



# Nevada Legislature

## ASSEMBLY

TRANSPORTATION COMMITTEE MINUTES  
April 3, 1973

Present: Messrs: Glover, Dreyer, Jacobsen, Howard, Smalley, May  
(Messrs: Jacobsen, May, and Smalley were were late.)

Absent: Mr. Bickerstaff (Absence due to Labor & Management meeting.)

Speakers: Mr. Howard Hill, Department of Motor Vehicles (DMV)  
Mr. Leonard Winkleman, Department of Motor Vehicles  
Mr. Virgil Anderson, American Automobile Association  
Mr. Daryl E. Capurro, Nevada Motor Transport & Nevada  
Franchised Auto Dealers Associations  
Mr. Mervin Flander, Services to the Blind  
Mr. John Borda, Department of Motor Vehicles  
Mr. James Lambert, Nevada Highway Patrol  
Mr. John Ciardella, Department of Motor Vehicles

Chairman Glover called the meeting to order and stated that testimony would be heard on several bills not listed on the agenda because of the approaching conclusion of the session. The first bill for testimony was A.B. 36.

Mr. Howard Hill, DMV, distributed some revisions in the previous amendments on A.B. 36. He said he believed the revisions would answer all questions concerning the bill. (See Attachment I) He gave an explanation of the revisions. Mr. Daryl Capurro, NMTA & NFADA, submitted some suggested amendments to Chairman Glover and said they were much the same as revisions by Motor Vehicle. Mr. Leonard Winkleman, DMV, said he had met with Mr. Robert Guinn and that Mr. Guinn's suggestions had been included in the revisions. Mr. Guinn and Mr. Capurro represent the same associations. Mr. Virgil Anderson, American Automobile Association, said he is not familiar with the amendments and would like to reserve the right of opposition.

A.B. 824 was the next order of business and Mr. John Borda, DMV, was the first speaker. Mr. Glover stated he had amendments which Mr. Borda would explain. Mr. Borda began by saying the amendments would clarify previous questions concerning the bill. He then stated the changes. (See Attachment II) Mr. Borda said the changes the bill would make were recommended by the Federal Government. He explained the purpose of the bill was to curtail continued use of a

driver's license by those persons who had obtained one and then, for some reason, their vision had been impaired. He said after such person was reported to Department they would be required to have a sight test by the Department. Mr. Mervin Flander, Services to the Blind, said the Division would now support the bill because the amendments removed any opposition they had had to the bill.

Mr. Glover said the next bill, A.B. 927, had not been scheduled, but the Committee would hear testimony anyway. Mr. Winston Richards, Department of Motor Vehicles, would be the speaker. Mr. Richards said the purpose of the bill was to change the fuel tax report from monthly to quarterly. All other reports were made quarterly and by making the fuel tax report quarterly it would save the Department money and time due to the many adjustments that were being made. He said that there might be some opposition to the bill by the "trucking" people because of their bonding procedure. He stated that by making the report quarterly it would save \$3,034 in materials alone. Mr. Daryl Capurro said his associations would support the bill if one amendment was made concerning a change on page 3, line 27, of the word "two" changed to "one and one-third". This amendment would solve the objections made due to the bonding situation. Mr. Richards said he did not object to the change.

Mr. James Lambert, Nevada Highway Patrol testified on A.B. 44. He explained the purpose of the bill was to extend the implied consent law to include controlled substances. Mr. Lambert said there are quite a number of instances where this law should be applied. He gave a brief description of changes made by bill concerning the present law on "implied consent". He added that a person driving under the influence of alcohol would be charged with a misdemeanor and a person under the influence of a controlled substance would be charged with a felony. A question and answer period was held during which time Mr. Jacobsen entered the meeting. Mr. Smalley asked if harassment might occur if bill was passed. Mr. Hill said he believed 484.383 would satisfy the question of harassment. He added that a person would have to be under arrest before the test could be made. Mr. Anderson stated that he would like to go on record as supporting the bill and that he feels the prior arrest does solve any problem of harassment.

Chairman Glover stated that A.B. 694 and A.B. 696 would be held indefinitely as requested by the introducers.

