

SENATE TRANSPORTATION COMMITTEE

MINUTES OF MEETING

Tuesday, February 13, 1973

The meeting was called to order at 1:00 p.m.

Senator Helen Herr was in the Chair.

PRESENT: Senator Helen Herr Senator Richard Blakemore
 Senator Carl Dodge Senator William Raggio
 Senator Joe Neal Senator Warren Monroe
 Senator Archie Pozzi

ALSO PRESENT WERE:

Joe Jackson	Press		
Daryl E. Capurro)	Nevada Franchised Auto Dealer's Ass'n.		
Robert Guinn)	Nevada Motor Transport Association		
	& Nevada Highway Users Conference		
Virgil Anderson	AAA, Nevada Division		
Wm. E. Neeley	Legislative Intern (Senator Dodge)		
Stan Warren	Nevada Bell		
Mel Close	Nevada State Senator		
Howard Hill	Director, Department of Motor Vehicles		
Freddie Little	Dep. Director, "	"	"
Richard Bortolin	Dep. Att. General, "	"	"
Bernard Dehl	Nevada Highway Patrol, "	"	"
Wallie Hines	Nevada Highway Patrol, "	"	"
James Lambert	Nevada Highway Patrol, "	"	"
Wm. Fitzpatrick	Driver's License	"	"
E. J. Silva	Registration, "	"	"
John Ciardella	Registration, "	"	"
W. W. Richards	Motor Carrier	"	"
Hale Bennett	Automation	"	"
Len. Winkelman	Internal Auditor	"	"

ACTION WAS TAKEN ON THE FOLLOWING BILLS:

AB #39*

Howard Hill testified as to the purpose of this bill and Leonard Winkelman testified as to monies needed for implementation of the bill, which at this point was estimated to be \$68,000 plus a \$1.00 extra cost on each driver's license to be used for the instant photo process.

There were many amendments suggested made on this bill by Senator Blakemore plus an amendment regarding financing of the system. Senator Herr suggested that she work with Leonard Winkelman regarding a financial amendment, other amendments would be worked out, and the bill would then be resubmitted to the committee for action.

SB #154*

Senator Mel Close testified on the merits of the bill. Robert Guinn, representing the Highway Users Conference, testified against the bill.

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SB #154 (Continued.)

The Committee concurred that the bill should be held over until other interested parties could be contacted to testify pro and con. THE HEARING WAS SET FOR TUESDAY, FEBRUARY 27, 1973, AT 1:00 P.M.

SB #71*

Senator Herr brought into committee an additional amendment to this bill, which had been amended and passed by the committee on February 3rd, read the second time by the Senate on February 5th, taken from general file and placed on the Secretary's desk on February 7th, and sent back to committee on February 8.

John Ciardella testified again as to the purpose of the bill.

After much discussion the committee suggested that the 1st section be reinstated into the bill, the 2nd and 3rd subsections be deleted, a new subsection which would be numbered "2" would be amended to the bill, and new wording be used in subsection 1. The bill was returned to the Department of Motor Vehicles for the above changes and amendments and they will then resubmit bill to committee for action.
(See attachment #4 for copy of new subsection 2)

SB #115*

Senator Herr asked the committee if she could take this bill out for amendment and resubmission to the committee.

Motion was made by Senator Monroe that she do so.
Seconded by Senator Blakemore.
Motion carried.

SB #138*

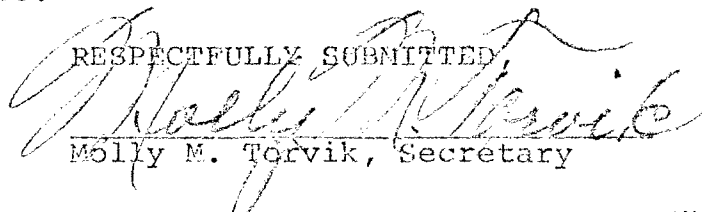
Senator Dodge asked that a hearing date be set for this bill.
SO SET FOR THURSDAY, FEBRUARY 22, 1973 FOR HEARING.

The meeting was adjourned at 2:00 o'clock p.m. until Thursday, February 15, 1973 upon adjournment of the Senate.

