

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

Absent: Mr. May (Absent due to Government Affairs meeting.)

Speakers: Mr. Howard Hill, Department of Motor Vehicles (DMV)
Mr. Virgil Anderson, American Automobile Association
Mr. James Lambert, Nevada Highway Patrol

Chairman Glover called the meeting to order and stated the first order of business to be A.B. 83.

Mr. Howard Hill, DMV, was the first speaker on A.B. 83. He said the purpose of the bill was to clarify Chapter 202, and Chapter 41, NRS, as well as, changing the designation of the director of the Nevada Highway Patrol to chief. He added that A.B. 271 and A.B. 272 would effect lines 22 and 23, page 2, on A.B. 83. He said A.B. 271 and A.B. 272 would change the numerical structure of the Highway Patrol and the bills were referred to the Ways and Means Committee. He said the bill drafter would automatically amend the bills to conform.

Mr. Hill also testified on A.B. 36. He distributed some amendments (See Attachment I) the Department had prepared on the bill and proceeded to explain that the purpose of the bill was to change the licensing and registrations of new residents. Mr. Jacobsen suggested that the Committee might be able to review the amendments better if they were put in the context of the bill and asked if Mr. Hill could arrange this request. Mr. Hill said he would be happy to do so. Mr. Glover reset the bill for a hearing on Tuesday, March 27.

Mr. Virgil Anderson, AAA, said he would like to reiterate his opposition on the bill. (A.B. 83) He said he could understand the fact that the Department of Motor Vehicles could have a problem with the staggard registration. He then gave a short background on the bill before stating his main objection. He felt that out of state workers would definitely encounter problems with the registration specifications in the bill. He said that even with the amendments the bill would be unfair to the workers coming into the state for temporary employment with a state contractor because they would be required to obtain a new registration and license plates for their cars. This does take a good deal of time and red tape. Then after leaving they would be required to register again, with the state from which they came.

He said he was not as concerned with the fee which the individuals would have to pay, as he was with the red tape involved in the license plate transfer. He completed his testimony by saying he would certainly support the drivers' license change, but felt the registration fee was unduly cumbersome.

S.B. 77 was the next order of business. Mr. Hill said the chief of registration was not present to testify on the bill due to other meetings being held simultaneously. He made a few brief statements and then asked Mr. Glover if the bill could be rescheduled at a later date. Mr. Glover said he would reset the bill.

Mr. Hill also testified on S.B. 86. He said the bill would change Chapter 482 in regard to the place a hearing could be held (now Carson City) concerning an appeal of the revocation of a vehicle dealer's license. He said the wording would be changed to read that the hearings could be held in the county in which the dealer resided. The change was due to the inconvenience of the dealers being required to leave their cities and go to Carson City.

Mr. Glover asked if there was any further business to be brought before the Committee. There was none. Mr. Glover then thanked the audience, and said there would be a two minute recess.

After the meeting was resumed, Mr. Glover stated that Mr. Hill had some proposed legislation he would like the Committee to introduce. Mr. Glover distributed one of the proposals (BDR-43-1829, See Attachment II)* for the Committee's review. After discussing the bill, it was decided that there would be a Committee introduction.

Mr. Bickerstaff stated that he, too, had a proposal for Committee introduction (See Attachment III). There was a brief discussion and Mr. Bickerstaff made a motion to have the proposal (BDR 35-206)^o introduced by the Committee. Mr. Howard seconded the motion and the vote was unanimous for a Committee introduction.

Mr. Glover asked if the Committee would like to vote on two of the bills.

A.B. 83 - Mr. Dreyer made a motion for do pass and Mr. Smalley seconded the motion. The vote was unanimous for "do pass".

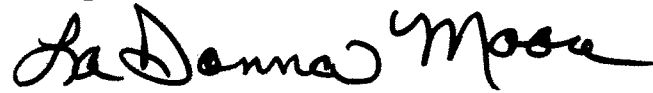
S.B. 86 - Mr. Dreyer made a motion to pass. Mr. Bickerstaff seconded the motion. All votes were made for "do pass".

* A.B. 802

o A.B. 845

Mr. Glover said S.B. 77 and A.B. 36 were to be held and asked for further business. There was none. Mr. Bickerstaff then made a motion to adjourn and Mr. Smalley seconded the motion. Chairman Glover adjourned the meeting.

