

MINUTES

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ASSEMBLY TRANSPORTATION COMMITTEE  
March 13, 1975

Members Present: Messrs. Glover, Howard, Dreyer, May  
and Mrs. Hayes

Members Absent: None

Members Late: Dini and Jacobsen

Guests: Representing

Freddie Little Dept Motor Vehicle  
James Lambert Nevada Highway Patrol  
Virgil Anderson AAA  
B.W. Firth

Chairman Glover called the meeting to order at 3:10 p.m.  
The first order of business was:

S.B. 126 -- Requires additional information to be included on  
traffic citations

James Lambert, Nevada Highway Patrol, spoke to the Committee  
for this bill. He stated that in the original construction  
of the law the NRS statutes did not require a driver's license  
number to be written on a traffic ticket and the Highway Patrol  
now wants this written in the law.

Mr. May made a motion for Do Pass; Mrs. Hayes seconded and  
it was unanimous for Do Pass.

The next bill discussed was:

S.B. 127-- Prescribes minimum width of motorcycle handlebars.  
James Lambert, representing Nevada Highway Patrol, said that  
presently the statutes are silent as to a reasonable distance  
between the hand holds on handlebars on motorcycles, and  
Nevada Highway Patrol would like to eliminate what might be  
dangerous equipment.

Mr. Dreyer asked if any motor bike outfits would have to  
change anything. Mr. Lambert answered no. Mr. Howard asked  
how the state would enforce this with the groups coming through  
the state in the summer. Mr. Lambert stated it would be a  
problem with the bordering states that do not have the same  
law, but if a person was stopped, and his cycle did not comply  
with the law, then he would have to get it changed before he  
could continue on.

Mr. Firth spoke against the bill. He stated that he had been  
riding motorcycles for 30 years and the shorter handlebars  
made a cycle handle much better. He said the short handlebars  
are usually put on distance racing cycles. He said if this

bill were passed, it would discourage manufactures to develop machines that will not handle well.

The next bill discussed was:

S.B. 129 Changes responsibility of repair shop operator for reporting receipt of certain damaged vehicles

James Lambert, Nevada Highway Patrol, spoke again for this bill. He said the purpose of this bill is to require garage owners to report damage vehicles that are brought in for repairs whenever the vehicle does not have a damage sticker on it. He stated there has been confusion in the law as to how much damage must be done before a vehicle has to be reported. The law now stated in NRS 484.229 that any damages over \$250.00 must be reported. Lambert stated the recommendation from Senator Monroe of the Senate Transportation Committee was to eliminate the section reference to NRS 484.229 in this bill. This bill, Lambert stated, is aimed primarily at the hit and run driver.

Mr. Dreyer asked why lines 11-13 had been added to the bill. Mr. Lambert said that someone from Metropolitan in Las Vegas had wanted to be sure that this was not a law requiring a police entity to institute a damage sticker program so Nevada Highway Patrol wanted to specifically address the point that if they wish to they may, but there is no requirement to institute the sticker program. He stated that the Nevada Highway Patrol does not use the damage sticker program.

Mr. Lambert also explained to the committee the bill he would like the committee to introduce broadening the legal circumstances under which the driver of a vehicle may pass a stopped school bus while loading and unloading children. (See attached). He said there has been a problem with the District Attorney of Washoe County and the Attorney General with their interpretations of the law, and he would like the law clearly stated to eliminate this problem

As there was no other discussion, Chairman Glover thanked the guests for their testimony and announced a 5-minute recess.

After the recess the following action was taken:

S.B. 127 Mr. Howard moved to Indefinitely Postpone it. Mr. May seconded, and the motion was unanimous.

S.B. 129 Mr. Dreyer moved a Do Pass; Mr. Dini seconded, and the motion was unanimous.

Assembly Transportation Committee  
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Mr. May moved for a Committee Introduction of the School Bus Bill; Mr. Jacobsen seconded, and the motion was unanimous.

A.B. 292 Mr. Dini stated he would like a legal opinion on this bill. Mr. May moved for indefinite Postponement. It was seconded by Mr. Dini, and the motion for Indefinite Postponement was unanimous with Mr. Dreyer dissenting.

Discussion was held on A.B. 334, and it was decided to have Grant Bastian back for more testimony on the Bill.

A.B. 117 Chairman Glover presented an amendment to this bill to the Committee. Mr. Dini moved Amend and Do Pass and to re-refer the bill back to the Committee; Mr. Dreyer seconded and it was unanimous.

Chairman Glover presented a request from Assemblyman Hickey for the Committee to introduce a bill that would increase the authorized unladen weight cut off point for lower limit tow cars from 9,000 pounds to 10,000 pounds. (see attached)  
Mr. May made a motion for Committee introduction and to refer the bill to the transportation Committee; Mr. Hayes seconded, and it was unanimous.

