Members Present

Chairman Glover

Mr. Howard
Mr. Dini
Mrs. Hayes
Mr. Dreyer
Mr. Jacobsen

Members Absent

Mr. May (excused)

Guests

(see attached sheet)

Chairman Glover called the meeting to order at 3:20 p.m. The first bill discussed was A.B. 355:

A.B. 355 Changes designation from "State Assemblyman" to "State Assembly" on special license plate issued assemblyman

Assemblyman Eileen Brookman, introducer of the bill, gave each committee member a copy of the Nevada Constitution showing that the legislators are referred to as "Assembly." She said the parking lots are also designated this way. She does not like to drive around with "State Assemblyman" on her license plate. She said if the committee would not go for this change, then she would like to see them consider changing to assemblywoman. She indicated that some states have used the title "representative" on their license plates. Brookman told the committee there was no fiscal note on this, and that the money for this change would come out of the raw material money.

Chairman Glover asked Ms. Brookman what the other ladies' views were in the Assembly. Ms. Brookman said their names were on the Bill.

The next bill discussed was:

A.B. 170 Permits issuance of identification cards to certain persons who do not have a driver's license

Assemblyman Brookman also introduced this bill. She told the committee that non-drivers, senior citizens, and housewives that don't drive definitely need some type of I.D. This bill is strictly for the non-driver. Chairman Glover announced that he has a letter from Dept of Human Resources stating that the Rehabilitation Division and the Nevada Association of Retarded Citizens were in favor of this bill. Many handicapped persons need I.D. even though they don't drive. (see attached)

Howard Hill, Head of Dept of Motor Vehicle, presented an amendment to A.B. 170 which would allow the dept. to issue an I.D. card to anyone 18 or over. Now the Dept can only issue card to persons 60 years or older. (see attached amendment) Chairman Glover asked Mr. Hill the reason for this amendment and the 18 yr age.

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Mr. Hill said by keeping the age at 18 it would eliminate the work that might be caused by those who at 16 would get an I.D. card until they could get their drivers' license. Mr. Hill said if the bill passes the Legislature to allow DMV to issue drivers' licenses with photographs, then these I.D. cards will also have photos on them.

2.16

Bartan Jacka, Assistant Sheriff Las Vegas Metropolitan police Dept. spoke in favor of the bill. He said many senior citizens in clark county are continuing contacting the police dept for some type of identification. The police dept does issue a work card but it is stated on the card that it is not to be used for identification purposes only. He said this I.D. card might also hamper some operations in Vegas area that are trying to develop false I.D.s.

The next bill was:

S.B. 217 Requires that driver's license bear a colored photograph of the licensee and increases license fees

Chairman Glover said that the Senate had amended the bill to change the cost of a duplicate license from \$1.00 to \$5.00. He asked Mr. Howard Hill if this would change anything in his department. Mr. Hill said the only change he could see would be that many people that lose their license might not apply for a new one because of the extra expense.

Mr. Hill pointed out that he thought there had been an error in the wording. On page 2 line 4-5 reads that the cost of a duplicate would be \$6.00 and the intent was to be \$5.00.

Chairman Glover asked how many states have charge for duplicate license. Mr. Hill said only two states has fee of \$5.00; the rest are under that. Most are from \$1.00 to \$2.00. Following are the figures he gave:

1	state	has	\$ .50				
20	states		1.00				
4	states		1.25	36	states	under	\$2.00
4	states		1.50				
11	states		2.00				

Mr. Hill stated the purpose of raising the duplicate license fee was to discourage people going to get a photo license once it goes into effect, even though their present license would not expire for a year or so. Mr. Dini suggested changing the wording so that a person coming in for renewal with a license that will not expire for more than 90 days must pay the \$5.00 charge.

Chairman Glover asked how many people came in for a duplicate license last year. Mr. Hill said 58,000 and 14,000 were strictly duplicates.

Mrs. Hayes questioned page 1; line 10-11. Why some are profile shot and some front view?

Mr. Hill said this would differentiate between the person legal

to buy alcohol and those not. He said a different background could also be used instead of the front or side view.

Mr. Howard said if we charge \$5.00 only to discourage people from getting a duplicate or the photo license when their other license is not expired, then we are putting a burden on the righteous person who really needs a duplicate license.

Chairman Glover asked if the fiscal note included the personnel that DMV would need. Mr. Hill said yes, the fiscal note was based on the \$1.00 renewal fee. Mr. Hill also suggested some additional changes in wording. He requested that on the second reprint of S.B. 217, page 1, line 7 the wording "On and after" be changed to "On or after". The reason for this would be to protect DMV in case they had some last minute problems in getting the program started. He felt if they were mandated by law to start on an exact date, and then they could not make this date it would only cause more problems if they tried to. Mr. Dini suggested adding the words "on or after but before Feb. 1".

Don Karst, Dek/Electro representative, was the next to speak. He presented his written testimony to each member. (A copy is attached in the Secretary's minute book.) He basically wanted to outline the differences of the two systems, and point out which has the most advantages to Nevada. He said no state had passed legislation which states an instant or over the counter system. He felt that was too restrictive. If the system did not work out, then a new law would have to be passed before the system could be changed.