APPROVED:


Helen Herr, Chairman

RESPECTFULLY SUBMITTED


Molly M. Torvik, Secretary

ASSEMBLY BILL NO. 39—COMMITTEE
ON TRANSPORTATION

JANUARY 17, 1973

Referred to Committee on Transportation

SUMMARY—Enables issuance of instant drivers' licenses and increases license fee. Fiscal Note: No. (BDR 43-23)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to motor vehicles; enabling the issuance of instant drivers' licenses by the department of motor vehicles; increasing driver's license fee; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 483.347 is hereby amended to read as follows:
2 483.347 1. The department may, upon being satisfied that it is fea-
3 sible, produce [a] *an instant driver's license: [, bearing]*
4 *(a) Bearing a colored photograph of the licensee [.] ; and*
5 *(b) Which may be obtained immediately by any applicant upon quali-*
6 *fying therefor.*
7 2. If a changeover to this style of license is feasible, it shall not
8 become effective until the department has:
9 (a) Established a uniform procedure for the production of such
10 licenses, applicable to renewal as well as to original licenses.
11 (b) Determined the costs of such production.
12 (c) Adjusted the fees provided in NRS 483.410, up to a maximum
13 of [50 cents,] \$1, if such adjustment is essential to recover additional
14 costs which may be incurred in any such changeover and to that extent
15 only.
16 3. If the department finds that implementation is not feasible before
17 the convening of the [57th] 58th session of the Nevada legislature, the
18 department shall report in detail its findings to the [57th] 58th session
19 of the legislature.

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SENATE BILL NO. 154—SENATOR CLOSE

FEBRUARY 2, 1973

Referred to Committee on Transportation

SUMMARY—Provides that county motor vehicle tax funds may be used for the beautification of improvements and projects. Fiscal Note: No. (BDR 32-540)



EXPLANATION—Matter in *Italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to the county motor vehicle tax fund; providing that the funds may be used for landscaping of improvements and projects.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 373.020 is hereby amended to read as follows:
2 373.020 As used in this chapter, unless the context otherwise
3 requires:
4 1. "Acquisition" or "acquire" means the opening, laying out, estab-
5 lishment, purchase, construction, securing, installation, reconstruction,
6 lease, gift, grant from the United States of America, any agency, instru-
7 mentality or corporation thereof, the State of Nevada, any body corporate
8 and politic therein, any corporation, or any person, the endowment,
9 bequest, devise, condemnation, transfer, assignment, option to purchase,
10 other contract, or other acquirement (or any combination thereof) of
11 any project, or an interest therein, herein authorized.
12 2. "Board" means the board of county commissioners.
13 3. "City" means an incorporated city or incorporated town.
14 4. "Commission" means the regional street and highway commission.
15 5. "Cost of the project," or any phrase of similar import, means all
16 or any part designated by the board of the cost of any project, or interest
17 therein, being acquired, which cost, at the option of the board may
18 include all or any part of the incidental costs pertaining to the project,
19 including without limitation preliminary expenses advanced by the county
20 from funds available for use therefor or any other source, or advanced
21 by any city with the approval of the county from funds available therefor
22 or from any other source, or advanced by the State of Nevada or the
23 Federal Government, or any corporation, agency or instrumentality
24 thereof, with the approval of the county (or any combination thereof),
25 in the making of surveys, preliminary plans, estimates of costs, other pre-
26 liminaries, the costs of appraising, printing, estimates, advice, contracting

1 for the services of engineers, architects, financial consultants, attorneys
2 at law, clerical help, other agents or employees, the costs of making,
3 publishing, posting, mailing and otherwise giving any notice in connection
4 with the project, the taking of options, the issuance of bonds and other
5 securities, contingencies, the capitalization with bond proceeds of any
6 interest on the bonds for any period not exceeding 1 year and of any
7 reserves for the payment of the principal of and interest on the bonds, the
8 filing or recordation of instruments, the costs of emergency loans, con-
9 struction loans and other temporary loans of not exceeding 3 years
10 appertaining to the project and of the incidental expenses incurred in
11 connection with such loans, and all other expenses necessary or desirable
12 and appertaining to any project, as estimated or otherwise ascertained
13 by the board.

