Red Cross, U.S. Coast Guard, and others that are on a voluntary program. With this, Dr. Broadbent, who has a boat, said he had never known about these programs, and Mr. Parsons suggested that maybe they ought to make it better known about them to the public.

Mrs. Ford asked Mr. Parsons to explain the Nevada Boat Act, and their responsibilities involved with it. Mr. Parsons explained that under the Nevada Boat Act, they have the responsibility of

- 1) registering motor boats
- 2) titling section
- 3) patrols--safety patrolling
- 4) inspection of boat equipment
- 5) administering raises - and more

At the present time there are 15 full-time wardens in this state responsible for wildlife laws, as well as boating laws.

Chairman Bremner then asked the committee to discuss it for a decision on it.

Mr. Lowman reconsidered the bill, and said that he would not want try to get into the law a bill which they don't have money to handle it in the budget for.

The Chairman brought up on section 6, paragraph 2, that this would mean that Californians would have to buy licenses for their power boats so they could boat in Nevadan waters.

Mr. Crawford moved for an "indefinite postponement" on A.B. 515 and Mr. Jacobsen seconded it. All members concurred except Mr. Lowman.

Chairman Bremner brought out discussion on three possible committee introduction bills. The first one was the Litter Control Act,\* and Mr. Lowman said that he brought it out and it is essentially the Wash-

\* A.B. 849 (BPR 40-1850)

ington Act about something pretty similar to the Bottle Bill.

Dr. Broadbent moved that this bill be introduced by the committee, and Mrs. Ford seconded. All concurred.

The next bill <sup>\*</sup> read: removes requirement that certain money received by Nevada department of fish and game be deposited in interest-bearing accounts; and prescribing accounting procedures. Mr. Jacobsen moved for committee introduction, and Mrs. Ford seconded his motion.

The last bill <sup>A</sup> removes disposal procedure for certain old hunting and fishing records. Dr. Broadbent moved for committee introduction, and Mr. Jacobsen seconded.

Chairman Bremner announced that now that the Assembly is meeting early in the morning, that for some of the big hearings, that they will have to meet about 6:30 or 7:00 a.m. for their hearings. Cannot have them in the evenings, because of other committees meeting at that time. The members agreed, but only if necessary should they do this.

Dr. Broadbent mentioned that he had gone to Lee Canyon ski area, and has slides that he would be glad to show the committee sometime. He said that there is a lot of enthusiasm and interest with the people down there in Lee Canyon, and they are really concerned about what happens to it.

Chairman Bremner motioned for adjournment and Mr. Jacobsen seconded his motion. The hearing came to a close at 8:55 a.m. until next Monday morning at 8 a.m. in room 214.

Respectfully submitted,

*Geanie Armstrong*

Geanie Armstrong  
Assembly Attache

\* A.B. 848 (BDR 45-1609)

Δ A.B. 851 (BDR 45-257)

ASSEMBLY  
H E A R I N G

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COMMITTEE ON ENVIRONMENT & PUBLIC RESOURCES

Date MARCH 26, 1973 Time 8 a.m. Room 131

Bill or Resolution  
to be considered

Subject

A.B. 515

Provides for licensing of powerboat operators.

Boat Operator Licensing - A.B. 515

The Department of Fish and Game is responsible for the enforcement of the Nevada Boat Act and the promotion of safety for persons and property in and connected with the use, operation and equipment of vessels. The Department is also responsible for the administration of the Registration and Boat Title Act.

In carrying out these responsibilities, the Department has established boating safety patrols on the waters of the State; has conducted boat safety inspections; and, is working closely with Coast Guard Auxiliaries and Power Squadrons in presenting courses in boating safety to the public. The overall boating program has been accelerated through the use of Federal assistance funds that became available in June, 1972. We have been able to replace several over-age patrol boats through the use of these funds.

Fish and game wardens issue warnings, court citations, or make arrests when necessary for infractions of the State boating laws. Recently, there has been a significant decrease in the reckless boat operation and speeding categories. Largely, this reduction is attributed to increased boating safety patrols. The fact that our patrol boats are operated openly and are plainly marked acts as a deterrent to all classes of violations.

In 1971, 53 boating accidents were reported -- these resulted in 11 deaths, 8 injuries and \$106,500 in property damage. Major types of accidents were grounding, capsizing, fire or explosion of fuel, and collision with another vessel. Most accidents occurred where the operator was 26 to 50 years of age; young operators, under 18, were involved in less than 10 percent of such accidents.

Since there aren't comparable boat operator licensing laws available for study and analysis, the Nevada Driver's License Division has been used for comparison and to assess the impact of Assembly Bill No. 515. The Division conducts original and renewal drivers license examinations throughout the State. Examiners are stationed in Carson City, Elko, Ely, Fallon, Winnemucca, Las Vegas, North Las Vegas, and Reno. Other areas in the State are served by traveling examiners. Of the 65 positions in the Division, 31 are classified as examiners and 27 as clerical positions. The Reno office has reported that the average application for a driver's license requires three fourths to one hour for processing.