Respectfully submitted,



LA DONNA MOORE
Assembly Attache

/lm
Attachments

Supersedes March 22, 1973

ASSEMBLY

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AGENDA FOR COMMITTEE ON TRANSPORTATION

Date March 22, 1973 Time 4:00 Room 336

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
A.B. 36	Amends provisions concerning motor vehicle operation and licensing and driver's licensing for new residents.	
A.B. 83	Changes designation of director of Nevada highway patrol to chief.	
S.B. 77	Provides time limits for surrender of documents and license plates of vehicles rendered unfit for highway use.	
S.B. 86	Permits appeal of denial or revocation of vehicle dealers license in district court of person's residence.	

*Please do not ask for counsel unless necessary.

Agenda

ASSEMBLY

~~HEARING~~

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COMMITTEE ON TRANSPORTATION

Date March 22nd Time 4:00 Room 336

Bill or Resolution
to be considered

Subject

AB 36

hold

Amends provisions concerning motor vehicle operation and licensing and drivers' licensing for new residents.

AB 83

no Pass

Changes designation of director of Nevada highway patrol to chief.

AB 89

hold

Requires removal of license plates of another state or country before vehicle is sold or delivered in Nevada.

SB 77

hold

Provides time limits for surrender of documents and license plates of vehicles rendered unfit for highway use.

SB 86

no Pass

Permits appeal of denial or revocation of vehicle dealers license in district court of person's residence.

1. Page 1, Line 3, Section 2

Delete: Lines 3-5 and add the following:

"non resident" for the purpose of this chapter includes a student whose legal residence is not in this state and who is in Nevada to attend an educational institution or a person whose legal residence is not in this state and who maintains a legal residence in a border state which is contiguous to Nevada border even if such person is regularly employed within the State of Nevada.

2. Page 1, Line 6

Changed to read: "Resident" for the purpose of this Chapter shall include, but not be limited to, the following:

3. Page 1, Lines 11 and 12

Delete lines 11 and 12 and add the following:

The provisions of section 3 shall not apply to vehicles operated in this state under the provisions of any reciprocity agreement made by the department or to vehicles entitled to proportional registration under the provisions of Chapter NRS 706.801 to 706.861, inclusive, or NRS 482.385 to 482.395, inclusive.

4. Page 1, Lines 15 and 16 - (except for the first work "state" in line 15)

Delete: or who occupies, or permits immediate members of his family to occupy, a place of residence or business within the state.

5. Page 1, Line 18

Add: by a Nevada employer

6. Page 1, Lines 19 and 20

Delete: Lines 19 and 20

7. Page 2, Lines 39 and 40

Delete: "After becoming a resident"

8. Page 2, Lines 42-47

Delete: Lines 42-47 and add the following:

A person registering a vehicle pursuant to the provisions of subsection 3 shall be assessed the registration fees and privilege tax, as required by the provisions of Chapter 371 and Chapter 482 of NRS. He shall be allowed credit on said taxes and fees for the unused months of his previous regis-

tration. The fee discussed in 482.480, section 10 shall not be prorated.

Those fees that are to be prorated will be prorated based upon Nevada Registration fees and privilege taxes and reduced by one-twelfth for each month remaining on the registration period in the State of former residence.

9. Page 3, Line 19

Changed to read: "Resident" for purpose of this chapter shall include, but not be limited to the following:

10. Page 3, Lines 28 and 29

Delete: or who occupies, or permits immediate members of his family to occupy, a place of residence or business within the State.

11. Page 3, Line 31

Add: by a Nevada employer

12. Page 3, Lines 32 and 33

Delete: Lines 32 and 33

13. Page 3, Lines 43-49

Lines 43-49 be deleted and add the following:

When a person becomes a resident of Nevada as defined in NRS 482 and NRS 483 he must obtain a Nevada Driver License as a prerequisite to driving any Motor Vehicle in the State of Nevada.

