



# Nevada Legislature

## ASSEMBLY

### TRANSPORTATION COMMITTEE MINUTES April 17, 1973

Present: Messrs: Glover, Smalley, Bickerstaff, Dreyer, Howard  
(Mr. Glover was tardy due to another meeting)

Absent: Messrs: Jacobsen and May (Due to other meetings)

Speakers: Mr. John Ciardella, Department of Motor Vehicles  
Mr. Robert Guinn, Nevada Motor Transport and Nevada  
Franchised Auto Dealers Associations  
Mr. Glade Hall, Public Service Commission  
Mr. B. J. Silva, Department of Motor Vehicles  
Mr. Howard Hill, Department of Motor Vehicles  
Mr. James Lambert, Nevada Highway Patrol  
Mr. Richard Bortolin, Department of Motor Vehicles  
Mr. Al Veglia, Consultant in Government Relations

Vice-chairman Dreyer called the meeting to order. He announced that Chairman Glover would be late due to another committee meeting. The first bill to be considered was S.B. 372.

Mr. John Ciardella, DMV, testified on S.B. 372. He said it was not the same bill as the one introduced in the Assembly, but it concerned the same subject. This bill would accomplish the same objective which is to change the license coding. By doing this, there will be an adequate amount of combinations for new plates. With this change, there should be enough combinations to last for an indefinite period of time.

S.B. 527 was the next bill to be considered. Mr. Bob Guinn and Mr. Hall, Public Service Commission testified. Mr. Guinn said this bill was developed to change the law after certain difficult situations had arisen. He said one was concerning the use of a motorcycle trailer and the other was concerning a tow truck not being allowed to use a flatbed trailer when the car could not be moved in any other way due to its condition. This bill would solve the problems by changing the law to read that in these instances use of flatbed and motorcycle trailers could be used. He said an error had also been found and submitted amendments to correct this. (See Attachment I)

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Mr. Guinn and Mr. Hall also testified on S.B. 574. Mr. Guinn gave an example of a situation where this bill would apply. He said many times household goods would be just left, and with this bill, a control of businesses would be put in effect. The established companies would be grandfathered in, but the established companies as well as the new ones would be required to obtain insurance.

Mr. B. J. Silva, DMV, explained that the Department had worked in conjunction with Mr. Guinn and the Senate concerning the revision of S.B. 579. This bill would establish a penalty of anyone who left junk cars "in their backyard". There is no way to legally remove these cars and under the provisions made by this measure, there would control in this situation.

Mr. Howard Hill, DMV, testified on S.B. 612. Mr. Hill said this bill had been requested by the city of Las Vegas and would also apply to the city of Reno. He said the meter-maids were required by law to wear helmets because their three wheeled enclosed vehicles were considered to be motorcycles. He said that since the motorcycle was enclosed, there was no need for helmet protection. Mr. Bickerstaff said that since there had been a great deal of testimony that helmets were necessary for protection, was it that policemen had harder heads and therefore should be exempt from the law. Mr. Hill replied that the vehicles were enclosed and therefore were more safe.

Mr. Guinn said he had worked with the Department of Motor Vehicles on S.B. 618. Mr. Guinn said that in a recent bankruptcy case in Reno, it had been learned, that if a motor vehicle had not been stored with the knowledge and consent of the owner then the garage keeper could not have a lien against the vehicle and therefore could not collect his storage fee. This came about when a sheriff had impounded a vehicle and had it stored in Carson City. This opened up the fact that all impoundments made by law enforcement agencies without the knowledge and consent of the owner of the vehicle that no one can collect anything on the storage, or towing. So we went into NRS 108270 starting on page 2 and inserted the new language in lines "11-13". He read the language. They had gone over this section very carefully with attorneys and Senator Raggio was concerned that nothing was in there to permit any abuse of this section. Then, we also, in order to prevent abuse and to tighten up the law concerning persons of interest in stored vehicles - they struck the old language starting in 487.010 and added new language (see bill). With the new language and the clauses concerning the reports within the specified times, all parties concerned would be protected.

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Mr. Guinn then referred to the first page of the bill. He stated that there is no provision by which an owner of private property who has signs saying that there is no parking except for customers has no legal right to remove cars parking in the lot. If the car is removed, there is no legal way to recover funds from the person who was illegally parked. It has become a real problem and there is no way to get someone to tow the vehicles even at the direction of the sheriff's department. Page one would incorporate language which is in the California law which says that if the lot is posted and the number of chief of police or sheriff then the law can have the vehicle removed. The officer must use an authorized tow truck operator (one controlled by the Commission). This would take care of a deficiency in the law which is quite aggravating. Mr. Guinn added that if this section is not approved, he is afraid Mr. Lambert may have to pay for the tow truck fee. Mr. John Ciardella said he had worked with Mr. Guinn and felt this change was a necessity. The Department fully supports this bill.

Chairman Glover had previously returned and had taken charge of the meeting. He stated the next bill to be considered would be S.B. 620.

Mr. Al Veglia, Consultant in Government Relations, was the first speaker on S.B. 620. Mr. Veglia said if this bill was passed, Nevada law would be closer in conformity with the national standards. He stated the change which the bill would make in equipment for bicycles and said this would only pertain to the bicycles manufactured after December 31, 1974. He said there was some opposition by the Department of Motor Vehicles and would like to rebute any statments made.