Mr. B.W. Firth was the next speaker. He was against the bill for three reasons: 1. can't drawn line between ages of 21 and older. the age of maturity is getting lower all the time.

2. Just raising prices; people would be against the \$5.00 cost for duplicate licenses.

3. People would be against some company keeping a file of their pictures as Dek/Electro says they do.

The next bill discussed was:

A.B. 596 Provides additional circumstances for permissible passing of stopped school bus.

Pete Zadra, Nevada Highway Patrol, was the first to speak for the bill. He stated a problem has risen from the statute because when the Highway Patrol cites a person for not stopping, the Washoe County District Attorney will not prosecute because the Justices, Beemer and Minor will not fine. This problem mainly applies to the area from Hash Lane in Reno to the Winter's Ranch in Washoe Valley. He said the Nevada Attorney General has ruled that cars must stop, and something must be done to clear up these different viewpoints.

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Mr. Jacobsen asked if there were many citations being issued. Mr. Zandra said they were citing any cars they saw passing a bus.

Mr. Jacobsen asked if we would be jeopardizing the children if the legislature changes the law. What if they have to cross the highway?

Virgil Anderson, AAA, stated that his group was in support of the bill. He raised the question of the word "common" line 11. He felt it would be better they add 2-way left turn lane. Mr. Jacobsen asked if other states had school bus laws like Nevada. Mr. Anderson answered this is the first legislation like this that he had heard of.

Milo Tresmit, director of transportation of Carson City School District, spoke against the bill. He said the intent of 484.357 was to protect the safety and lives of students and the present law has been doing this very well. There have been no fatalities in 10 years, so why change the law. He said the Carson City community has had no problems with cars not stopping for a stopped school bus. He said there is some confusion with the present law, but he did not feel amending it as had been It would only add to the confusion. suggested would help. He said children do cross the street to catch the bus even though the bus schedules have been set up so they are not made If a child can get on at the last stop of the bus instead of the first just by crossing the street, he is going to do this if he can get away with it.

Mr. Jacobsen asked if any bus drivers get out of the bus to help small children cross a highway. Mr. Tresmit said some do when it is impossible to lay out the bus route so that a child gets off the bus on the proper side.

Mr. Dini asked why school district can't devise a system where the bus could pull off the road and let children off behind a fence. Mr. Tresmit said they do this on school property, but they don't have the capabilities to do it on a public road or street. He said he could see this might be a problem in Washoe County but we should not enact a state law for a problem in one county.

Jim Menath, representing State Department of Education, also spoke against the bill. He said he was against it because he was also concerned with the safety of children. He stated there was no uniformity in other states in regards to school bus laws, so it is confusing to out of staters when they come to Nevada. None of the five bordering states have this same law like Nevada does. He felt this committee should work with any other forces possible to enact a National uniform school bus law.

Kurt Svare, Washoe County School District, also testified that he would like to see the law stay the same because of the low accident rate. He stated that there are different types of "common" left turn lanes, and by changing the present law and adding this to the bill would only add to the confusion.

Dick White, Clark County school district, said the law now has done an excellent job of preventing accidents, and it should not be changed. He said it is very difficult to educate the public with a new law, and the public's comprehension of the present law is very good. If we added into the law that sometimes you stop and sometimes you don't, then at some time people would have to make too fast a judgment which is just asking for trouble. He said if a child were ever killed after the present law is changes, how could the legislature ever justify the change to the parents.

Jack Alien, representing the Washoe County District Attorney's Office, said his office would like to allow cars to pass if the school bus lights aren't flashing. He said they are opposed to having the oncoming cars required to stop, especially, with the center turning lane. He would not be opposed to having the cars stop directly behind a bus, if the bus had lights flashing. He said many defendents and witnesses have stated they felt there was more of a hazard in stopping because they might get rear ended or cause a car to start skidding. This is basically why the judges are not fining and why the DA's office is not prosecuting.

Mr. Jacobsen asked if this problem hadn't been discussed at meetings with the judges. Mr. Alien said yes and it was just felt there would be too many rear end collisions.

Jim Menath said it was hard to control the lights on the buses because the red light automatically comes on when the door is opened on any buses since 1972.

Mr. Hill said the way to solve this is legislation is to pass a resolution to have the justices of the peace get this solved. Mr. Jacobsen suggested that we have the Attorney General appear before the Committee.

Virgil Anderson suggested an amendment to limit this bill to read that a highway must have 4 Or more lanes with a left turn lane in the center before a driver is required to stop.

As there was no other discussion, Chairman Glover thanked the guests for coming and excused them.

After the recess Mr. Dini moved to form a sub committee to get the two judges from Reno to come and testify as to why they are not enforcing the law. He also suggested asking the Attorney General to come. Mr. Jacobsen seconded, and the motion was unaminous.

Mr. Dini moved an amend and Do Pass to A.B. 170. Mr. Jacobsen seconded, and it was unaminous.

Chairman Glover announced that he had two bills he would like the committee to introduce. One provides for coding of drivers' licenses to indicate type of training. The other permits bell to be used on vehicle as theft alarm signal device. The Committee gave its approval of both of these bills.

As there was no other business, the meeting was adjourned at 5:00 p.m.