A.B. 928 was the next order of business. Mr. Winston Richards spoke on the changes made by the bill. He said that at the last session this section of NRS had been completely rewritten. He stated the changes made by the bill and said it was just a house keeping bill.

Mr. Richards also testified on A.B. 926. He said this bill would provide the privilege to obtain a temporary motor vehicle carrier's license to residents, as well as, nonresidents. He said there have been many cases where a resident had to obtain a regular license and need to use it one time. He felt this was unfair to the Nevada resident. He said the person who only used this one time was being required to pay the fee that would be charged if it was used full time.

A.B. 609 was the next order of business and Mr. Hill stated the bill was not the Departments. Mr. Dreyer said he was the sponsor of the bill. Mr. Lambert said the only difference between A.B. 609 and A.B. 44 was the addition of Section 4. There was a minor difference in Section 1, subsection 1. Mr. Lambert said there was no real conflict between the two bills.

Mr. Winkleman testified on A.B. 825. He said the bill was requested due to a group in Las Vegas who wanted to initiate a business concerning assistance in securing vehicle registrations. He said the Department had researched the laws to find information which would prevent the group from starting this type of business. The only section they could find was one stating that a person should secure their own registration in person if possible. He felt that if this type of business would be allowed to operate that the Department should have some type of control. He explained the stipulations the bill would apply to the business. Mr. May entered the meeting. Mr. Winkleman continued by saying that on page 2, line 30, a bond would be required but as the bill is written this could not be provided. He felt an amendment would be necessary. Mr. Hill said he had contacted the Attorney General's office and they had concurred that the Department could not refuse in this case. He said the bill would not apply to all who wanted to obtain registrations, just those who had purchased new vehicles. He said that he knew in particular that the fee one company would charge was \$3.00. Mr. Capurro said he did have an objection because the association did assist their members in obtaining registrations at times and due to the membership fee it might be considered that they assisted for compensation. He suggested that a change be made in line 5, page 1, by deleting the words "assisting in". Mr. Glover asked if there were any objections by the Department. There was no answer. Mr. Howard also suggested that the word "such" in line 6, be spelled correctly.

Mr. John Ciardella, DMV, testified on S.B. 77. He said the purpose of the bill was just to speed up the process of returning documents and license plates so they could clear the records of cases concerning vehicles rendered unfit for highway use.

Mr. Glover said S.B. 373 was introduced by Mr. Pozzi and asked for speakers. Mr. Ciardella also gave testimony on this bill. He said the bill would amend Chapter 44 and return certain sections to Chapter 42. He said this would bring the State laws back into conformance with Federal regulations. Mr. Capurro said that by bringing law into conformance with Federal regulations it would prevent Federal law from having to take precedence over Nevada State laws. He hoped the Committee would give a favorable consideration to the bill.

Chairman Glover said that Mr. Ciardella would testify on S.B. 417, even though the bill had been introduced by Senator Monroe. Mr. Ciardella said he had worked on the bill with the Senator and the purpose of the bill was to raise the appraisal figure from \$100.00 to \$200.00. He said it cost quite a sum of money to tow vehicles and this way the towers could be reimbursed for their removal of a vehicle. Mr. Capurro said his associations are in favor of the bill. He added that the bill would only apply to cases where a law enforcement agency had requested that the vehicle be towed.

Chairman Glover thanked the audience for their attendance and said there would be a short recess. Mr. Smalley entered the meeting shortly thereafter.

Voting on the bills began upon the resumption of the meeting.

S.B. 417 - Mr. Howard made a motion for do pass and Mr. Dreyer seconded the motion. "Do pass" was the vote by an unanimous decision.

S.B. 373 - Mr. Dreyer made a motion for do pass and Mr. Jacobsen seconded the motion. Unanimous vote for "do pass".

S.B. 77 - Mr. Jacobsen made a motion to pass. Mr. Howard seconded the motion. The vote was unanimous for "do pass".

A.B. 825 - Mr. Glover said the bill would need an amendment. A discussion was held. Mr. Jacobsen said he felt that perhaps a new bill might be warranted. Mr. Dreyer said that due to the approaching conclusion of the session that an amendment might be better. Mr. Glover said he would hold the bill until a legal opinion could be obtained. He would reset the bill for Thursday's agenda.