Discussion was held as to what had been done with the following bills and then the following action was taken:

S.B. 130 Mr. Howard moved for Indefinite Postponement; Mr. Jacobsen seconded, and it was unanimous.

A.B. 262 Mr. May moved for Indefinite Postponement; Mr. Dini seconded and it was unanimous with Mrs. Hayes dissenting.

S.B. 63 Mr. Dini made a motion for Do Pass, Mr. May seconded and it was unanimous with Mr. Jacobsen and Mr. Dreyer dissenting

S.B. 118 Mr. Dini moved for Indefinite Postponement; Mr. Jacobsen seconded, and it was unanimous with Mr. May dissenting.

A.B. 152 Mr. Howard moved for Indefinite Postponement; Mr. Jacobsen seconded, and it was unanimous, with Glover and Dini dissenting.

Mr. Dreyer made a motion to adjourn; Mr. Jacobsen seconded, and the motion was passed unanimously. Chairman Glover adjourned the meeting at 4:00 p.m.

Respectfully Submitted,

Camille Lee  
Assembly Attache

ASSEMBLY

AGENDA FOR COMMITTEE ON TRANSPORTATION

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Date Thursday Mar 13 Time 3:00 pm Room 214

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

S.B. 126

Requires additional information to be included on traffic citations.  
Fiscal Note: No (BDR 43-333)

S.B. 127

Prescribes minimum width of motorcycle handlebars. Fiscal Note; No (BDR 43-335)

S.B. 129

Changes responsibility of repair shop operator for reporting receipt of certain damaged vehicles. Fiscal Note: No (BDR 43-306)

AB 292

AB 334

AB 117

SB 130

AB 262

SB 63

SB 118

AB 152

\*Please do not ask for counsel unless necessary.

THE PURPOSE OF THIS BILL IS TO BROADEN THE LEGAL CIRCUMSTANCE<sup>107</sup>  
UNDER WHICH THE DRIVER OF A VEHICLE MAY PASS A STOPPED SCHOOL  
BUS WHILE LOADING AND UNLOADING CHILDREN.

THE DRIVER OF A VEHICLE TRAVELING ON A HIGHWAY WITH ONE COMMON  
CENTER LEFT TURN LANE, DESIGNED TO BE USED BY VEHICLES TRAVEL-  
ING IN THE OPPOSITE DIRECTION TURNING LEFT WILL BE PERMITTED  
TO PASS A SCHOOL BUS WHICH IS STOPPED ON THE OPPOSITE SIDE OF  
SUCH A HIGHWAY AND IS LOADING OR UNLOADING CHILDREN.

HOWEVER, THE DRIVER OF A VEHICLE WITHIN THE CENTER TURN LANE  
UPON MEETING A STOPPED SCHOOL BUS WHICH IS LOADING OR UNLOAD-  
ING CHILDREN WOULD BE REQUIRED TO STOP.

# BILL DRAFTING AND AMENDMENT REQUEST

[Please use separate sheet for each request]

To the Legislative Counsel:

From \_\_\_\_\_

Date \_\_\_\_\_

Please prepare a bill/amendment as follows:

That will increase the authorized unladen weight cut off point for lower limit tow cars from 9,000 pounds to 10,000 pounds. To accomplish this goal the following paragraph should be inserted between NRS 706.446 and NRS 706.448:

"Any person who on July 1, 1975 holds a valid certificate of public convenience and necessity issued by the Commission for the operation of a tow car with an unladen weight of less than 9,000 pounds shall be authorized to operate a tow car with an unladen weight of less than 10,000 pounds within the service territory set forth in its existing certificate of public convenience and necessity. Such authority shall commence on August 1, 1975."

I HEREBY CONSENT TO RELEASE OF THIS INFORMATION TO ANY LEGISLATOR BY THE LEGISLATIVE COUNSEL.

\_\_\_\_\_  
REQUESTER

Section 1. NRS 482.020 is hereby amended to read as follows:

482.020 ["Dealer" means every person engaged in the business of buying, offering for sale, selling or exchanging vehicles in this state.]

1. "Dealer" or "vehicle dealer" means any person who:

(a) For compensation, money or other thing of value sells, exchanges, buys or , offers or displays for sale, negotiates or attempts to negotiate a sale or exchange of an interest in a vehicle subject to registration under this chapter or induces or attempts to induce any person to buy or exchange an interest in a vehicle;

(b) Receives or expects to receive a commission, money, brokerage fee, profit or any other thing of value from either the seller or purchaser of a vehicle;  
or

(c) Is engaged wholly or in part in the business of selling vehicles or buying or taking in trade vehicles for the purpose of resale, selling or offering for sale or consignment to be sold or otherwise dealing in vehicles, whether or not he owns such vehicles.