# ASSEMBLY

# AGENDA FOR COMMITTEE ON TRANSPORTATION

Date TUESDAY April 15 Time 3:00 p.m. Room Rm 214

sills or Resolutions to be considered	Subject	Counsel requested*
A.B. 170	Permits issuance of identification cards to certain persons who do not have a driver's license	
A.B. 355	Changes designation from "State Assemblym to "State Assembly" on special license plate issued assemblyman.	an"
A.B. 596	Provides additional circumstances for permissible passing of stopped school bus	•
S.B. 217	Requires that driver's license bear a colored photograph of the licensee and increases license fees.	• • • • • • • • • • • • • • • • • • • •

<sup>\*</sup>Please do not ask for counsel unless necessary.

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PLEASE PRINT LEGIBLY

Only those persons who have registered below will be permitted to speak. All persons wishing to present testimony will please sigh in below, stating their name, who they represent, and whether they wish to speak for or against the matter to be considered by the committee.

Also please sign below if you wish just to observe and listen.

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Sec: 6. Registration of electors; test of electoral qualifications. Provision shall be made by law for the registration of the names of the Electors within the counties of which they may be residents and for the ascertainment by proper proofs of the persons who shall be entitled to the right of suffrage, as hereby established, to preserve the purity of elections, and to regulate the manner of holding and making returns of the same; and the Legislature shall have power to prescribe by law any other or further rules or oaths, as may be deemed necessary, as a test of electoral qualification.

### Section 7. Poll tax: Levy and purpose. [Repealed in 1966.]

[Amended in 1910. Proposed and passed by the 1907 legislature; agreed to and passed by the 1909 legislature; approved and ratified by the people at the 1910 general election. See: Statutes of Nevada 1907, p. 450; Statutes of Nevada 1909, p. 344. Repealed in 1966. Repealer proposed and passed by the 1963 legislature; agreed to and passed by the 1965 legislature; approved and ratified by the people at the 1966 general election. See: Statutes of Nevada 1963, p. 1421; Statutes of Nevada 1965, p. 1495. The section as amended in 1910 and repealed in 1966 read: "The Legislature shall provide by law for the payment of an annual poll tax of not less than two, nor exceeding four, dollars from each male resident in the State between the ages of twenty-one and sixty years (uncivilized American Indians excepted) to be expended for the maintenance and betterment of the public roads."]

Sec. 8. Qualification of voters on adoption, rejection of constitution. All persons qualified by law to vote for representatives to the General Assembly of the Territory of Nevada, on the twenty first day of March A.D. Eighteen hundred and sixty four and all other persons who may be lawful voters in said Territory on the first Wednesday of September next following, shall be entitled to vote directly upon the question of adopting or rejecting this Constitution.

Section 9. Recall of public officers: Procedure and limitations. Every public officer in the State of Nevada is subject, as herein provided, to recall from office by the registered voters of the state, or of the county, district, or municipality to For this purpose a number of registered voters not less than twenty-live per cent (25%) of the number who actually voted in the state or in the county, district, or municipality electing said officer, at the preceding general election, shall file their petition, in the manner herein provided, demanding the people; they shall set forth in said petition, in not exceeding two hundred (200) words, the reasons why said recall is demanded. If the obit shall be accepted and take effect on the day it is onered, and the vacancy thereby caused shall be filled in the manner provided by law. I within five (5) days after the petition is filed, a special election shall be ordered to be held within twenty days (20) after the issuance of the call therefor, in the state, or county, district, or municipality electing said officer, to determine whether the people will recall said officer. On the ballot at said election shall be printed verbatim as set forth in the recall petition, the reasons for demanding the recall of said officer, and in not more than two hundred (200) words, the officer's justification 1 Land of the second of the seco

the result of said election shall be finally declared. Other candidates for the office may be nominated to be voted for at said special election. The candidate who shall receive highest number of votes at said special election shall be deemed elected for the remainder of the term, whether it be the person against whom the recall petition was filed, or another. The recall petition shall be filed with the officer with whom the petition for nomination to such office shall be filed, and the same officer shall order the special election when it is required. No such petition shall be circulated or filed against any officer office six (6) months, save and except that it may be filed against a senator n the legislature at any time after ten (10) days from the beginning of the first session and special election, no further recall petition shall be filed against the same officer during the term for which the alected unless such further petitioners shall pay into the public treasury from which the expenses of said special election have been paid, the whole amount paid out of said public treasury as expenses for the preceding special election. Such additional legislation as may aid the operation of this section shall be provided by law.

[Added in 1912. Proposed and passed by the 1909 legislature; agreed to and passed by the 1911 legislature; and approved and ratified by the people at the 1912 general election. See: Statutes of Nevada 1909, p. 345; Statutes of Nevada 1911, p. 448. Amended in 1970. Proposed and passed by the 1967 legislature; agreed to and passed by the 1969 legislature; and approved and ratified by the people at the 1970 general election. See: Statutes of Nevada 1967, p. 1782; Statutes of Nevada

1969, p. 1663.]

### ARTICLE 3.

### DISTRIBUTION OF POWERS.

Section. 1. Three separate departments; separation of powers. The powers of the Government of the State of Nevada shall be divided into three separate departments,—the Legislative,—the Executive and the Judicial; and no persons charged with the exercise of powers properly belonging to one of these departments shall exercise any functions, appertaining to either of the others, except in the cases herein expressly directed or permitted.