A.B. 609 and A.B. 44 - A discussion on both bills was held. Mr. Glover said a bill had been passed out of the Judiciary Committee which concerned the specification made by the other bills. Mr. Dreyer reiterated the differences between A.B. 609 and 44. Mr. Jacobsen also stated that Section 3 seemed to have some objectionable language. Mr. Glover asked for suggestions or motions. Mr. May made a motion for do pass on A.B. 609 and Mr. Dreyer seconded the motion. The vote was unanimous for "do pass". Mr. May made a motion to indefinitely postpone A.B. 44 and Mr. Jacobsen seconded the motion. Unanimous for "indefinitely postpone".

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A.B. 926 - Mr. May made a motion to pass and Mr. Howard seconded the motion. Unanimous for "do pass".

A.B. 928 - Mr. Howard made a motion for passage of the bill. Mr. May seconded the motion. The vote was unanimous for "do pass".

A.B. 927 - Mr. Glover stated the bill would need to be amended. Mr. May made a motion to pass as amended and Mr. Howard seconded the motion. Unanimous for "do pass as amended".

A.B. 824 - Mr. May made a motion to pass as amended. Mr. Jacobsen seconded the motion. The vote was unanimous for "do pass as amended".

A.B. 36 - Mr. Glover stated there was a slight conflict between A.B. 36 and A.B. 94. He added the change would be made. Mr. May made a motion to indefinitely postpone. Mr. Smalley seconded the motion. Mr. Glover, Mr. Howard, and Mr. Jacobsen voted "nay". Mr. May then made a motion to pass as amended and was seconded by Mr. Jacobsen. The vote was unanimous for "do pass as amended".

Chairman Glover asked for further business. There was none. Mr. May made a motion to adjourn and Mr. Dreyer seconded the motion. The vote was unanimous and Mr. Glover adjourned the meeting.

Respectfully submitted,



LA DONNA MOORE  
Assembly Attache

/lm  
Attachments

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AGENDA FOR COMMITTEE ON TRANSPORTATION

Date April 3, 1973 Time 4:00 p.m. Room 336

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
AB 44	Extends the implied consent law to include chemical tests for the purpose of detecting controlled substances.	
AB 609	Expands the implied consent law to include chemical tests for the purpose of detecting controlled substances.	
AB 694	Enacts the Motor Vehicle Financial Responsibility Law.	
AB 696	Requires cancellation of vehicle registration and confiscation of license plates of vehicles registered to persons whose driver's license has been revoked or suspended.	
SB 373	Conforms Nevada law to federal odometer statute.	
SB 77	Provides time limits for surrender of documents and license plates of vehicles rendered unfit for highway use.	
A.B. 825	Regulates and requires licensing of business of securing vehicle registrations for hire.	

\*Please do not ask for counsel unless necessary.

AGENDA FOR COMMITTEE ON TRANSPORTATION

Date April 3, 1973 Time 4:00 p.m. Room 336

Bills or Resolutions to be considered	Subject	Counsel requested*
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A.B. 36 <i>Amend</i>	Amends provisions concerning motor vehicle operation and licensing and drivers' licensing for new residents.	
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A.B. 824 <i>Pass Plus</i>	Establishes a registry in department of health, welfare and rehabilitation and requires report to department of motor vehicles of person who are blind, partially blind or night-blind.	
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S.B. 417	Permits garage owners to acquire title to abandoned vehicles valued at \$100 or less.	
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*AB 927 Fuel tax report change  
now monthly - want to make it  
quarterly like other reports  
Truckers object because fuel bond must  
be increased. Savings about \$,000. or material  
alone - later even more.  
Consent law - allow for arresting & implied  
Consent law*

*Judge  
1344 - Amend for  
bond*

*AB 928 -*

*AB 926 -*

*409 -*

*825*

*No Pass*

*held*

*SB 373 - ODOMETERS*

*SB 417 - ABANDONED VEHICLES - DO PASS 4/3/73*

*DO PASS 4/3/73*

*DO PASS 4/3/73*

SECTION 1. Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. "Out-of-state student" means a student whose legal residence is not in this state and who comes into Nevada for the purpose of attending an educational institution.

