

Assembly

TRANSPORTATION COMMITTEE MINUTES
February 27, 1973

Present: Messrs. Glover, Smalley, May, Bickerstaff, Dreyer,
Jacobsen, Howard

Absent: None

Guest Speakers: Assemblyman Demers, State Legislature
Mr. Fred Wright, Fish and Game Department
Mr. Leonard Winkelman, Motor Vehicles
Mr. Howard Hill, Motor Vehicle
Mr. James Lambert, Nevada Highway Patrol
Mr. William Fitzpatrick, Motor Vehicle Dept.
Mr. Robert Guinn, Nevada Motor Transport Assn. &
Nevada Franchised Auto Dealers Association

Mr. Glover called the meeting to order at 4:00 p.m. He distributed copies of a letter he had received from the Fish & Game Department concerning A.B. 71, and he also distributed amendments to A.B. 89, which he said would be scheduled for comments at a later date. (See Attachment I)

The first order of business was A.B. 71. Mr. Demers, Assemblyman, said he would like to testify since he was one of the sponsors on the bill. He gave a resume of the bill and added that the Fish and Game Department might have amendments which they would like to submit. He said the bill would help cut down on the amount of money used to track down people who have not paid their taxes on watercraft.

Mr. Fred Wright, Fish and Game, said he would like to make a few comments. He stated that in reference to the letter earlier distributed, that this bill would impose on boat owners and slow down the process of getting the serial numbers to them. He said he would like to submit an amendment for clarification in line 12, with the wording "as provided by assessors". Mr. Demers added that as far as money was concerned the cost would increase slightly, but only in postage and maybe some secretarial help. He said that it was possible that the State would actually make more money by having more people pay the taxes.

Mr. Leonard Winkelman, DMV, then began testimony on A.B. 156. He stated the purpose of this bill was to attempt to amend Chapter 483. There would be a change on page 2, with the addition of a section to prohibit the issuance or renewal of a driver's license to those people who failed to appear in court for a traffic violation. He said the person would receive a license as soon as he had rectified the problem with the court. Mr. Smalley asked about the contingency of someone being ill on the court date and not making an appearance. Mr. Winkelman said he did not think the court would notify the Department in this type of case. Mr. Hill clarified this by stating that the Department had to be notified by the court before any action would be taken concerning this type

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of matter. Mr. Lambert added that in Las Vegas alone, there are approximately 80 warrants a month to be served.

A.B. 159 was the next order of business. Mr. James Lambert, Nevada Highway Patrol, stated the intent of the bill was for clarification of legal authorization of the Highway Patrol to set up road blocks. He said at the present time the law was not explicit enough. He added that California has this law in effect at this time.

Mr. Lambert continued with testimony on A.B. 162. He stated that under the present statutes the wording is not clear on the jurisdiction of the Highway Patrol. He gave an example of the case where an offense might be occurring in a parking lot and is observed by an officer. He said the law does not give definite authority to the officer to arrest the offender. If a case like this was ever challenged, the question would be "Are Highway Patrol Officers exceeding their authority?". He submitted an amendment which was distributed to Committee members. (See Attachment II) He said this amendment would also clarify the right of an officer to apprehend a felon from another state. There was a short discussion period.

Mr. William Fitzpatrick, DMV, spoke on S.B. 114. He said the bill was merely to add the requirement of a driving test before a license would be issued after a suspension. He then explained the change which was made by the first reprint.

Mr. Glover then began a discussion on A.B. 46 by stating that testimony had already been taken on the bill, but Mr. Guinn and Mr. Jacobsen had some amendment they wished to submit concerning the bill. Mr. Guinn and Mr. Jacobsen then elaborated on the changes which are: line 3, the word "shall" to "may"; line 9, the addition of "National Highway Traffic Administration"; line 10, the word "shall" to "may"; line 12, deletion of the line; lines 21 - 23, deletion of the lines; page 2, lines 1 - 12, all deleted.

Mr. Glover thanked the audience for their attendance and asked for a motion on A.B. 71.

A.B. 71 - Mr. Howard made a motion to indefinitely postpone the bill and Mr. May seconded the motion. Unanimous vote to "indefinitely postpone".

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A.B. 156 - Mr. May made a motion for do pass and was seconded by Mr. Smalley. Unanimous vote for "do pass".

A.B. 159 - Mr. Dreyer made a motion for passage and Mr. May seconded the motion. Unanimous vote for "do pass".

Mr. Bickerstaff brought up a question on a limit of time for the road block as concerning A.B. 159. There was a short discussion and voting on the bills continued.

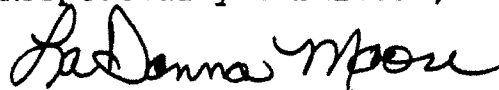
A.B. 162 - Mr. May made a motion for amending and passage of the bill. Mr. Jacobsen seconded the motion. Unanimous vote for "amend and pass".