#### ARTICLE 4.

### LEGISLATIVE DEPARTMENT

Legislative power vested in senate and assembly.

Biennial sessions of legislature; commencement. Members of assembly: Election and term of office.

Senators: Election and term of office.

Number of senators and assemblymen; apportionment.

Houses are judges of members' qualifications; choice of officers; rules of proceedings; expulsion.

Punishment of nonmembers.

Senators and assemblymen ineligible to certain offices.

Federal officers ineligible to state office; exceptions.

Embezzler of public funds ineligible to office; disqualification for brib-

- Sec: 3. Members of assembly: Election and term of office. The members of the Assembly shall be chosen biennialy [biennially] by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November and their term of office shall be two years from the day next after their election.
- Sec: 4. Senators: Election and term of office. Senators shall be chosen at the same time and places as members of the Assembly by the qualified electors of their respective districts, and their term of Office shall be four Years from the day next after their election.
- Sec. 5. Number of senators and assemblymen: apportionment. Senators and members of the assembly shall be duly qualified electors in the respective counties and districts which they represent, and the number of senators shall not be less than one-third nor more than one-half of that of the members of the assembly.

It shall be the mandatory duty of the legislature at its first session after the taking of the decennial census of the United States in the year 1950, and after each subsequent decennial census, to fix by law the number of senators and apportion them among the several counties of the state, or among legislative districts which may be established by law, according to the number of inhabitants in them, respectively.

[Amended in 1950 and 1970. The first amendment was proposed and passed by the 1947 legislature; agreed to and passed by the 1949 legislature; and approved and ratified by the people at the 1950 general election. See: Statutes of Nevada 1947, p. 881; Statutes of Nevada 1949, p. 685. The second amendment was proposed and passed by the 1967 legislature; agreed to and passed by the 1969 legislature; and approved and ratified by the people at the 1970 general election. See: Statutes of Nevada 1967, p. 1797; Statutes of Nevada 1969, p. 1723.]

- Sec: 6. Houses are judges of members' qualifications; choice of officers; rules of proceedings; expulsion. Each House shall judge of the qualifications, elections and returns of its own members, choose its own officers (except the President of the Senate), determine the rules of its proceedings and may punish its members for disorderly conduct, and with the concurrence of two thirds of all the members elected, expel a member.
- Sec: 7. Punishment of nonmembers. Either House, during the session, may punish, by imprisonment, any person not a member, who shall have been guilty of disrespect to the House by disorderly or contemptuous behavior in its presence; but such imprisonment shall not extend beyond the final adjournment of the session.
- Sec: 8. Senators and assemblymen ineligible to certain offices. No Senator or member of seembly shall, during the term for which he shall have been elected, nor for one year thereafter be appointed to any civil office of profit under this State which shall have been created, or the emoluments of which shall have been increased during such term, except such office as may be filled by elections by the people.

(+4.72)

- Sec: 9. Federal officers incligible to state office; exceptions. No person holding any lucrative office under the Government of the United States or any other power, shall be eligible to any civil office of Profit under this State; Provided, that Post-Masters whose compensation does not exceed Five Hundred dollars per annum, or commissioners of deeds, shall not be deemed as holding a lucrative office.
- Sec: 10. Embezzler of public funds ineligible to office; disqualification for bribery. Any person who shall be convicted of the embezzlement, or defalcation of the public funds of this State or who may be convicted of having given or offered a bribe to procure his election or appointment to office, or received a bribe to aid in the procurement of office for any other person, shall be disqualified from holding any office of profit or trust in this State; and the Legislature shall, as soon as practicable, provide by law for the punishment of such defalcation, bribery, or embezzlement as a felony.
- Sec: 11. Privilege of members: Freedom from arrest on civil process. Members of the Legislature shall be privileged from arrest on civil process during the session of the Legislature, and for fifteen days next before the commencement of each session.
- Sec. 12. Filling vacancies. In case of the death or resignation of any member of the legislature, either senator or the county commissioners of the county from which such member was elected shall appoint a person of the same political party as the party which elected such senator or to fill such vacancy; provided, that this section shall apply only in cases where no biennial election or any regular election at which county officers are to [be] elected takes place between the time of such death or resignation and the next succeeding session of the legislature.

[Amended in 1922 and 1944. The first amendment was proposed and passed by the 1919 legislature; agreed to and passed by the 1921 legislature; and approved and ratified by the people at the 1922 general election. See: Statutes of Nevada 1919, p. 478; Statutes of Nevada 1921, p. 412. The second amendment was proposed and passed by the 1941 legislature; agreed to and passed by the 1943 legislature; and approved and ratified by the people at the 1944 general election. See: Statutes of Nevada 1941, p. 563; Statutes of Nevada 1943, p. 311.]

- Sec: 13. Quorum; compelling attendance. A majority of all the members elected to each House shall constitute a quorum to transact business, but a smaller number may adjourn, from day to day and may compel the attendance of absent members, in such manner, and under such penalties as each house may prescribe[.]
- Sec: 14. Journal. Each House shall keep a journal of its own proceedings which shall be published and the yeas and nays of the members of either house on any question shall at the desire of any three members present, be entered on the journal.

such general election, and members of seembly for Two Years from the day succeeding such general election, and the terms of Senators shall be allotted by the Legislature in long and short terms as hereinbefore provided; so that one half the number as nearly as may be, shall be elected every Two Years.