"Border State Employee" means a person whose legal residence is not in this state and who resides outside of the State of Nevada and who commutes into the State of Nevada solely for the purpose of employment.

"Occupational transient worker" means a person whose legal residence is not in this state and who temporarily resides in the State of Nevada for a particular job or project.

Sec. 3. "Resident" for the purpose of this Chapter shall include, but not be limited to the following:

1. Any person whose legal residence is in the State of Nevada.

2. Any person who engages in intrastate business and operates in such business any motor vehicle, trailer or semitrailer; or any person maintaining such vehicles in this state, as the home state of such vehicles.

3. Any person, except an actual tourist, an out-of-state student, a Border State Employee, or an Occupational transient worker.

4. Any person who physically resides in this state and engages in a trade, profession, occupation or accepts gainful employment in this state, for other than a temporary or transitory purpose.

5. Any person who declares himself to be a resident of Nevada for purposes of obtaining privileges not ordinarily extended to nonresidents of this state.

6. The provisions of this section shall not apply to vehicles operated in this state under the provisions of NRS 706.801 to 706.861, inclusive, or NRS 482.385 to 482.395, inclusive.

Sec. 4. NRS 482.010 is hereby amended to read as follows:

482.010 When used in this chapter, the words and terms in NRS 482.013 to 482.135, inclusive, and sections 2 and 3 of this act, shall, for the purposes of this chapter, have the meanings ascribed to them in NRS 482.013 to 482.135, inclusive, and sections 2 and 3 of this act, except in those instances where the context clearly indicates a different meaning.

Sec. 5. NRS 482.385 is hereby amended to read as follows:

482.385 1. Except as otherwise provided in NRS 482.390, a non-resident owner of a vehicle of a type subject to registration under this chapter, owning any vehicle which has been duly registered for the current year in the state, country or other place of which the owner is a resident and which at all times when operated in this state has displayed upon it the registration number plate or plates issued for such vehicle in the place of residence of such owner, may operate or permit the operation of such vehicle within this state with-



out any registration thereof in this state under the provisions of this chapter and without the payment of any registration fees to the state.

2. Nothing in this section shall be construed:

(a) To prohibit the use of manufacturers' or dealers' license plates issued by any state or country by any nonresident in the operation of any vehicle on the public highways of this state.

(b) To require registration of vehicles of a type subject to registration under this chapter operated by nonresident common motor carriers of persons or property, contract motor carriers of persons or property, or private motor carriers of property as stated in NRS 482.390.

3. When a person, formerly a nonresident, becomes a resident of this state, [he may continue to operate or permit the operation of any vehicle which he owns and which is valid] registered in another jurisdiction, without registration in this state, until the expiration of the registration period of such other jurisdiction during which he became a resident of this state. Immediately upon the expiration of such registration period, the owner shall apply for registration of the vehicle in this state as provided in this chapter.

4. If a vehicle which comes within the provisions of subsection 3 is transferred to a resident of this state, or to a person who uses such vehicle for a gainful purpose in this state, the transferee shall apply immediately for registration of such vehicle as provided in this chapter, and shall not be entitled to the benefits of subsection 3.] he shall, within 45 days apply for the registration of any vehicle which he owns and which is operated in this state.

4. 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 unexpired months of his previous registration. 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.

5. If a vehicle is used in this state for a gainful purpose, the owner shall immediately apply to the department for registration, except as provided in NRS 482.390, 482.395 and NRS 706.801 to 706.861, inclusive.

6. An owner registering a vehicle under the provisions of this section shall surrender the existing nonresident license plates and registration certificates to the department for cancellation.

Sec. 6. NRS 482.395 is hereby amended to read as follows:

482.395 The director is authorized, empowered and directed to enter agreements and formal

compacts with appropriate officials of other states for the purpose of establishing rules and regulations governing registration, conduct and operation of motor vehicles coming within the provisions of NRS 482.385 and 482.390, including mutual agreements leading to the revocation of reciprocity for persistent violators of laws concerning motor vehicle operation and licensing.

Sec. 7. Chapter 483 of NRS is hereby amended by adding thereto the provisions set forth as sections 8 and 9 of this act.

Sec. 8. "Out-of-state student" means a student whose legal residence is not in this state and who comes into Nevada for the purpose of attending an educational institution.

