



Nevada Legislature

ASSEMBLY

TRANSPORTATION COMMITTEE MINUTES
April 5, 1973

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

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

Speakers: Dr. V. A. Salvadorini, Washoe Medical Center
Mr. John Borda, Department of Motor Vehicles
Mr. Virgil Anderson, American Automobile Association
Mr. Robert Guinn, Nevada Motor Transport and Nevada
Franchised Auto Dealers Associations
Mr. Howard Hill, Department of Motor Vehicles
Mr. James Lambert, Nevada Highway Patrol
Assemblyman Roy Torvinen, State Legislature

Chairman Glover called the meeting to order and stated the first bill to be considered would be A.B. 42.

Mr. Glover read amendment which had been submitted by the Department of Motor Vehicles regarding A.B. 42. Mr. John Borda, DMV, was the first speaker. He said the purpose of the bill was to obtain data on the drunk driver in cases involving fatalities. He added that the amendments had taken out the stipulation that the surviving driver must also have the blood test. (See Attachment I for Amendment) Dr. Salvadorini testified on the bill. He gave his qualifications and then stated he supported the Department of Motor Vehicle's point of view. He said it was hoped that by developing statistics some help would be provided in solving the problem of the drunk driver. The Doctor was asked if he felt the time limitation was sufficient. He said he felt it was quite satisfactory. Mr. Borda said some data is now available, but information on every accident is necessary to get the complete data needed for the statistics. He said the Department would receive a monthly report from the coroner's office and the coroner would be the one that takes the blood sample.

Mr. Virgil Anderson, AAA, said he had had some concern about A.B. 42 in its original form, but now would like to go on record in support of the bill.

Mr. Smalley asked if A.B. 42 would also apply concerning controlled substances. Dr. Salvadorini said tests on controlled substances would be very expensive and therefore a stipulation concerning controlled substances would not be very feasible. Mr. Howard asked a question pertaining to blood samples and "who" would analyze them. There was a discussion regarding the wording of the last line of the proposed amendment in relation to the analization of the sample. Mr. Glover proposed an amendment to the third paragraph which would read as follows: "Results of alcohol determination shall be acceptable only if made by laboratories licensed to perform this specialty". Mr. Borda and Dr. Salvadorini concurred that the new wording would clarify any questions concerning the bill.

S.B. 109 was the next order of business. Mr. Robert Guinn, NMTA and NFADA, explained the amendments in the reprint of the bill and gave some background regarding height and length regulations of vehicles. He also stated cases concerning the regulations. He said this bill had been adjusted by the Senate and felt it was now adequate.

Assemblyman Roy Torvinen testified on S.B. 111. He said he felt it was objectionable because it might be used to harass citizens. He said he knew of no circumstances concerning harassment by the Nevada Highway Patrol, but could cite instances involving city police. He said he could see no justification for any law agency having this authority. He distributed amendments prepared by the Nevada Highway Patrol and said he had not had a chance to review the amendments in full, but felt it would still allow police to tow a car away from a home if the person being arrested had parked it on the street. He said he could not see the reasoning behind towing a car when parked in front of a home, therefore, he would like to see "Section 4" amended, as well as, making some changes in the proposed amendments for paragraph 2, number 2. Mr. James Lambert, NHP, said he had conferred with Assemblyman Torvinen concerning the purpose of the bill. (See Attachment II for Amendments) He said he could only speak from the Highway Patrol's point of view concerning a car being a hazard on the highway and the removal of the vehicle if warranted. He made a suggestion for a change in the amendment to add the phrase "when such vehicle might cause a hazard" after the word "highway" on the next to the last line. Mr. Torvinen concurred with Mr. Lambert's suggestion. Mr. Virgil Anderson said he did not believe the suggested change would cover the owner in cases where it was legally parked and still could be considered a hazard.

Mr. Torvinen also made a suggestion as to a change in the sixth line to add "legally park the same or" after the word "provide". Mr. Lambert said he would have no objection to Mr. Torvinen's suggestion.