- Scc: 11. Terms of assemblymen: 1865, 1866. The term of the members of the Assembly elected at the first general election under this Constitution shall expire on the day succeeding the general election in AD. Eighteen hundred and Sixty Five; and the terms of those elected at the general election in AD. Eighteen hundred and Sixty Five, shall expire on the day succeeding the general election in A.D. Eighteen hundred and Sixty six.
- Sec: 12. First biennial legislative session to commence in 1867. The first regular session of the Legislature shall commence on the second Monday of December A.D. Eighteen hundred and Sixty Four, and the second regular session of the same shall commence on the first Monday of January A.D. Eighteen hundred and Sixty Six; and the third regular session of the Legislature shall be the first of the biennial sessions, and shall commence on the first Monday of January A.D. Eighteen hundred and Sixty Seven; and the regular sessions of the Legislature shall be held thereafter biennially, commencing on the first Monday of January. [See Art. IV, sec. 2, as amended in 1889.]
- Scc: 13. Continuation of territorial county, township officers; probate judges. All county officers under the laws of the Territory of Nevada at the time when the Constitution shall take effect, whose offices are not inconsistent with the provisions of this Constitution, shall continue in office until the first Monday of January A.D. Eighteen hundred and Sixty Seven, and until their successors are elected and qualified; and all township officers shall continue in office until the expiration of their terms of office, and until their successors are elected and qualified; Provided, that the Probate Judges of the several counties respectively, shall continue in office until the election and qualification of the District Judges of the several counties or Judicial Districts; And Provided further, that the term of office of the present county officers of Lander County, shall expire on the first Monday of January AD Eighteen hundred and Sixty Five, except the Probate Judge of said County whose term of office shall expire upon the first Monday of December A.D. Eighteen hundred and Sixty Four, and there shall be an election for County Officers of Lander County at the general election in November A.D. Eighteen hundred and Sixty Four, and the officers then elected, shall hold office from the first Monday of January AD. Eighteen hundred and Sixty five until the first Monday of January AD. Eighteen hundred and sixty seven, and until their successors are elected and qualified.
- Sec: 14. Duties of certain territorial officers continued. The Governor, Secretary, Treasurer and Superintendent of Public Instruction of the Territory of Nevada shall each continue to discharge the duties of their

of the State Treasury. The pay of State Senators and Members of Assembly shall be Eight Dollars per day, for each day of actual service, and forty cents per mile for mileage going to, and returning from, the place of meeting. No officer mentioned in this Section, shall receive any fee or perquisites, to his own use for the performance of any duty connected with his office, or for the performance of any additional duty imposed upon him by law.

- Sec: 6. Apportionment of senators and assemblymen. Until otherwise provided by Law the apportionment of Senators and Assembly for the different counties shall be as follows, to Wit: Storey County four Senators and Twelve Douglas County One Senator and Two Assemblymen; Esmeratda County, Two Senators and Four Humboldt County, Two Senators and Three Lander County Two Senators and Four Lyon County, One Senator and Three Assemblymen Lyon and Churchill Counties, One Senator jointly; Churchill County One Senator and One Senator and Three Assemblymen, Lyon County Two Senators and Three Assemblymen Lyon County Two Senators and Three Lyon County Three Lyon County Two Senators and Three Lyon County Three Lyon Count
- Sec: 7. Assumption of territorial debts and liabilities. All debts and liabilities of the Territory of Nevada, lawfully incurred and which remain unpaid, at the time of the admission of this State into the Union shall be assumed by and become the debt of the State of Nevada; Provided that the assumption of such indebtedness shall not prevent the State from contracting the additional indebtedness as provided in Section Three of Article Nine of this Constitution.
- Sec: 8. Terms of elected state officers. The term of State Officers, except Judicial, elected at the first election under this Constitution shall continue until the Tuesday after the first Monday of January AD. Eighteen hundred and sixty seven, and until the election and qualification of their successors.
- Sec: 9. Terms of senators. The Senators to be elected at the first election under this Constitution shall draw lots, so that, the term of one half of the number as nearly as may be, shall expire on the day succeeding the general election in A.D. Eighteen Hundred and Sixty Six; and the term of the other half shall expire on the day succeeding the general election in A.D. Eighteen hundred and sixty eight, Provided, that in drawing lots for all Senatorial terms, the Senatorial representation shall be allotted, so that in the Counties having two or more Senators, the terms thereof shall be divided as nearly as may be between the long and short terms.
- Sec: 10. Terms of senators and assemblymen after 1866. At the general election in A.D. Eighteen hundred and Sixty Six; and thereafter, the term of Senators shall be for Four Years from the day succeeding

1. "

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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.

Section 2. The legislature finds and declares that:

- 1. A need exists in this state for the creation of a system of identification for citizens who do not hold a driver's license.
- 2. To serve this purpose, official identification cards should be prepared for issuance to those citizens who wish to apply for them. The cards should be designed in such form, and distributed pursuant to such controls, that they will merit the general acceptability of drivers' licenses for personal identification.