14. Page 4, Lines 7 and 8

Delete: 7 and 8

SUMMARY--Provides for hearing prior to suspension of driving privileges for violation of implied consent law.
Fiscal Note: No. (BDR 43-1829)

AN ACT relating to motor vehicles; providing an opportunity for a hearing prior to suspension of driving privileges for violation of the implied consent law; 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 484.385 is hereby amended to read as follows:

484.385 1. If a person under arrest refuses to submit to a required chemical test as directed by a police officer under NRS 484.383, none shall be given; but the department of motor vehicles, upon receipt of a sworn written statement of such officer that he had reasonable grounds to believe the arrested person had been driving a vehicle upon a highway while under the influence of intoxicating liquor and that such person refused to submit to such test upon the request of such officer, shall immediately [:] notify the person by mail that his privilege to drive is subject to suspension and allow him 15 days after the date of mailing such notice to make a written request for a hearing. If no request is made within such 15-day period, the department shall immediately:

- (a) Suspend such person's license or instruction permit to drive for a period of 6 months;
- (b) If such person is a nonresident, suspend his privilege to drive a vehicle in this state for a period of 6 months and inform the appropriate agency in the state of his residence of such action; or
- (c) If such person is a resident without a license or instruction permit to drive, deny to such person the issuance of a license or permit for a period of 6 months after the date of the alleged violation.

2. If the affected person requests that the hearing be continued to a date beyond the 20-day period set forth in subsection 1 of NRS 484.387, the department shall issue an order suspending the license, privilege or permit to drive a motor vehicle, which suspension shall be effective upon receipt of notice that the continuance has been granted.

3. The [revocations] suspension provided for in subsection 1 shall become effective 10 days after the mailing of written notice thereof by such department to any such person at his last-known address.

4. Notice of intention to suspend, notice of an order of suspension and notice of the affirmation of a prior order of suspension provided in NRS 484.387 is sufficient if it is mailed to the person's last-known address as shown by any application for a license. The date of mailing may be proved by the certificate of any officer or employee of the department of motor vehicles who is 21 years of age or older, specifying the time of mailing the notice. Such notice is presumed to have been received upon the expiration of 5 days after it is deposited, postage prepaid, in the United States mail.

Sec. 2. NRS 484.387 is hereby amended to read as follows:

484.387 1. [Except as provided in subsection 2, any person whose license or permit has been suspended, or if the issuance thereof has been delayed, pursuant to NRS 484.385 may request a hearing before the department of motor vehicles, and such hearing shall be afforded him in the same manner and under the same conditions as are provided in subsection 10 of NRS 483.470.] If a request for a hearing is made within the appropriate time, the department of motor vehicles shall afford the person an opportunity for a hearing to be conducted within 20 days after receipt of the request. The hearing shall be conducted in the county wherein

the accused resides unless the parties agree otherwise. The director of the department of motor vehicles or his agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a reexamination of the accused.

2. The scope of such hearing shall be limited to the issues of whether a police officer had reasonable grounds to believe such person had been driving a vehicle upon a highway while under the influence of intoxicating liquor, had been placed under arrest, and had refused to submit to the test upon the request of the police officer. [Whether such person was informed that his privilege to drive would be suspended if he refused to submit to the test shall not be an issue.] Upon an affirmative finding on each of the issues, the department of motor vehicles shall issue an order suspending the license, privilege or permit to drive a motor vehicle, unless the suspension order has already been made, in which case the order shall be affirmed. If a negative finding is made on any of the issues then no suspension shall be ordered or the prior suspension order shall be rescinded, as the case may be.

3. If , [the suspension or determination that there be a denial of issuance is sustained] after such hearing, an order of suspension is issued or a prior order of suspension is affirmed the person whose license , privilege or permit has been suspended [, or to whom a license or permit has been denied,] shall have the right to a review of the matter in district court in the same manner as provided by NRS 483.520.

SUMMARY--Extends description of State Highway Route 33 from Sutcliffe to Warrior Point county park at Pyramid Lake. Fiscal Note: No. (BDR 35-)

AN ACT to amend NRS 408.555, describing State Highway Route 33, by extending such route from Sutcliffe to Warrior Point county park in Washoe County, Nevada; 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 408.555 is hereby amended to read as follows:

408.555 Route 33 begins at a point on Route 1 at Reno, thence northeasterly along Wells Avenue, thence northeasterly to Pyramid Lake at [Sutcliffe.] Warrior Point county park.

Sec. 2. This act shall become effective upon passage and approval.