



Nevada Legislature

ASSEMBLY

TRANSPORTATION COMMITTEE MINUTES
March 30, 1973

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

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

Speakers: Mr. James Lambert, Nevada Highway Patrol
Mr. B. J. Silva, Department of Motor Vehicles
Mr. Leonard Winkleman, Motor Vehicle Dept.
Mr. Hale Bennett, Department of Motor Vehicles

Chairman Glover called the meeting to order and stated the first order of business to be S.B. 111. He asked if anyone would like to speak.

Mr. James Lambert, Nevada Highway Patrol, spoke on S.B. 111. He said the purpose of the bill was to clarify the circumstances under which an officer was legally empowered to remove a vehicles stopped, standing or parked on the highways. He gave an example of an instance regarding the removal of a vehicle. He gave reasons for the changes in the bill in detail. Mr. Smalley asked what a "reasonable time limit" was considered for a person to remove his own vehicle. Mr. Lambert said that if the car was completely off the highway, the Highway Patrol would usually wait about 24 hours. However, if the vehicle was considered a traffic hazard and no note of explanation had been left on the vehicle, it would be towed away immediately. A discussion regarding "reasonable time" was held. Mr. Lambert said it would depend on the circumstances as to what would be considered a "reasonable time". He said this bill was mainly to clarify the authorization because the Highway Patrol would still be allowed to tow the vehicles away as provided in present statutes of NRS.

Mr. Glover asked for speakers on A.B. 158. Mr. Lambert also testified on this bill. He said this bill was to clarify language. (Mr. Glover had distributed amendments before the meeting. (See Attachment I) Mr. Lambert said the proposed amendments to the bill would clarify previous questions which the Committee discussed.

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Some words in the bill had been added to standardize definitions throughout NRS. He explained the changes made by the amendments which were submitted by the Department. Mr. B. J. Silva took the floor to explain "special mobile equipment". He said the purpose of the definition was to clarify. The definition was taken from the American National Institute and is accepted all over this country.

A.B. 606 was the next order of business. Mr. Glover said it was Mr. Dreyer's bill and asked him to speak. Mr. Dreyer said he had some amendments he would like to submit. (See Attachment II) Mr. Hale Bennett, DMV, explained the reason for having two alphabetical lists. He said this was due to the immense amount of information which the lists contained. He added that the lists were put on microfilm to save time and condense the amount of space they would normally require. Mr. Bennett said the Department had no objections, but he thought that by the time of the next session, there would be agencies with less than two hundred employees that would require the list. He said that if there was no limit, over two hundred agencies would require the lists.

Mr. Jacobsen asked how long it would take to obtain the information if the list were not in possession? Mr. Bennett said it would take about 20 seconds by phone. A discussion on different aspects of the bill was held. Mr. Bennett explained how the microfilm process is utilized whenever information is requested. Mr. Leonard Winkleman, DMV, said he does not want it to appear the Department is opposed to the bill, but felt that it would be discriminatory to limit the availability of the list to certain agencies.

Mr. Winkleman began his testimony on A.B. 598. He said the Department had no objections to the bill. Mr. Dreyer asked if additional fee would be over and above the regular cost? Mr. Winkleman said "yes" just as it would when concerned with an automobile special plate. Mr. Jacobsen asked if any problems had arisen concerning special plates? Mr. Winkleman said only if the name was of an objectional nature. He said if the submitted word was a duplication, the Department would contact the individual and discuss a change. Mr. Glover made the comment that the Department had something over the courts, they could define "obsenity".

Mr. B. J. Silva, DMV, distributed amendments to A.B. 695. (See Attachment III) The amendments were intended to clarify some language. He read and explained each amendment.

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Mr. Smalley asked if there would be any conflict on A.B. 695 due to the effective date, January 1, 1973? Mr. Silva said it would be almost impossible to change certain systems in the older motorcycles to comply with the bill. The motorcycles manufactured this year are already changed or can be easily fitted with signal lights. He added that the bill would still meet federal requirements.

Mr. Winkleman spoke on S.B. 115. Mr. Winkleman said the bill would lower the number of points a person would have before having to take the traffic safety school. He said studies of the effectiveness of the school has proven that the school is of benefit. The school is not mandatory, but a person may lose their license if they do not attend. The bill would also limit attendance to the school for the purpose of reduction of points to one time per year.

Mr. Glover asked if any further business was to be brought before the Committee, there was none. He announced there would be a short recess.