14 6. "Federal securities" means bills, certificates of indebtedness, notes,
15 bonds or similar securities which are direct obligations of, or the princi-
16 pal and interest of which securities are unconditionally guaranteed by,
17 the United States of America.

18 7. "Improvement" or "improve" means the extension, widening,
19 lengthening, betterment, alteration, reconstruction, *landscaping for pur-*
20 *poses of enhancing the appearance of the improvement*, or other major
21 improvement (or any combination thereof) of any project, or an interest
22 therein, herein authorized. "Improvement" or "improve" does not include
23 renovation, reconditioning, patching, general maintenance or other minor
24 repair.

25 8. "Project" means street and highway construction, including with-
26 out limitation the acquisition and improvement of any street, avenue,
27 boulevard, alley, highway or other public right-of-way used for any
28 vehicular traffic, and including a sidewalk designed primarily for use by
29 pedestrians, and also including without limitation grades, regrades, gravel,
30 oiling, surfacing, macadamizing, paving, crosswalks, sidewalks, pedestrian
31 rights-of-way, driveway approaches, curb cuts, curbs, gutters, culverts,
32 catch basins, drains, sewers, manholes, inlets, outlets, retaining walls,
33 bridges, overpasses, tunnels, underpasses, approaches, sprinkling facilities,
34 artificial lights and lighting equipment, parkways, grade separators, traffic
35 separators, and traffic control equipment, and all appurtenances and
36 incidentals, or any combination thereof, including without limitation the
37 acquisition and improvement of all types of property therefore [], and
38 *landscaping for purposes of enhancing the appearance of the project*.

39 9. "Town" means an unincorporated town or city.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 71

SENATE BILL NO. 71—COMMITTEE ON TRANSPORTATION

JANUARY 23, 1973

Referred to Committee on Transportation

SUMMARY—Broadens authority to revoke improper motor vehicle documents. Fiscal Note: No. (BDR 43-117)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to motor vehicles; providing for the revocation of license plates and certificates of ownership illegally used or obtained or wrongly issued; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 482.465 is hereby amended to read as follows:
2 482.465 [The department shall rescind and cancel the registration
3 of a vehicle whenever the person to whom the registration card or regis-
4 tration number plates therefor have been issued shall make or permit to
5 be made any unlawful use of the same or permit the use thereof by a
6 person not entitled thereto.]
7 1. *The department shall cancel a certificate of ownership or certifi-*
8 *cate of registration which has been issued erroneously or improperly, or*
9 *obtained illegally.*
10 2. *The certificate of ownership, certificate of registration and license*
11 *plates, or any of them, may be revoked by the department whenever the*
12 *person to whom the certificate of ownership, certificate of registration or*
13 *license plates have been issued makes, or permits to be made, any unlaw-*
14 *ful use thereof.*
15 3. *A certificate of ownership may be revoked by the department*
16 *whenever the person to whom it has been issued knowingly permits use of*
17 *the certificate by a person not entitled thereto.*

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SB 71 - Is suggested to be amended as follows:

4. Upon revocation, cancellation or suspension of the certificate of ownership or the certificate of registration and license plates, the certificate of ownership and the certificate of registration and license plates shall be returned to the Department of Motor Vehicle no later than 20 days of the receipt of notice of cancellation or revocation.

SENATE BILL NO. 115—COMMITTEE ON TRANSPORTATION

JANUARY 29, 1973

Referred to Committee on Transportation

SUMMARY—Provides for suspension of driver's license if licensee charged with certain offenses and provides changes in traffic safety school program. Fiscal Note: No. (BDR 43-407)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to drivers' licenses; providing for the suspension of the license if the licensee is formally charged with certain offenses; limiting the reduction of demerit points by attendance at traffic safety school; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

1 SECTION 1. NRS 483.470 is hereby amended to read as follows:

2 483.470 1. The department is hereby authorized to suspend the
3 license of a driver without preliminary hearing upon a showing by its
4 records or other sufficient evidence that the licensee:

5 (a) Has [committed] *been formally charged with* an offense for which
6 mandatory revocation of license is required upon conviction;

7 (b) Has been [involved] *formally charged with an offense* as a driver
8 in any accident resulting in the death or personal injury of another or
9 serious property damage;

10 (c) Is an habitually reckless or negligent driver of a motor vehicle;

11 (d) Is an habitual violator of the traffic laws;

12 (e) Is physically or mentally incompetent to drive a motor vehicle;

13 (f) Has permitted an unlawful or fraudulent use of such license; or

14 (g) Has committed an offense in another state which if committed in
15 this state would be grounds for suspension or revocation.