### Section 3. As used in this act:

- 1. "Citizen" means a person over 18 years of age who is a resident of this state at the time he applies for an identification card.
- 2. "Identification card" means a card issued in accordance with this act to provide citizens a convenient means of personal identification.

#### Section 4.

- 1. Every citizen who does not hold a Nevada driver's license and makes
  an application as provided in this act is entitled to receive an identification
  card.
- 2. The Department of Motor Vehicles shall charge and collect the same fees for issuance of an original, duplicate or changed identification card as for a driver's license.

### Section 5. The Director of the Department of Motor Vehicles shall:

- 1. Prepare suitable identification cards.
- 2. Prepare and furnish application forms for such cards.
- 3. Receive applications, grant or deny them and maintain files of applications.
- 4. Issue identification cards, recall and cancel cards when necessary, and maintain records adequate to preserve the integrity of the identification card system.
- 5. Adopt and promulgate such regulations as are necessary to effectuate the purposes of this act.

### Section 6.

- 1. The form of the identification cards shall be similar to that of drivers' licenses but distinguishable in color or otherwise.
- 2. Identification cards shall not authorize the operation of any motor vehicle.
- 3. Identification cards shall include the following information concerning the holder:
  - (a) Name and sample signature of holder.
  - (b) Social security number or serial number of holder's card.
  - (c) Personal description.
  - (d) Date of birth.
  - (e) Current address.

#### Section 7.

1. If the Department issues drivers' licenses containing photographs of licensees, the identification cards shall also contain photographs of the holders.

#### Section 8.

- 1. Every application for an identification card shall be made upon a form provided by the Department of Motor Vehicles and shall include:
  - (a) The applicant's full name.
  - (b) His social security number, if any.
  - (c) His date of birth.
  - (d) His state of legal residence.
  - (e) His current address.
  - (f) A statement that he does not possess a valid Nevada driver's license.
- 2. When the form is completed, the applicant shall sign the form and verify the contents before a person authorized to administer oaths.

### Section 9.

1. Every applicant for an identification card shall furnish proof of his age by presenting a birth certificate, baptismal certificate or other proof acceptable to the Department of Motor Vehicles and shall provide such other corroboration of the matters stated in his application as are required of applicants for a driver's license.

### Section 10.

- 1. An identification card, once issued, remains valid so long as the person does not become licensed and the facts and circumstances declared in the application and stated in the card do not change. An identification card shall be surrendered upon issuance of a driver's license.
- 2. The holder of an identification card shall promptly report any change in such information to the Department of Motor Vehicles.
- 3. Any change occurring in the holder's address or name (as the result of marriage or otherwise) or any loss of an identification card shall be reported within 10 days of the occurrence to the Department of Motor Vehicles Section 11.
- 1. Upon furnishing unformation that his identification card is lost or destroyed and paying the prescribed fee, the person to whom the original was issued may obtain a duplicate by paying the fee prescribed by section 4 of this act.
- 2. If the original of a duplicated card is subsequently recovered or a lost card is found, the person having possession shall return it immediately to the Department of Motor Vehicles.

Section 12. A person who commits any of the following acts is guilty of a misdemeanor:

- 1. Forges or alters an identification card or knowingly possesses an altered or forged identification card.
- 2. Refuses to surrender an identification card for cancellation when so directed by the Department of Motor Vehicles.
- 3. Lends his identification card to another person for the other's use or uses a card issued to another person.
- 4. Willfully fails to surrender to the Department of Motor Vehicles within 10 days another's identification card coming into his possession or to return it to the proper holder.

Section 13. NRS 427A.140, 427A.150, 427A.160, 427A.170, 427A.180, 427A.190.

427A.200, 427A.210, 427A.220 and 427A.230 are hereby repealed.

#### STATE OF NEVADA

#### DEPARTMENT OF HUMAN RESOURCES

ROGER S. TROUNDAY, DIRECTOR

MIKE O'CALLAGHAN, GOVERNOR

DEL FROST, ADMINISTRATOR

REHABILITATION DIVISION ADMINISTRATIVE OFFICE UNION FEDERAL BUILDING, ROOM 200 308 NORTH CURRY STREET STATE CAPITOL COMPLEX CARSON CITY, NEVADA 89701

April 15, 1975

The Honorable Alan Glover State Assemblyman Legislative Building Carson City, NV 89701

AB 170

The Rehabilitation Division and the Nevada Association of Retarded Citizens wish to go on record as advocating passage of AB 170. Many handicapped persons do not drive cars because of their physical inability to do so; however, they need positive proof of identification in as many instances as each of us does. Handicapped persons find it difficult to verify age, to cash checks, and to conduct business and legal transactions due to their inability to obtain a driver's license.

It is our position that the aged, the handicapped, the retarded - in short all persons who do not drive - have a right as citizens to be provided adequate and acceptable means of identification.

We would sincerely appreciate your favorable consideration of AB 170.