2. "Dealer" or "vehicle dealer" does not include:

(a) An insurance company, bank, finance company, government agency or any other person coming into possession of a vehicle, acquiring a contractual right to a vehicle or incurring an obligation with respect to a vehicle in the performance of official duties or under the authority of any court of law, if the sale of the vehicle is for the purpose of saving the seller from loss pursuant to the authority of a court of competent jurisdiction [;] or person regularly employed as a salesman by a vehicle dealer licensed under this code while acting within the scope of such employment; or

(b) A person other than a long term or a short term lessor of vehicles who is not engaged in the purchase or sale of vehicles as a business, but is disposing of vehicles acquired for the owner to use in his business and not for the purpose of avoiding the provisions of this chapter.

(Section 2 - NRS 482.020, continued)

(c) Persons who are incidentally engaged in the business of soliciting orders for the sale and delivery of vehicles outside the territorial limits of the United States only if their sales of such vehicles produces less than five (5) percent of their total gross revenue from all business transacted.



Sec. 2 NRS 482.053 is hereby amended to read as follows:

482.053 For the purposes of regulation under this chapter and of imposing tort liability under NRS 41.440, and for no other purpose:

1. "Lease" means a contract by which the legal owner or owner of a vehicle transfers to another person, for compensation, the right to use such vehicle.
2. "Long-term lessee" means a person who has leased a vehicle from another person for a fixed period of more than 31 days.
3. "Long-term lessor" means a person who has leased a vehicle to another person for a fixed period of more than 31 days.
4. "Short-term lessee" means a person who has leased a vehicle from another person for a period of 31 days or less, or by the day, or by the trip.
5. "Short-term lessor" means a person who has leased a vehicle to another person for a period of 31 days or less, or by the day, or by the trip.

Sec. 3 NRS 482.055 is hereby amended to read as follows:

482.055 "~~Legal owner~~" Lienholder means a person who holds ~~the legal title of a vehicle.~~ a security interest in a vehicle, and whose name appears on the certificate of title as legal owner.

Sec. 4 NRS 482.078 is hereby amended to read as follows:

482.078 "New vehicle dealer" means any ~~person~~ person ~~vehicle dealer licensed under the provisions of this chapter who has a franchise from a manufacturer of vehicles to sell new vehicles and who is engaged in the business of selling or exchanging new or new and used vehicles.~~ defined in NRS 482.020, section 1, who complies with the provisions of NRS 482.350, and who acquires new or new and used vehicles for resale and is licensed as a new vehicle dealer under the provisions of NRS 482.

Sec. 5 NRS 482.133 is hereby amended to read as follows:

482.133 "Used vehicle dealer" means any ~~person~~ person ~~vehicle dealer~~

engaged in the business of purchasing or exchanging used vehicles for the purpose of resale, or who purchases, sells or exchanges two or more used vehicles in any 1 calendar year, or who offers or displays used vehicles for sale or is licensed as a used vehicle dealer under the provisions of this chapter.] defined in NRS 482.020, section 1, who purchases, sells, exchanges, offers or displays for sale any used vehicle as defined in NRS 482.132 and is licensed as a used vehicle dealer under the provisions of NRS 482.

Sec. 6 NRS 482.245 is hereby amended to read as follows:

482.245 Certificates of registration and of ownership shall meet the following requirements:

1. The certificate of registration shall contain upon the face thereof the date issued, the registration number assigned to the vehicle, the name and address of the registered owner, the county where the vehicle is to be based unless it is deemed to have no base, a description of the registered vehicle and such other statement of facts as may be determined by the department.
2. The certificate of ownership shall contain upon the face thereof the date issued, the name and address of registered owner and owner or legal owner, a description of the vehicle, any entries required by NRS 482.423 to 482.428, inclusive, and such other statement of facts as may be determined by the department. The reverse side of the certificate of ownership shall contain forms for notice to the department of a transfer of the title or interest of the owner or legal owner and application for registration by the transferee.

Sec. 7 NRS 482.322 is hereby amended to read as follows:

482.322 1. [No person may engage in the business of a new or used vehicle dealer, manufacturer or rebuilder in this state, or be entitled to any other license or permit required by this chapter, until he has applied for and has been issued a dealer's, manufacturer's, or rebuilder's license certificate or other license or permit required by the department.] It is unlawful for any person to engage in [the business of] any of the activities of a vehicle dealer or dealer as defined in

in NRS 482.020, section 1; or as a manufacturer, rebuilder or lessor in this state, or be entitled to any other license or permit required by this chapter, until he has applied for and has been issued a dealer's, manufacturer's, rebuilder's or lessor's certificate or other license or permit required by this department.