16 2. As used in this section, "traffic violation" means conviction on a
17 charge involving a moving traffic violation in any municipal court, jus-
18 tice's court or district court in the State of Nevada.

19 3. The [department] *administrator* shall establish a uniform system
20 of demerit points for [various] traffic violations. [occurring within the
21 State of Nevada affecting any holder of a driver's license issued by the
22 department.]

23 4. Such system shall be a running system of demerits covering a
24 period of 12 months next preceding any date on which a licensee may be

1 called before the department to show cause as to why his driver's license
2 should not be suspended.

3 5. Such system shall be uniform in its operation and the department
4 shall set up a system of demerits for each traffic violation coming under
5 this section, depending upon the gravity of such violation, on a scale of
6 one demerit point for a minor violation of any traffic law to eight
7 demerit points for an extremely serious violation of the law governing
8 traffic violations. Details of the violation shall be submitted to the depart-
9 ment by the court where the conviction is obtained. The department may
10 provide for a graduated system of demerits within each category of viola-
11 tions according to the extent to which the traffic law was violated.

12 6. When any driver has accumulated ~~six~~ three or more demerit
13 points, but less than 12, the department shall notify him of this fact. If
14 the driver ~~is~~, after such notice, ~~is~~ presents proof to the department that he
15 has successfully completed a traffic safety school course, approved by the
16 department, for the number of hours prescribed by the course, ~~with~~
17 the approval of the department as constituting a course of instruction, ~~is~~
18 the department shall cancel the three most recently acquired demerit
19 points from his driving record, pursuant to this subsection; ~~is~~, during a
20 12-month period; ~~is~~ but if such driver accumulates 12 demerit points
21 before completing the traffic safety school, he will not be entitled to have
22 demerit points canceled upon completion of such course, but shall have
23 his license suspended. *A person shall be allowed to complete approved*
24 *courses only once in 12 months for the purpose of reducing his demerit*
25 *points.*

26 7. Any three-demerit-point reduction shall apply only to the demerit
27 record of the driver and shall not affect his driving record with the depart-
28 ment or insurance record.

29 8. When any licensee has accumulated 12 demerit points the depart-
30 ment shall suspend the license of such licensee until the total of his
31 demerits has dropped below 12 demerits in the next preceding 12 months.

32 9. ~~The~~ director of the department of motor vehicles is hereby
33 empowered to set up a scale of demerit values for each traffic violation.

34 10. ~~Upon~~ suspending the license of any person as authorized in
35 ~~subsection 1,~~ *this section*, the department shall immediately notify the
36 licensee in writing, and upon his *written request, within 30 days after the*
37 *date of the order of suspension*, shall afford him an opportunity for a
38 hearing as early as practical within not to exceed 20 days after receipt
39 of such request in the county wherein the licensee resides unless the
40 department and the licensee agree that such hearing may be held in some
41 other county. Upon such hearing the administrator, or his duly authorized
42 agent, may administer oaths and may issue subpoenas for the attendance
43 of witnesses and the production of relevant books and papers, and may
44 require a reexamination of the licensee. Upon such hearing the depart-
45 ment shall either rescind its order of suspension or, good cause appearing
46 therefor, may extend the suspension of such license or revoke such license.

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

48 484.387 1. Except as provided in subsection 2, any person whose
49 license or permit has been suspended, or if the issuance thereof has been
50 delayed, pursuant to NRS 484.385 may request a hearing before the

1 department of motor vehicles, and such hearing shall be afforded him in
2 the same manner and under the same conditions as are provided in sub-
3 section ~~10~~ 9 of NRS 483.470.

4 2. The scope of such hearing shall be limited to the issues of whether
5 a police officer had reasonable grounds to believe such person had been
6 driving a vehicle upon a highway while under the influence of intoxicating
7 liquor, had been placed under arrest, and had refused to submit to the
8 test upon the request of the police officer. Whether such person was
9 informed that his privilege to drive would be suspended if he refused to
10 submit to the test shall not be an issue.