BL∕AINE SULLIVAN ROSE LEGISLATIVE LIAISON

BSR: jam

cc: Janice Ayres, Nevada Association of Retarded Citizens



LARRY R. HICKS
District Attorney

# Washoe County District Attorney

Washoe County Courthouse South Virginia and Court Streets P.O. Box 11130 • Reno, Nevada 89510

March 25, 1975

Chief James Lambert Nevada Highway Patrol 555 Wright Way Carson City, Nevada 89701

Re: Citations for Passing School Buses Stopped in the Opposite Direction on U.S. Highway 395 between Reno City Limits and the Winters Ranch

Dear Chief Lambert:

As you are probably aware there has been a difference of opinion between my Office and the Attorney General's Office in regard to citations for passing school buses which are stopped in the opposite direction on U.S. Highway 395 between the Reno City Limits and the Winters Ranch. This issue has been presented to both Judge Beemer and Judge Minor who preside over the Reno Justice Court and they have been fully informed concerning both opinions. I have been informed that both Judges have agreed in principle with my opinion of October 23, 1973, finding that the roadways are essentially "separate roadways" and therefore the driver in an oncoming lane in that portion of the highway need not stop for a school bus stopped in the opposite lanes.

It is also significant to this issue that there are no school children who are required to cross the highway over this entire portion of U.S. Highway 395. All of the children are being loaded and unloaded on the same side of the highway as where they live. Thus, there is no danger to children from traffic in the opposite lanes of travel as long as they are not crossing the highway.

I believe it is also significant that due to the higher speed limits in this area of the highway, there is a significant danger resulting from vehicles coming to an immediate stop in traffic lanes where the school bus is not near or in the same lanes. Several times it has been reported to the men of my Office that accidents have almost resulted from such stopping of vehicles. In essence, it is my opinion and I believe the Judges' opinion, that there is a much greater danger to life and limb as a result of oncoming vehicles stopping as opposed to their going on.

Chief James Lambert March 25, 1975 Page Two

Due to the differences of opinion of my Office and Attorney General List's, the difficulty in interpreting with clarity the meaning of "separate roadways", and the need to have clear and concise criminal laws, it appears to me that the obvious solution is one of legislative correction. I recommend that a bill designed to correct this problem be introduced and passed in the current session of the Legislature. I also recommend that vehicles in opposite traffic lanes in this particular stretch of highway not be required to stop.

In light of the Judges' findings, with which I agree, this Office will no longer issue complaints for such violations in that area of the highway. I therefore request the Nevada Highway Patrol no longer issue citations for such violations.

If you have any questions, please feel free to inquire.

Very truly yours,

LARRY R. HICKS District Attorney

LRH/vaw

cc: Judge William R. Beemer Judge Richard C. Minor

George Getto, Director of Transportation, Washoe County Schools
James Menath, Director of Support Services, Department of Education



Sec. 1, Page 2-The Mason Valley News, April 11, 1975

#### NO NEW TAXES?

Governor Mike O'Callaghan set the stage for legislative programs with his address to the august body of lawmakers. Keynote....no new taxes.

Our elected representatives agreed....there are to be no new taxes.

At the same time it is most interesting to note that apparently they don't relate "new taxes" to "increased fees" and "higher payments".

Cases in point:

The lawmakers are now considering an NIC package that would raise contributions by employers of this state—who make all those jobs available and are the backbone of the real property tax structure—from a range of .1% for increased burial allowance to a whopping 48% for proposed increases to permanently disabled workmen and survivors resulting from accidents incurred prior to July 1, 1975.

For instance: AB 429 would change definition of state average wage and thus change the maximum disability benefit payable by 50%. 47% of disabled workers would be affected to some degree.

Impact on employer premium levels—Plus 10.9%. AB 425 Full coverage of occupationally related illnesses even to providing coverage of heart diseases aggravated by occurrence during course of employ-

ment.

Impact on employer premium levels—Plus 3%. Total impact of AB 2 and AB 3 on employer premiums would be a plus 32.6%.

AB 5 Provides for increases in benefits to permanently disabled workmen and survivors.

If cost of the bill were to be funded by employers' premiums during the fiscal year 1976, impact on premiums would be 48%.

Then let's talk about "Fees" which are not considered "Taxes" apparently.

Two bills to increase the tax burden on motorists penalize them in effect for a necessary mode of transportation at a time when their fuel bills and repair costs are shooting out of sight—were approved last week by the Senate.

SB-217 would provide a start up program to issue a driver's license which suddenly has to have the holder's photo on it. To finance the program the motorist would have to pay an additional \$1 added to the present \$5 cost.

SB-187 would add about a half million dollars a year to the cost of registration of motor vehicles in Nevada by adding an additional \$1 fee to the cost of registering each vehicle.

The money would go to the highway patrol to maintain its authorized strength of 151 officers.

Now we need more speed cops and a dressed up driver's license like we need a hole in the head particularly when that corps is half-heartedly enforcing a federal blackmail edict that limits speed to 55 m.p.h.

This is the same Senate that last week said "nuts" to federal pressure to pass state legislation setting the speed limit at 55.

Thank God there are no "new taxes" proposed at

# PHOTOGRAPHIC DRIVER'S LICENSES

TESTIMONY

BEFORE THE

TRANSPORTATION COMMITTEES

OF THE SENATE AND ASSEMBLY

NEVADA STATE LEGISLATURE

PRESENTED BY:

Mr. Don Karst

DEK/ELECTRO Division
The Scott & Fetzer Company

Ladies and gentlemen, members of the committee, my name is Don Karst and I am the Western United States Account Systems Supervisor of the DEK/ELECTRO Division of The Scott & Fetzer Company.