S.B. 114 - Mr. Smalley made a motion to pass on first reprint and Mr. Dreyer seconded the motion. There was a discussion and the vote was unanimous for "do pass".

A.B. 46 - Mr. May made a motion to amend and pass and was seconded by Mr. Bickerstaff. Unanimous vote (except for Mr. Dreyer who had excused himself) for "amend and pass".

Mr. Glover asked if there was more business. There was none. Mr. Bickerstaff made a motion to adjourn and Mr. Howard seconded the motion. Mr. Glover adjourned the meeting at 4:50 p.m.

Respectfully submitted,



La Donna Moore
Assembly Attache

/lm

ASSEMBLY

AGENDA FOR COMMITTEE ON TRANSPORTATION

Date Feb. 27, 1973 Time 4:00 p.m. Room 336

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
A.B. 71 <i>Post</i>	Requires proof of satisfaction of personal property tax obligation as condition to registration and numbering of watercraft.	
A.B. 156 <i>No Pass</i>	Prohibits issuance of original or renewal drivers' licenses to applicants who fail to appear in court for motor vehicle violations.	
A.B. 159 <i>No Pass</i>	Permits temporary road blocks for vehicle inspection.	
A.B. 162 <i>No Pass</i>	Increases jurisdiction of members of Nevada highway patrol.	
S.B. 114 <i>No Pass</i>	Enables dept. of motor vehicles to require examination as a condition to reinstatement of licenses after suspension.	

*Please do not ask for counsel unless necessary.

HEARINGS PENDING

Date _____ Time _____ Room _____
Subject _____

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Subject _____

Section 1. NRS 482.550 is hereby amended to read as follows:

482.550 [1. It[shall be] is unlawful to sell or deliver any used automobile or other vehicle, within the State of Nevada, when such vehicle is not registered in the State of Nevada and has displayed on it a vehicle license plate or plates issued by another state or nation. [,unless the vehicle is sold and delivered to a bona fide resident of another state or nation and the vehicle is to be immediately removed from the state of Nevada.] The Actual cost of [licensing and] registering the vehicle in Nevada shall be paid by the purchaser of the vehicle.]

[2] 1. Every person, firm, association or corporation [selling] purchasing [or delivering] any vehicle [described in subsection 1] which has displayed on it a vehicle license plate or plates issued by any state or nation [~~before selling or delivering, after sale,~~ any such vehicle] shall immediately, after accepting delivery or possession thereof, remove from such vehicle any such license plate or plates and turn in such plate or plates to the department [at the time of registration in the State of Nevada] of motor vehicles or an authorized agent of the department.

[3] 2. Any person violating any provision of this section [shall be] is guilty of a misdemeanor.

SECTION 1. NRS 481.180 is hereby amended to read as follows:

481.180 The duties of the personnel of the Nevada highway patrol [shall be] are:

1. To police the public highways of this state, and to enforce and to aid in enforcing thereon all the traffic laws of the State of Nevada. [~~]; and they shall have the powers of police officers with respect to traffic law violations and other offenses committed over and along the highways of this state.~~] They have the powers of peace officers:

(a) When enforcing traffic laws; and

(b) with respect to all other laws of this state when:

(1) In the apprehension or pursuit of an offender or suspected offender;

(2) making arrests for crimes committed in their presence or upon or adjacent to the highways of this state; or

(3) making arrests pursuant to a warrant in the officer's possession or communicated to him.

2. To investigate accidents on all primary and secondary highways within the State of Nevada resulting in personal injury, property damage or death, and to gather evidence for the purpose of prosecuting the person or persons guilty of any violation of the law contributing to the happening of such accident.

3. To act as field agents and inspectors in the enforcement of the motor vehicle registration law (chapter 482 of NRS).

4. To act as field agents, inspectors and instructors in carrying out the provisions of the operators' [and chauffeurs;] licensing law (chapter 483 of NRS).

5. To act as field agents and inspectors of the department of ⁷⁶ motor vehicles in the enforcement of the motor vehicle carrier law (chapter 706 of NRS).

6. To act as field agents and inspectors of the Nevada tax commission in the enforcement of the laws of this state relating to the imposition and collection of taxes on gasoline used in and for motor vehicles on the public highways of this state (chapter 365 of NRS).

7. To act as field agents and inspectors of the Nevada tax commission until July 1, 1959, and thereafter of the department of motor vehicles in the enforcement of chapter 366 of NRS relating to the imposition and collection of taxes on special fuels used in and for motor vehicles on the public highways of this state.

8. To act as field agents and inspectors in the enforcement of the laws relating to motor vehicle safety responsibility, [power cycles,] motorcycles and garages, repair shops and parking area keepers (chapter 485, 486 and 487 of NRS).

9. To perform such other duties in connection with each and all of the above-specified duties, and consistent therewith, as may be imposed by the director of the department of motor vehicles.