If the Department of Fish and Game, Division of Enforcement, was responsible for powerboat operator licensing pursuant to the provisions of A.B. 515, facilities and staffing comparable to the Drivers License Division would be needed except on a reduced scale. Such facilities and staff are not available to the Department of Fish and Game at present.

Based on an estimated 60,000 resident and nonresident powerboat operators, the \$5 operator license fee would provide an annual income of \$75,000 to be used only for the enforcement of the Act. In accordance with the Nevada Revised Statutes, such monies are required to be deposited for use during the following fiscal year; consequently, funds would not be available to implement the Act and it is doubtful that the income derived from the issuance of licenses would be sufficient in the following years to carry the program forward.

The National Association of State Boating Law Administrators, representing 47 state boating jurisdictions, the Virgin Islands and Puerto Rico, recently reaffirmed their position that boat operator licensing would have no appreciable effect on reducing boating accidents and would siphon off monies needed for

meaningful boating safety programs; that boat operator licensing was of minimal benefit and maximum administrative complexity and cost. As partial substantiation of this position by the Association, numbered boats in these jurisdictions have increased from 4.5 million to 5.5 million during the last 5 years; yet, the number of accidents decreased from 4,113 to 3,909 during the same period.

In our judgment, increased boating safety patrols combined with a positive education program in boating safety would more effectively control the boating violations and accidents in Nevada and would be less expensive than an operator licensing program.

STATE OF NEVADA  
DEPARTMENT OF FISH AND GAME

BOATING STATISTICS - NEVADA

TABLE I. Boating Accidents

<u>Year</u>	<u>Boats Numbered</u>	<u>Reported Accidents</u>	<u>Number of Persons</u>		<u>Amount of Damage</u>
			<u>Killed</u>	<u>Injured</u>	
1966	11,149	45	8	9	\$ 72,500
1967	11,016	17	3	2	28,500
1968	12,954	43	2	10	32,600
1969	14,833	26	5	6	36,800
1970	15,813	32	4	4	123,900
1971	17,325	53	11	8	106,500

TABLE 2. Types of boating accidents and number of vessels involved.

<u>Type of accident</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>
Grounding	13	3	11	3	5	9
Capsizing	3	4	2	5	3	6
Flooding	-	1	5	3	10	3
Sinking	5	1	4	2	2	2
Fire or explosion of fuel	5	-	6	4	3	14
Other fire or explosion	1	2	-	-	-	-
Collision with another vessel	11	2	13	8	2	12
Collision with fixed object	5	4	2	1	1	4
Striking floating object	2	-	1	1	2	1
Other casualty to vessel	1	-	2	1	1	2
Falls overboard	-	1	-	1	2	1
Falls within boat	-	-	-	1	-	-
Struck by boat or prop	-	-	-	-	2	-
Crushing	-	-	-	-	-	-
Other	-	-	3	-	-	3

TABLE 3. Age of operator of all vessels involved in accidents.

<u>Age of Operator</u>	<u>1968</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>
Under 12 years	0		0	0	1
12 to 18 years	0		2	4	3
19 to 25 years	5		2	6	6
26 to 50 years	33		18	32	32
Over 50	5		6	6	9
Unknown	4		3	3	17
No operator	2		2	8	6



TABLE 4. Citation record for boat operating categories.

<u>Violation Classification</u>	<u>1967-68</u>	<u>1968-69</u>	<u>1969-70</u>	<u>1970-71</u>	<u>1971-72</u>
<u>Operation:</u>					
Reckless	11	40	27	12	8
While intoxicated	0	1	0	1	0
Without observer, after hours	18	15	23	9	14
Speeding, restricted area	51	44	11	19	8
Within restricted area	3	0	4	7	7
Overloading	0	1	1	0	1
In swimming area	0	1	0	0	2
Sub-Total	83	102	66	48	40
Citations, All					
Boating Categories	223	295	236	242	340

ENVIRONMENT AND PUBLIC RESOURCES & FISH AND GAME COMMITTEE  
57th Session

BILL NO.: A.B. 515 DATE: March 7, 1973  
SPONSOR: Committee on Environment & Public Resources  
SUBJECT: Provides for licensing of powerboat operators.

COMMITTEE ACTION DATE: March 26, 1973  
AMENDMENT: YES \_\_\_\_\_ NO X  
AMENDMENT PROPOSED BY:  
SECONDED BY:

COMMITTEE VOTE	YES	NO	EXCUSED	ABSENT	NO VOTE
BREMNER	X				
FORD	X				
GOJACK	X				
BANNER	X				
BROADBENT	X				
CRAWFORD	X				
JACOBSEN	X				
LOWMAN		X			
SMALLEY				X	

DISPOSITION: DATE: March 26, 1973

DO PASS: Motion: Mr. Crawford  
DO PASS AS AMENDED: Second: Mr. Jacobsen  
INDEFINITELY POSTPONED: X

NOTES: