SENATE TRANSPORTATION COMMITTEE

MINUTES OF MEETING

Thursday, February 8, 1973

The meeting was called to order at 2:00 o'clock p.m.

Senator Helen Herr was in the Chair.

PRESENT: Senator Helen Herr

Senator Richard Blakemore

Senator Carl Dodge Senator Joe Neal

ABSENT:

Senator Warren Monroe

Senator William Raggio

Senator Archie Pozzi

ALSO PRESENT WERE:

Nevada Franchised Auto Dealers	Ass'n &
Nevada Motor Transport Associa	tion
AAA, Nevada Division	
Nevada State Division for the	Aging
Legislative Intern (Senator Br	yan)
Legislative Intern (Senator Bl	akemore)
Legislative Intern (Senator Do	dge)
Director)
Deputy Director)
Chief, Automation) DEPARTMENT
Dealer Section)
Colonel, Nevada Highway Patrol) OF
Chief, Registration)
Chief, Driver's License) MOTOR
Chief, Administrative Services)
Internal Auditor) VEHICLES
Inspector, Motor Carrier)
	Nevada Motor Transport Association AAA, Nevada Division Nevada State Division for the Legislative Intern (Senator Brugislative Intern (Senator Bugislative Intern (Senator Do Director Deputy Director Chief, Automation Dealer Section Colonel, Nevada Highway Patrol Chief, Driver's License Chief, Administrative Services Internal Auditor

ACTION WAS TAKEN ON THE FOLLOWING BILLS:

SB #138*

Senator Dodge moved that because of the amount of rewriting and amendments needed on this bill that the committee recommend that all amendments be made, the bill rewritten and then the bill can be referred
back to committee for action.
Seconded by Senator Blakemore.
Motion carried.

SB #112*

Testimony was given by William Fitzpatrick, Driver's License Division, explaning changes made in this bill.

Senator Blakemore moved "Do Pass" Seconded by Senator Dodge. Motion Carried.

^{*(}Copies of bills attached.)

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SB #113*

William Fitzpatrick testified on this bill.

Senator Neal moved "Do Pass." Seconded by Senator Blakemore. Motion Carried.

SB #114*

William Fitzpatrick testified on this bill with the recommendation that the bill be amended on Line 19, to read, "...so surrendered or a replacement license shall be returned to the licensee, upon his satisfactorily completing the examination required under NRS 483.480."

Senator Blakemore moved "Do Pass with Amendment." Senator Dodge seconded the motion. Motion Carried.

SB #159*

Testimony was given in favor of this bill by James Lambert and Howard Hill for the bill and testimony against was given by Virgil Anderson of the AAA.

Because the bill was too vague about guide lines for the driver, the committee recommended that the Department of Motor Vehicles rewrite this bill and resubmit to the committee for action.

SB #109*

This bill is to be held over until a bill submitted by Robert Guinn was printed so that the committee can compare with SB #109 and then take action accordingly.

SB #115*

William Fitzpatrick and Howard Hill testified on this bill with recommendations of changes. (See Attachment #8.)
Robert Guinn and Virgil Anderson also testified as to many changes in the first 3 subsections of Section 1.

The committee agreed that the bill should be rewritten and direction was given to the Department of Motor Vehicles to do so and then resubmit same to the committee for action.

*(Copies of Bills attached.)

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SB #78*

After testimony by William Fitzpatrick, Driver's License; and John McSweeney of the Division of Aged testified questioning much of the bill, the committee agreed that they would investigate as to who had proposed the bill, allow them to testify explaining the bill, and then take action at a later time.

Respectfully submitted,

Mol/ly M. Torvik, Secretary

APPROVED:

SENATOR HELEN HERR, CHAIRMAN

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:

SECTION 1. Chapter 482 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. Between July 1, 1973, and June 30, 1974, there shall be imposed and collected by the department an additional fee of \$1 for every motor vehicle that is registered.

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2. There is hereby created in the state treasury an abandoned motor vehicle trust fund. Moneys collected as the additional fee shall be deposited in this fund. These moneys shall only be used for the collection and disposal of abandoned motor vehicles throughout the State of Nevada.

3. The department shall make a survey of the number of abandoned motor vehicles which can be seen from streets and highways in the State of Nevada and which cannot reasonably be traced to an owner. Insofar as is practical the department shall then prorate the moneys in the abandoned motor vehicle trust fund to each county in proportion to the number of abandoned motor vehicles which have been surveyed in such county as compared to the total number surveyed throughout the state. The state treasurer shall then disburse the funds in the proportions determined by the department.

4. The collection and disposal of abandoned vehicles may be accomplished by any one or more of the following methods:

(a) The department may contract with private individuals, associations or corporations;

(b) The department may permit a city or county to have its own employees collect and dispose of the vehicles; or

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(c) The department may permit a city or county to contract with private individuals, associations or corporations.

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

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

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

(a) Motor vehicles which can reasonably be considered generally deteriorated, with little or no monetary value for resale;

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

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

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

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

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

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

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

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

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

SENATE BILL NO. 112-COMMITTEE ON TRANSPORTATION

JANUARY 29, 1973

Referred to Committee on Transportation

SUMMARY—Clarifies law relating to effect and validity of drivers' licenses. Fiscal Note: No. (FDR 43-475)

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

AN ACT relating to drivers' licenses; clarifying the law relating to the effect and validity of drivers' licenses.

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

SECTION 1. NRS 483.510 is hereby amended to read as follows: 483.510 Any resident or nonresident whose driver's license or right or privilege to drive a motor vehicle in this state has been suspended or revoked, as provided in NRS 483.010 to 483.630, inclusive, shall not drive a motor vehicle in this state under a license, permit or registration certificate issued by any other jurisdiction, or otherwise, during such suspension or after such revocation until a [new] license is obtained when and as permitted under NRS 483.010 to 483.630, inclusive.

SEC. 2. NRS 483.530 is hereby amended to read as follows:

483.530 It is a misdemeanor for any person:

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1. To display or cause or permit to be displayed or have in his possession any canceled, revoked, suspended, fictitious, fraudulently altered or fraudulently obtained driver's license; For any license issued under any prior laws;

2. To alter, forge, substitute, counterfeit or use an unvalidated driver's license;

3. To lend his driver's license to any other person or knowingly permit the use thereof by another;

4. To display or represent as one's own any driver's license not issued to him;

5. To fail or refuse to surrender to the department upon its lawful demand any driver's license which has been suspended, revoked or canceled;

6. To use a false or fictitious name in any application for a driver's license or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application;

7. To permit any unlawful use of a driver's license issued to him; or 8. To do any act forbidden, or fail to perform any act required, by 3 NRS 483.010 to 483.630, inclusive; and

9. To photograph, photostat, duplicate, or in any way reproduce any driver's liceuse or facsimile thereof in such a manner that it could be mistaken for a valid license, or to display or have in his possession any such photograph, photostat, duplicate, reproduction or facsimile unless authorized by this chapter.

SENATE BILL NO. 113—COMMITTEE ON TRANSPORTATION

January 29, 1973

Referred to Committee on Transportation

SUMMARY—Permits the return of a replacement driver's license at the end of the period of suspension. Fiscal Note: No. (BDR 43-474)



Explanation—Matter in *italies* is new; matter in brackets [] is material to be omitted,

AN ACT to amend NRS 483.500; permitting the return of a replacement driver's license at the end of the period of suspension.

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

SECTION 1. NRS 483.500 is hereby amended to read as follows:
483.500 The department upon suspending or revoking a license shall require that such license shall be surrendered to and be retained by the department, except that at the end of the period of suspension such license so surrendered or a replacement license shall be returned to the licensee.

SENATE BILL NO. 114-COMMITTEE ON TRANSPORTATION

JANUARY 29, 1973

Referred to Committee on Transportation

SUMMARY—Enables department of motor vehicles to require examination as a condition to reinstatement of licenses after suspension. Fiscal Note: No. (BDR 43-472)



EXPLAN VIION—Matter in *italies* is new; matter in brackets [] is material to be omitted.

AN ACT relating to drivers' licenses; enabling the department of motor vehicles to require an examination as a condition to reinstatement of a suspended license; and providing other matters properly relating thereto.

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

SECTION 1. NRS 483.480 is hereby amended to read as follows:
483.480 I. The department, having good cause to believe that a
licensed driver is incompetent or otherwise not qualified to be licensed,
may upon written notice of at least 5 days to the licensee require him to
submit to an examination. Upon the conclusion of such examination the
department shall take action as may be appropriate and may suspend or
revoke the license of such person or permit him to retain such license, or
may issue a license subject to restrictions as permitted under NRS 483.360 or restrictions as to the type or class of vehicles that may be driven.
Refusal or neglect of the licensee to submit to such examination shall be
ground for suspension or revocation of his license.

2. The department shall require that a licensee submit to the examination provided in NRS 483.330 as a condition to reinstatement, after any suspension of his license.

SEC. 2. NRS 483.500 is hereby amended to read as follows:

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483.500 The department upon suspending or revoking a license shall require that such license shall be surrendered to and be retained by the department, except that at the end of the period of suspension such license so surrendered shall be returned to the licensee [...], upon his satisfactorily completing the examination required under NRS 483.480.