Upon resumption of the meeting, voting on the bills began.

S.B. 115 - Mr. Smalley made a motion to pass and Mr. Bickerstaff seconded the motion. The vote was unanimous for "do pass".

A.B. 695 - Mr. Howard made a motion to amend and pass. Mr. Jacobsen seconded the motion. The vote was unanimous for "amend and pass". Mr. Dreyer pointed out a possible error in Section 1, subsection 2, of the need of a comma after the word "lights" instead of a period. Mr. Glover said he would discuss this with the bill drafters.

A.B. 598 - The Committee conducted a discussion on the bill. Mr. Bickerstaff said he would like to add motorcycles to the bill. All agreed. Mr. Bickerstaff made a motion to amend the word "motorcycles" into the bill and Mr. Howard seconded the motion. Unanimous for "amend and pass".

A.B. 606 - Mr. Dreyer made a motion to pass as amended. Mr. Glover asked if there was a second. The motion died for lack of a second. Mr. Jacobsen made a motion to indefinitely postpone. Mr. Dreyer seconded the motion. Unanimous for "indefinitely postpone".

S.B. 111 - Mr. Jacobsen made a motion to pass. Mr. Howard seconded the motion. Unanimous for "do pass".

A.B. 158 - Mr. Glover said Bob Guinn had worked with the Department of Motor Vehicles to prepare the amendments. Mr. Jacobsen made a motion to pass as amended. Mr. Howard seconded the motion. Unanimous vote for "do pass as amended".

S.B. 258 - Mr. Glover said this bill is to be held by wish of the Senate Committee for discussion.

A.B. 86 - Mr. Glover explained amendments concerning the bill. After a lengthy discussion Mr. Bickerstaff and Mr. Howard said they felt there was really no opposition to the bill. Mr. Howard made a motion to concur with the Senate. Mr. Bickerstaff made a second. Another discussion on the time limit was held. Mr. Glover asked for a vote. The vote was unanimous to "concur".

Mr. Bickerstaff made a motion to adjourn and Mr. Smalley seconded the motion. Chairman Glover officially adjourned the meeting.

Respectfully submitted,



LA DONNA MOORE
Assembly Attache

/lm
Attachments

AGENDA FOR COMMITTEE ON TRANSPORTATION

Date March 29, 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. 158	Adds and clarifies definitions in traffic laws.	
A.B. 598	Permits issuance of special license plates for trailers.	
A.B. 606	Requires the department of motor vehicles to provide lists of license plate codes and registered owners to law enforcement agencies within this state.	
S.B. 111	Provides additional circumstances calling for police removal of vehicles stopped, standing or parked on highways.	
S.B. 115	<i>100 Pass</i> Provides for suspension of driver's license if licensee charged with certain offenses and provides changes in traffic safety school program.	
S.B. 258	Restricts use of studded tires.	

*Please do not ask for counsel unless necessary.

AGENDA FOR COMMITTEE ON TRANSPORTATION

Date March 29, 1973 Time 4:00 p.m. Room 336

Bills or Resolutions
to be considered

Subject

Counsel
requested*

AB 695

Postpones requirement for motorcycles
to be equipped with turn signals.

Section 1. Chapter 484 of NRS is hereby amended by adding thereto the provisions set forth as Sections 2 to 6, inclusive, of this act.

Sec. 2. "Divided highway" means a highway divided into two or more roadways by means of a physical barrier or dividing section, constructed so as to impede the conflict of vehicular traffic traveling in opposite directions.

Sec. 3. "Mobile Home" defined.

1. "Mobile Home" means a vehicular structure which is built on a chassis or frame, is designed to be used with or without a permanent foundation, is capable of being drawn by a motor vehicle and may be used as a dwelling when connected to utilities.

2. May be used permanently or temporarily for the advertising, sales, display or promotion of merchandise or service.

Sec. 4. "Roadway" means that portion of a highway which is improved and ordinarily used for vehicular traffic, exclusive of the shoulder.

Sec. 5. "Rural area" means the area of the state which is not included within an urban area.

Sec. 6. "Urban area" means the area encompassed within the city limits of a city which has a population of 5,000 or more as determined by the last-preceding national census of the Bureau of the Census of the United States Department of Commerce.

Sec. 7. NRS 484.013 is hereby amended to read as follows:

484.013 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 484.015 to 484.217, inclusive, and sections 2 to 6, inclusive, of this act have the meaning ascribed to them in such sections.