2. The department shall investigate any applicant for a dealer's, manufacturer's, [or] rebuilder's or lessor's license and complete an investigation report on a form provided by the department.

Sec. 8 NRS 482.547 is hereby amended to read as follows:

482.547 1. It is unlawful for any person to sell, offer to sell or display for sale any motor vehicle unless such person is:

(a) The legal owner, owner or registered owner of such vehicle;

(b) A reposessor of such vehicle, or holder of a statutory lien on such vehicle, selling the vehicle on a bid basis; or

(c) A manufacturer, [or] rebuilder, lessor or dealer licensed under the provisions of this chapter.

2. The provisions of this section do not apply to any executor, administrator, sheriff or other person who sells a motor vehicle pursuant to powers or duties granted or imposed by law.

3. Any person who violates any of the provisions of this section is guilty of a misdemeanor.

482.325 Applications, fees for manufacturers', dealers', rebuilders',  
lessors licenses; issuance of certificates.

1. Applications for manufacturer's, dealer's [or], rebuilders' or lessors license shall be filed upon forms supplied by the department, and the applicant shall furnish:

(a) Such proof as the department may deem necessary that the applicant is a manufacturer, dealer [or], rebuilders' or lessor.

(b) A fee of \$25.00 [ ] to be renewed annually.

2. Upon receipt of such application and when satisfied that the applicant is entitled thereto, the department shall issue to the applicant a dealer's, manufacturer's [or], rebuilders' or lessor's license certificate containing the latter's name and the address of his [fixed] established place of business. Such license certificate shall expire on December 31 of each year.

482.300 Notice to department by short term lessor; compliance with NRS 482.295

It is unlawful for any person to become a short term lessor of a motor vehicle unless he has previously notified the department of his intention to do so and has complied with the requirements provided in NRS 482.295 [.] and NRS 482.363.

482.363 1. Any person, other than a new or used vehicle dealer licensed under the provisions of NRS 482.325 who engages in the leasing of vehicles in this state as a long term or short term lessor shall, before commencing operation in this state and annually thereafter:

- (a) Secure a license from the department to conduct such leasing business;
- (b) Post a bond;
- (c) Furnish the department with such other information as may be required; and
- (d) Comply with the same terms and conditions which apply to vehicle dealers as specified in NRS 482.345.

2. Any person employed by a [person] long term lessor licensed under the provisions of subsection 1, who engages in the practise of arranging or selling such services in this state [,]; and any person employed by a short term lessor who sells, offers or displays for sale or exchanges vehicles which are owned by such short-term lessor shall, before commencing operation and annually thereafter:

- (a) Secure from the department a license to act as a salesman of such services; and
- (b) Comply with the same terms and conditions which apply to salesmen of vehicles as specified in NRS 482.362.

3. The provisions of NRS 482.352, relating to the denial, revocation

or suspension of dealer's and rebuilder's license, shall apply to licenses issued pursuant to the provisions of subsection 1. The provisions of NRS 482.362, relating to the denial, revocation and transfer of vehicle salesmen's licenses, shall apply to licenses issued pursuant to the provisions of subsection 2.

482.423 Dealer's report of sale of new vehicle: Contents; execution; disposition of copies. 117

2. The seller shall submit the original of the dealer's report of sale to the department within 10 days after the execution of all instruments which the contract of sale requires to be executed at the time of sale or within 10 days after the date of sale, whichever is later, unless an extension of time is granted by the department, and shall furnish one copy to the buyer. One copy shall be affixed to the right front windshield of the vehicle [.] , which shall allow the operation of the vehicle for a period not to exceed 10 days. Upon the issuance of the certificate of registration for the vehicle or the expiration of 10 days after the sale, whichever occurs first, the buyer shall remove the copy from the windshield of the vehicle.

482.424 Dealer's rebuilder's report of sale of used vehicle: Contents; execution; disposition of copies.

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2. The seller shall submit the original of the dealer's or rebuilder's report of sale to the department within 45 days after the execution of all instruments which the contract of sale requires to be executed at the time of sale, unless an extension of time is granted by the department, together with the properly endorsed certificate of title or certificate of ownership previously issued for such vehicle, and shall furnish one copy to the buyer. One copy shall be affixed to the front right windshield of the vehicle [.] , which shall allow the operation of the vehicle for a period not to exceed 10 days. Upon the issuance of the certificate of registration for the vehicle or the expiration of 10 days after the sale, whichever occurs first, the buyer shall remove the copy from the windshield of the vehicle.