Mr. James Lambert, Nevada Highway Patrol, said his main objection was in subsection 5, line "13". He said this law is completely unenforceable because the year which a bicycle is manufactured is hard to determine and there is no licensing. Mr. Howard asked if the section which was objectionable could be deleted. Mr. Verlia said Senator Raggio did not expect any enforcement for this section but the the main objective would be that if the bicycle was not equipped with specified equipment, this fact could be used in a law suit. Mr. Lambert said that he felt all laws should be enforced with no exceptions. He added that if a child was injured because a law was not enforced, then the parents could very likely blame the Department for the accident. Mr. Hill said he would like to bring up the question as to "who" would be the person or persons responsible for seeing the equipment was on the bicycle - would it be the dealer, owner, or manufacturer?

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Mr. Veglia said the person responsible for the safety equipment would be the same one who is responsible for equipment on cars, the manufacturer.

Mr. Glover then brought S.B. 564 to the attention of the Committee. He stated that this bill was very much like the one introduced in the Assembly concerning unmarked vehicles. He said that this senate bill, however, did not include the brand inspectors. Mr. Howard made a comment to the effect that the bill was originally requested by the brand inspectors because they had been having a great deal of trouble locating illegal operations by patrolling in marked cars. Mr. Ciardella said there had been some discussion concerning the brand inspectors and the Senate had chosen to delete the particular section referring to that group.

Mr. Richard Bortolin, Deputy Attorney General, DMV, testified on A.B. 825. He gave a short background on the previous testimony concerning the establishment of business which would obtain registrations for people. Mr. Bortolin said the Department felt there should be some type of regulation on these businesses due to the fact that it involves registration and therefore concerns titles. He explained that there was the possibility that fraudulent titles as a result of no regulation and stolen car rings. Mr. Ciardella added that it is possible for a person to just take 15 or 20 titles and use them illegally. This is an answer to "why" regulation is needed. Mr. Hill said there is presently, in NRS 482.215, a section in which it is indicated that a person should apply for registration "in person" if possible. The intent of this section was just to assist the public in the case of a person being ill and therefore unable to apply in person. He felt that these businesses should be regulated and should only be allowed to obtain registration for fees in the instance of "renewals".

Mr. Glover said this would conclude testimony for today. He added that it was most probable that this was the last meeting this session and said he would like to thank all those who had testified. He said the input had been most helpful and was appreciated. Mr. Glover asked for a motion on A.B. 825.

A.B. 825 - Mr. Howard made a motion to amend and pass. Mr. Dreyer seconded the motion. The vote was as follows: Bickerstaff - no; Glover, Dreyer, Howard, - yes. Mr. Glover announced that the bill would be held due to the lack of a majority vote. He said a short meeting would be scheduled when all members of the Committee could attend and therefore vote.

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S.B. 564 - There was a short Committee discussion and Mr. Bickerstaff made a motion to pass with the amendment of the inclusion of the brand inspectors. Mr. Dreyer seconded the motion. Unanimous vote to "pass" *as amended*

S.B. 620 - After a short discussion it was decided that the bill would be held pending further information.

S.B. 612 - Mr. Bickerstaff made a motion to indefinitely postpone. The motion died for lack of a second. Mr. Glover said this bill would also be held since there had to be a constitutional majority and there would not be if one of the members present opposed the bill.

S.B. 579 - Mr. Howard made a motion to pass and Mr. Dreyer seconded the motion. The vote was unanimous for "do pass".

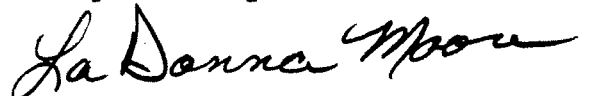
S.B. 574 - Mr. Dreyer made a motion to pass. Mr. Bickerstaff seconded the motion. Unanimous for "do pass".

S.B. 527 - Mr. Bickerstaff made a motion to amend and pass. Mr. Howard seconded the motion. Unanimous for "do pass".

S.B. 372 - Mr. Bickerstaff made a motion for passage and Mr. Howard seconded the motion. The vote was unanimous for "do pass".

Mr. Bickerstaff made a motion to adjourn and Mr. Dreyer seconded th motion. Chairman Glover adjourned the meeting at 5:50 p.m.

Respectfully submitted,



LA DONNA MOORE  
Assembly Attache

/lm  
Attachment,

TRANSPORTATION COMMITTEE MINUTES "ADDITION"  
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ADDITION

S.B. 618 - Mr. Bickerstaff made a motion to pass and Mr. Dreyer seconded the motion. There was an unanimous vote for "do pass".

The final vote on S.B. 527 and S.B. 564 should read "amend and do pass".

/lm

AGENDA FOR COMMITTEE ON TRANSPORTATIONDate April 17, 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. 825	Regulates and requires licensing of business of securing vehicle registrations for hire.	
S.B. 373	Conforms Nevada law to federal odometer statute.	
<u>S.B. 527</u>	Authorizes use of towing vehicle which is not a "tow car" by tow car operator.	
S.B. 574 ✓	Authorizes public service commission of Nevada to issue permits to conduct business of storing household goods and effects.	
S.B. 579 ✓	Prohibits abandonment of vehicles and provides for removal of abandoned vehicles.	
S.B. 612	Exempts certain motorcyclists from safety equipment requirements.	
S.B. 618 <i>Amplified</i>	Permits owner or authorized person to remove vehicle from private property by complying with certain conditions.	
S.B. 620 <i>Controversial</i>	Prohibits sale or use of bicycles without certain reflective equipment after specified date.	
S.B. 593 ✓	Requires taxicab authority to allocate minimum number of taxicabs to certificate holders.	
SB 372 ✓	<i>License plate letters</i>	

Amendment to S. B. 527

Strike lines 8 and 9 on page 1 and insert the following:

" of vehicles by use of:

(a) A motorcycle trailer.

(b) Any other vehicle which is not a tow car."

Strike line 10 on page 1 and insert the following:

"2. The certificate of public convenience and necessity issued under the provisions of paragraph (b) of subsection 1 shall provide".