11 3. If the suspension or determination that there be a denial of issu-
12 ance is sustained after such hearing, the person whose license or permit
13 has been suspended, or to whom a license or permit has been denied, shall
14 have the right to a review of the matter in district court in the same man-
15 ner as provided by NRS 483.520.

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SENATE BILL NO. 138—SENATOR DODGE

JANUARY 31, 1973

Referred to Committee on Transportation

SUMMARY—Provides fund for collection and disposal of abandoned vehicles. Fiscal Note: No. (BDR 43-730)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to abandoned motor vehicles; providing a fund for the collection and disposal of abandoned vehicles; prohibiting vehicle dealers from storing deteriorated vehicles; providing a penalty; permitting removal of abandoned vehicles from private property; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 482 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *Between July 1, 1973, and June 30, 1974, there shall be imposed*
4 *and collected by the department an additional fee of \$1 for every motor*
5 *vehicle that is registered.*
6 2. *There is hereby created in the state treasury an abandoned motor*
7 *vehicle trust fund. Moneys collected as the additional fee shall be depos-*
8 *ited in this fund. These moneys shall only be used for the collection and*
9 *disposal of abandoned motor vehicles throughout the State of Nevada.*
10 3. *The department shall make a survey of the number of abandoned*
11 *motor vehicles which can be seen from streets and highways in the State*
12 *of Nevada and which cannot reasonably be traced to an owner. Insofar*
13 *as is practical the department shall then prorate the moneys in the aban-*
14 *doned motor vehicle trust fund to each county in proportion to the num-*
15 *ber of abandoned motor vehicles which have been surveyed in such*
16 *county as compared to the total number surveyed throughout the state.*
17 *The state treasurer shall then disburse the funds in the proportions deter-*
18 *mined by the department.*
19 4. *The collection and disposal of abandoned vehicles may be accom-*
20 *plished by any one or more of the following methods:*
21 (a) *The department may contract with private individuals, associations*
22 *or corporations;*
23 (b) *The department may permit a city or county to have its own*
24 *employees collect and dispose of the vehicles; or*

1 (c) The department may permit a city or county to contract with pri-
2 vate individuals, associations or corporations.

3 5. The director may adopt rules and regulations to implement the
4 provisions of this section consistent with the provisions of NRS 481.051
5 and chapter 233B of NRS.

6 SEC. 2. Chapter 487 of NRS is hereby amended by adding thereto a
7 new section which shall read as follows:

8 1. All dealers, as defined in NRS 482.020, shall remove from their (/
9 premises:

10 (a) Motor vehicles which can reasonably be considered generally dete-
11 riorated, with little or no monetary value for resale;

12 (b) Unserviceable vehicles, the repair costs of which exceed the value
13 of the vehicle; and

14 (c) Vehicles which have been wrecked, if the repair costs make repair
15 of the vehicle impracticable.

16 2. The provisions of subsection 1 do not apply to vehicles for which
17 a certificate of dismantling has been issued.

18 3. After October 1, 1973, any person who violates the provisions of
19 this section is guilty of a misdemeanor, which shall be punishable by a fine
20 of \$10 for each 24 hours, or fraction thereof, in which he is in violation
21 of this section.

22 4. Any district attorney or city attorney may obtain an injunction to
23 end any violation of this section.

24 SEC. 3. NRS 487.230 is hereby amended to read as follows:

25 487.230 1. Any sheriff, constable, member of the Nevada highway
26 patrol, special investigator employed by the office of any district attorney
27 or marshal or policeman of any city or town who has reason to believe
28 that a vehicle has been abandoned in his jurisdiction may remove such
29 vehicle from any public property.

30 2. Any person specified in subsection 1 may remove a vehicle, which
31 he has reason to believe may have been abandoned, from private prop-
32 erty after the expiration of 30 days from the giving of written notice to
33 the owner of such private property.

34 3. Any person specified in subsection 1 who removes an abandoned
35 vehicle shall take such vehicle to the nearest garage or other place desig-
36 nated by the department or political subdivision for storage.