Chairman Glover said A.B. 943 would also be considered today, even though it had not been scheduled. He asked if Mr. Hill would like to testify on the bill. Mr. Hill said he believed Mr. Lambert should speak on the bill because he was better qualified to discuss traffic laws. Mr. Lambert gave an explanation of each change. One of the main things Mr. Lambert said was needed in order to correct the wording of the law was a change concerning a person having to come to a complete stop before turning on a red light. The bill would also include changes in NRS regarding lane change movements. The main purpose of the bill is just to clarify the present language.

Mr. Glover asked if Mr. Howard Hill, DMV, could give the Committee some information about some proposed legislation the Department had submitted. The summary of which reads as follows: SUMMARY-- Requires that juvenile traffic violations be reported to department of motor vehicles for inclusion in computation of demerit points and driver's license revocations and suspensions. (BDR 43-1714). Mr. Hill said the Department does not always receive information concerning juvenile violations from some of the counties, therefore, the violations could not be used in relation to the point system. There was a discussion. Mr. Hill concluded his testimony by saying that the point system, by law, covers every driver in Nevada including juveniles.

Mr. Glover thanked the audience for their attendance. He then asked if there was a motion on A.B. 42.

A.B. 42 - Mr. Jacobsen made a motion to amend and pass and was seconded by Mr. Howard. Unanimous for "do amend and pass".

S.B. 109 - Mr. Jacobsen made a motion for do pass. Mr. Smalley seconded the motion. The vote was unanimous for "do pass".

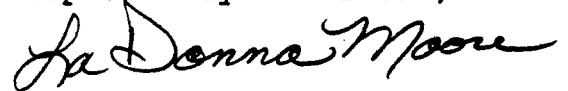
S.B. 111 - Mr. Dreyer made a motion to indefinitely postpone and Mr. Jacobsen seconded the motion. All members voted "yea" with the exception of Chairman Glover. The motion to "indefinitely postpone" was passed.

A.B. 943 - Mr. Glover said the bill would be scheduled for further consideration at a special meeting on April 6.

Mr. Jacobsen suggested that the Committee announce that they would no longer except any proposed legislation due to the approaching adjournment of this session. All Committee members concurred with Mr. Jacobsen's suggestion. Mr. Glover said he would be glad to inform the party's involved.

Mr. Jacobsen made a motion to adjourn and was seconded by Mr. Bickerstaff. Chairman Glover adjourned the meeting.

Respectfully submitted,



LA DONNA MOORE
Assembly Attache

/lm
Attachments

AGENDA FOR COMMITTEE ON TRANSPORTATION

Date April 5, 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. 42	Requires blood test for driver or pedestrian killed in motor vehicle accident.	
A.B. 825	Regulates and requires licensing of business of securing vehicle registrations for hire.	
S.B. 109	Limits height of vehicles traveling on highways.	
S.B. 111	Provides additional circumstances calling for police removal of vehicles stopped, standing, or parked on highways.	

THIS AGENDA SUPERSEDES PREVIOUS AGENDA FOR APRIL 5, 1973.

*Please do not ask for counsel unless necessary.

Any coroner or other public official performing like duties shall in all motor vehicle accidents where a death or deaths have occurred as a result of such accidents whether driver, passenger or pedestrian, cause to be drawn from each decedent, within 8 hours of such accident, a blood sample or samples to be analyzed for the presence and amount of alcohol.

The findings of such examinations shall be a matter of public record and shall be reported to the Department of Motor Vehicles by the coroner within 30 days of such death.

Results of alcohol determination shall be acceptable only from laboratories licensed to perform this specialty.

This amendment should be added after the deletion of lines 1-17.

ATTACHMENT II

NRS 484.397 - Suggested Amendment - Paragraph 2.

2. [Whenever any police officer finds a vehicle unattended upon any highway, bridge or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer may provide for the removal of such vehicle in any manner provided by law.] Whenever the driver of any vehicle has been arrested and such driver or the owner or other authorized person in charge of the vehicle cannot provide for or authorize the immediate removal of such vehicle from the highway, any police officer may provide for the safe removal and storage of such vehicle.