SENATE BILL NO. 159—COMMITTEE ON TRANSPORTATION

FEBRUARY 5, 1973

Referred to Committee on Transportation

SUMMARY—Creates the crime of careless driving, Fiscal Note: No. (BDR 43-477)



Explanation—Motter in *Italies* is new; matter in brackets [] is material to be omitted,

AN ACT relating to traffic laws; creating the crime of careless driving; and providing a penalty.

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

SECTION 1. Chapter 484 of NRS is hereby amended by adding thereto a new section which shall read as follows:

It is unlawful for any person to drive any vehicle upon a highway in other than a careful or prudent manner or to fail to keep it under control at all times. A violation of this section constitutes careless driving.

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SENATE BILL NO. 109—COMMITTEE ON TRANSPORTATION

JANUARY 29, 1973

Referred to Committee on Transportation

SUMMARY—Limits height of vehicles traveling on highways. Fiscal Note: No. (BDR 43-481)



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

AN ACT relating to traffic laws; limiting the height of motor vehicles traveling on highways; and providing a penalty.

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

SECTION 1. Chapter 484 of NRS is hereby amended by adding thereto a new section which shall read as follows:

It is unlawful for any vehicle traveling on interstate or primary highways within this state, as defined in 23 U.S.C. § 101, to exceed 13 feet and 6 inches in height, except as may be allowed by regulations prescribed by the board of directors of the department of highways.



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 cortain offenses and provides changes in traffic safety school program. Fiscal Note: No. (BDR 43-407)



EXPLANATION — Motter in italies is new; motter in brackets [] is material to be omitted.

AN ACT relating to drivers' licenses; providing for the suspension of the license if the licensed 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:

SECTION 1. NRS 483,470 is hereby amended to read as follows: 483,470 1. The department is hereby authorized to suspend the license of a driver without preliminary hearing upon a showing by its records or other sufficient evidence that the licensee:

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

(b) Has been Jinvolved J formally charged with an offense as a driver in any accident resulting in the death or personal injury of another or serious property damage;

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

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

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2223 (e) Is physically or mentally incompatent to drive a motor vehicle;

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

(g) Has committed an offense in another state which if committed in

this state would be grounds for suspension or revocation.

2. As used in this section, "traffic violation" racans conviction on a charge involving a moving traffic violation in any municipal court, justice's court or district court in the State of Nevada.

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

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

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called before the department to show cause as to why his driver's license should not be suspended. 5. Such system shall be uniform in its operation and the department

shall set up a system of demerits for each traffic violation coming under this section, depending upon the gravity of such violation, on a scale of one demerit point for a minor violation of any traffic law to eight demerit points for an extremely serious violation of the law governing traffic violations. Details of the violation shall be submitted to the department by the court where the conviction is obtained. The department may provide for a graduated system of demerits within each category of violations according to the extent to which the traffic law was violated.

6. When any driver has accumulated Isix three or more demerit points, but less than 12, the department shall notify him of this fact. If the driver [], after such notice. I mesents proof to the department that he has successfully completed a traffic safety school course, approved by the department, for the number of hours prescribed by the course, Ewith the approval of the department as constituting a course of instruction, the department shall cancel the three most recently acquired demerit points from his driving record, pursuant to this subsection; \(\), during a 12-month period; but if such driver accumulates 12 demerit points before completing the traffic safety school, he will not be entitled to have demerit points canceled upon completion of such course, but shall have his license suspended. A person shall be allowed to complete approved courses only once in 12 months for the purpose of reducing his demerit points.

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

8. When any licensee has accumulated 12 demonit points the department shall suspend the license of such licensee until the total of his demerits has dropped below 12 demorits in the next preceding 12 months.

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

10.7 Upon suspending the Reence of any person as authorized in Isubsection 13 this section, the department shall immediately notify the licensee in writing, and upon his written request, within 30 days after the date of the order of suspension, shall afford him an opportunity for a hearing as early as practical within not to exceed 20 days after receipt of such request in the county wherein the licensee resides unless the department and the licensee agree that such hearing may be held in some other county. Upon such hearing the administrator, or his duly authorized agent, may administer ooths and may issue subpenas for the attendance of witnesses and the production of relevant books and papers, and may require a reexamination of the licensee. Upon such hearing the department shall either reseind its order of suspension or, good cause appearing therefor, may extend the suspension of such license or revoke such license. SEC. 2. NRS 484.387 is hereby amended to read as follows:

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

department of motor vehicles, and such hearing shall be afforded him in the same manner and under the same conditions as are provided in subsection \$100.9 of NRS 483.470.