"Border State Employee" means a person whose legal residence is not in this state and who resides outside of the State of Nevada and who commutes into the State of Nevada solely for the purpose of employment.

"Occupational transient worker" means a person whose legal residence is not in this state and who temporarily resides in the State of Nevada for a particular job or project.

Sec. 9. "Resident" for the purpose of this Chapter shall include, but not be limited to, the following:

1. Any person whose legal residence is in the State of Nevada
2. Any person who engages in intrastate business and operates in such business any motor vehicle, trailer or semitrailer; or any person maintaining such vehicles in this state, as the home state of such vehicles.
3. Any person, except an actual tourist, an out-of-state student, a Border State Employee, or an Occupational transient worker.
4. Any person who physically resides in this state and engages in a trade, profession, occupation or accepts gainful employment in this state, for other than a temporary or transitory purpose.
5. Any person who declares himself to be a resident of Nevada for purposes of obtaining privileges not ordinarily extended to nonresidents of this state.
6. The provisions of this section shall not apply to drivers of vehicles operated in this state under the provisions of NRS 706.801 to 706.861, inclusive, or NRS 482.385 to 482.395, inclusive.

Sec. 10. NRS 483.020 is hereby amended to read as follows:

483.020 When used in NRS 483.010 to 483.630, inclusive, and sections 8 and 9 of this act the words and phrases defined in NRS 483.030 to 483.190, inclusive, and sections 8 and 9 of this act, have the meanings respectively ascribed to them in such sections.

Sec. 11. NRS 483.245 is hereby amended to read as follows:

483.245 1. 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.

2. Where a person who applies for a license has a valid driver's license from a state which has requirements for issuance of drivers' licenses comparable to those of the State of Nevada, the department may:

(a) [Waive the examination for such person and issue a Nevada license which shall expire no later than the license from such other state; or

(b)] Issue a Nevada license under the same terms and conditions applicable to a renewal of a license in this state.

3. In carrying out the provisions of this chapter, the director is authorized to enter into reciprocal agreements with appropriate officials of other states concerning the licensing of drivers of motor vehicles.

Sec. 12. NRS 483.140 is hereby repealed.

SECTION 1. Chapter 483 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The following sources shall submit, within 30 days of learning such information to the Department of Motor Vehicles the name, address, birth date, social security number, visual acuity and any other information which may be required by regulation of the Department, of persons who are blind or night-blind or whose vision is severely impaired and shall designate whether such person is blind, night-blind or has severely impaired vision:

(a) Hospitals, medical clinics and similar institutions which treat persons who are blind, night-blind or whose vision is severely impaired; and

(b) Agencies of the state and political subdivisions which provide special tax consideration for blindness or which provide aid to the blind as defined in NRS 426.C

2. When any source described in paragraphs (a) and (b) learns that vision has been restored to any person whose name appears in the registry the fact of restoration of vision shall be reported to the registry within 30 days of learning such fact.

3. The Department may adopt regulations governing reports to and operation of the registry.

4. The Department shall maintain a file of the names, addresses, birth dates and social security numbers of persons who are blind or night-blind or whose vision is severely impaired.

5. All information learned by the Department pursuant to this section is confidential and any person who, without the consent of the individual concerned, reveals such information for purposes other than those specified in this section or other than for administration of aid to the blind as defined in NRS 426.050 or services to the blind pursuant to NRS 426.520 to 426.610 inclusive is guilty of a misdemeanor.

SECTION 2.

1. "Blind person" means any person who by reason of loss or impairment of eyesight is unable to provide himself with the necessities of life and who has not sufficient income of his own to maintain himself, and shall include any person whose visual acuity with correcting lenses does not exceed 20/200 in the better eye, or whose vision in the better eye is restricted to a field which subtends an angle of not greater than 20°.

2. "Night-blind person" means a person afflicted with nyctalopia.

3. "Severely visually impaired person" means any person whose visual acuity with correcting lenses does not exceed 20/70 in the better eye, or whose vision in the better eye is restricted to a field which subtends an angle of not greater than 30°.

or whose vision is impaired to such an extent that it materially limits, contributes to limiting or, if not corrected, will probably result in limiting the individual's activities of functioning.