Sec. 8. NRS 484.037 is hereby amended to read as follows:

484.037 "Commercial vehicle" means every vehicle designed, maintained or used primarily for the transportation of property [.] in furtherance of commercial enterprise.

Sec. 9. NRS 484.089 is hereby amended to read as follows:

484.089 "Official traffic-control device" means every sign, signal, marking and device not inconsistent with this chapter or prohibited by law, placed or erected by a public authority or railroad for the purpose of regulating, warning or guiding traffic.

Sec. 10. NRS 484.091 is hereby amended to read as follows:

484.091 "Owner" means a person [,other than a lienholder, having the property in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.] who holds the legal title to a vehicle. The term includes a conditional vendee or lessee, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof, with or without the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee. The term also includes a mortgagor, in the event of a mortgage of the vehicle, when the mortgagor of a vehicle is entitled to possession.

Sec. 11. NRS 484.173 is hereby amended to read as follows:

484.173 1. "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved upon a highway, including but not limited to scoopmobiles, forklifts, ditch-digging apparatus, well-boring apparatus and road construction and maintenance machinery such as asphalt graders, bituminous mixers, bucket loaders, tractors other than truck tractors, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earth-moving equipment.

2. "Special mobile equipment" does not include house trailers, dump trucks, truck-mounted transit mixers, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

3. The director may make an individual determination as to whether any particular vehicle, not specifically listed in subsections 1 or 2, falls within this definition.

Sec. 12. NRS 484.205 is hereby amended to read as follows:

484.205 "Traffic-control signal" means any official traffic-control device, whether manually, electrically or mechanically operated, placed or erected by a public authority [,] or railroad, by which traffic is alternately directed to stop or proceed.

Sec. 13. NRS 484.215 is hereby amended to read as follows:

484.215 "Two-directional highway" means [a] an undivided highway upon which vehicles are allowed to proceed in opposite directions.

Sec. 14. NRS 484.309 is hereby amended to read as follows:

484.309 [Whenever any highway has been divided into two highways by leaving an intervening space or by a [physical] barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every] Every vehicle driven upon a divided highway shall be driven only upon the right-hand roadway and [a vehicle] shall not be driven over, across or within any [such] dividing space, barrier or section nor make any left turn, semi-circular turn or U-turn, except through an opening in such physical barrier or dividing section or space or at a crossover or intersection established by a public authority.

Sec. 15. NRS 108.267 is hereby amended to read as follows:

108.267 As used in NRS 108.270 to 108.360 inclusive, "trailer" means every vehicle defined in NRS 482.110, 482.125, [and] 484.069 [.] and section 3 of this act.

Sec. 16. NRS 484.039 and NRS 484.049 are hereby repealed.

A.B. 606

Section 1, subsection 3, should read as follows:

3. The director shall provide without charge, compiled lists of motor vehicle license plate codes to law enforcement agencies which employ more than 200 persons within the State of Nevada. Two compilations shall be supplied to the agencies.

/lm

Summary: Postpones requirement for motorcycles to be equipped with turn signals.

Section 1. NRS 486.251 is hereby amended to read as follows:

486.251 1. Every motorcycle operated 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 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 illuminating devices as respectively required in this chapter.

2. Every motorcycle operated 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.

Section 2. NRS 486.271 is hereby amended to read as follows:

486.271 1. Every motorcycle manufactured after January 1, [1972] 1973, which is sold or offered for sale and which is intended to be operated upon the highways of this state shall be equipped with electric turn signal lamps.

2. 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.

3. 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.

4. 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.

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Amendments to Assembly / ~~SENATE~~

Bill / ~~SENATE~~ No. 86 (BDR 43-115)

Proposed by Committee on Transportation

MAR 27 1973

Amendment **NO** **364**



Amend section 1, page 1, by deleting line 13 and inserting:

"report of sale to the department within 10 days after the date of sale,
unless an extension of time is granted by the department, and".

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~~ASSEMBLY~~ / SENATE AMENDMENT BLANK

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Amendments to Assembly / ~~SENATE~~

Bill / ~~ASSEMBLY~~ No. 86 (BDR 43-115)

Proposed by Senator Pozzi

Amendment N^o 441

Amend section 1, page 1, by deleting line 13 and inserting:

"report of sale to the department within 10 days after the execution of all instruments which the contract of sale requires to be executed at the time of sale," .