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

3. If the suspension or determination that there be a denial of issuance is sustained after such hearing, the person whose license or permit has been suspended, or to whom a license or permit has been denied, shall have the right to a review of the matter in district court in the same manner as provided by NRS 483.520.

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SB 115

Page 1, Lines 16 - 18

Delete lines 16 - 18 and substitute the following:

2. As used in this section, "traffic violation" means conviction on a charge involving a moving traffic violation in any municipal court, justice's court, [or] district court or court of similar jurisdiction in the State of Nevada [.] or any other State.

SENATE BILL NO. 78--COMMITTEE ON TRANSPORTATION

JANUARY 23, 1973

Referred to Committee on Transportation

SUMMARY—Permits issuance of identification cards to certain persons who do not have a driver's license, Fiscal Note: Yes. (BDR 43-61)



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

AN ACT permitting issuance of identification cards by the department of motor vehicles to any person of a certain age who does not have a valid Nevada driver's license; providing for the payment of fees; providing penalties; and providing other matters properly relating thereto.

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

Section 1. Chapter 483 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this act. Sec. 2. Any person 18 years of age or older who does not have a valid Nevada driver's license may be issued an identification card by the department certified by the registrant and attested by the department as to true name, correct age, and other identifying data as the department may require. Every application for an identification card shall be signed and verified by the applicant before a person authorized to administer outs.

SEC. 3. The department shall issue an identification card only to a person who does not have a valid Nevada driver's license, and only upon the furnishing of such bona fide documentary evidence of the age and identity of such person as the department may require.

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SEC. 4. Every identification card shall expire, unless canceled earlier, on the sixth birthday of the applicant following the date of original issue. Renewal of any identification card shall be made for a term which shall expire on the sixth birthday of the applicant following expiration of the identification card renewed, unless surrendered earlier. Any application for renewal received after 90 days after expiration of the identification card shell be considered the same as an application for an original identification card. The department shell, at the end of 6 years and 6 months after the issuance or renewal of an identification card, destroy any record of the card if it has expired and has not been renewed.

SEC. 5. If an identification card issued under sections 2 to 12, inclusive, of this act, is lost, destroyed, mutilated, or a new name is acquired,

SEC. 6. The identification card shall resemble in appearance, so far as is practicable, a driver's license issued pursuant to this chapter. It shall adequately describe the registrant and bear the following: "State of Nevada"—"Identification Card No......."—"This eard is provided solely for the purpose of establishing that the bearer described on the card was not the holder of a Nevada driver's license as of the date of issuance of this card." The identification number shall be identical to the social security number of the applicant. If the applicant does not have a social security number, the department shall assign a number. The identification card shall be sealed in transparent plastic or similar substance.

SEC. 7. If a driver's license issued by the department under this chapter contains a photograph of the licensee, the identification card issued under sections 2 to 12, inclusive, of this act, shall contain a photograph of the applicant.

SEC. 8. No public entity shall be liable for any loss or injury resulting directly or indirectly from folse or inaccurate information contained in identification cards provided for in sections 2 to 12, inclusive, of this act.

- SEC. 9. Whenever any person after applying for or receiving an identification card acquires an address different from the address shown on the identification card issued to him, he shall within 10 days thereafter notify the department in writing of his old and new address. The department may thereupon take such action as necessary to insure that the identification card reflects the proper address of the identification cardholder.
- SEC. 10. Upon an application for an identification card, or a duplicate identification card, there shall be paid to the department a fee set by the director of the department, which fee shall be deposited in the state highway fund.
- Sec. 11. When used in reference to an identification card, "cancellation" means that an identification card is terminated without prejudice and must be surrendered. Cancellation of a card may be made when a card has been issued through error or when voluntarily surrendered to the department.

Sec. 12. It is unlawful for any person to:

- 1. Display or cause or permit to be displayed or have in his possession any canceled, fictitious, fraudilently aftered, or fraudulently obtained identification card.
- 2. Lend his identification card to any other person or knowingly permit the use thereof by another.
- 3. Display or represent any identification card not issued to him as being his eard.
 - 4. Permit any unlawful use of an identification card issued to him.
- 5. Do any der forbidden or fail to perform any act required by sections 2 to 12, inclusive, of this act.

6. Photograph, photostat, auplicate, or in any way reproduce any identification card or jacsimile thereof in such a manner that it could be mistaken for a valid identification card, or to display or have in his possession any such photograph, photostat, duplicate, reproduction, or facsimile unless authorized by sections 2 to 12, inclusive, of this act.

7. Alter any identification card in any manner not authorized by sec-

tions 2 to 12, inclusive, of this act.

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