Thank you very much for your kind invitation to appear before your committee. I recognize that prior to my appearance before this committee, Mr. Ehrlich and Mr. O'Connor of the Polaroid Corporation made a fine presentation to you. Included in their presentation was some material, and their observations regarding the utilization of instant photography as <u>adapted</u> to a color photo driver license program. It is not my intent to derogate or dispute the concept of instant photography, but rather to outline the advantages and disadvantages of each of the systems when specifically applied to the State of Nevada.

It would be redundant to extoll the virtues of the color photo driver license since Mr. Ehrlich and Mr. O'Connor very ably discussed the benefits which accrue to the state when such a program is adopted. What is germane to this presentation is which system is most advantageous to the State and which system offers the higher degree of security, control and at the least true cost to the State.

There was a time when the words "instant" and "over the counter issue" were practically synonymous with the issue of photo identification utilizing Polaroid film. This, of course, is no longer true today. Advances in technology pioneered by DEK/ELECTRO have created a situation where states now have multiple options to effectively institute a photo driver license program.

It would be well to note that of the 13 states who, since 1968, have elected to adopt the "over the counter issue", one is a pilot program which we understand has been under some criticism; and another one, the State of Florida, combines the "over the counter issue" with a color photo negative which can be retrieved at a later date. DEK/ ELECTRO pioneered and developed this system specifically for the State of Florida. It cannot be truly stated that there is a trend or pattern developing vis a vis "over the counter" or "wet process". The only pattern which has, in fact, developed is which system or combination of systems is best for the particular state concerned.

If you will glance briefly at the map of the United States which is in your folder you will note that there are 32 states which have photo driver license programs. Those in red are under contract to DEK/ELECTRO and the remaining states in blue are under contract to other vendors. The majority of states by far employ the "wet process" system, the remaining states utilize either "over the counter" or a combination of "over the counter" and "wet process". We at DEK/ELECTRO

are capable of offering all of the available systems or combination of systems to a state.

The case for an over the counter or instant issue should not necessarily be built on citizen convenience. Although this has some influence, the primary consideration should be one of control. While it is recognized that many states either have data terminals or plan to have them installed at some future date, the hard facts are that where data terminals do not exist, that over the counter issue merely aids and abets the person who would attempt to obtain a fraudulent driver license. When the wet process is employed, the elapsed time between the actual photo process and the issue of the driver license may be used by the state to verify the eligibility of the citizen to receive the license.

We did feel, and still do feel, that legislation which specifys "instant" or "over the counter" issue is unnecessarily restrictive. Legislation of this type precludes the department from establishing specifications which will best serve the interests of the state. It becomes obvious that because of budgetary limitations and time schedules, a state may not have computer data terminals installed at all locations. As a result, the department would be literally forced to issue over the counter licenses to citizens who may not be eligible to receive a license or who for some reason the state may wish to deny the issue of a license.

While it is recognized that computer data terminals are desirable at every issuing location, it must be recognized that these installations are costly, require adequate lead time and planning and because of the paucity of volume at some terminals, never fully justify the expenditure of funds for their installation. Computer checked renewal notices and microfiche records only apply to those citizens who are on file at the state capitol. New applicants, out of state applicants and new residents and transients are not on file with the State of Nevada.

In previous testimony the subject of hidden costs was alluded to in relation to the wet process. The cold fact is there are more hidden costs utilizing instant systems with self-developing film than in any other system in existance today. I do not say this to derogate the instant system, but only to point out that when using a self-developing film type, if two exposures are taken on the same film frame, and the operation is conducted in a low traffic area, the citizen must wait until another applicant is available. This can waste 20 or more minutes of the citizen's time. In some states employing this procedure the state provides waiting rooms. In Ohio, specifications require a minimum waiting time, but in actual practice we have interviewed license recipients who have waited up to 22 minutes for a second applicant to appear. Can you imagine the reaction of the citizen? The alternative, of course, is to waste the other half of the film frame. This is a hidden cost to the state which should be recognized. This cost is borne by the state for not producing the additional license. If the

state should specify, as some states do, that for reasons of security, legibility or driver license size that <u>only one applicant</u> will appear on each film frame, then the cost to the state is substantially greater.

In some of the material you received during previous testimony, one sheet was captioned "Advantages of Instant Issue". The lead phrase in nearly all instances was "No cost for . . . . ". I think we would all be deluding ourselves if we envisioned any system which had "No cost for . . . . ". Included in the material which is in your folder is a brief analysis of the pros and cons of the various systems as we at DEK/ELECTRO evaluate the merits of each system.

We at DEK/ELECTRO are "professionals" in the field of driver license production. We do not "adapt" existing hardware to attempt to meet the photo driver license requirements of a state. Our equipment is specifically designed to meet the specific needs of the state. Our expertise is a direct result of the many years of photo driver license production for the majority of the states engaged in this program. We have no desire to enter the field of driver license examination, and conversely we feel that the majority of the states have no desire to enter the "photo driver license" business.

As has so often happened in the past, states who do elect to produce their own driver licenses with hardware produced by an outside contractor quite often find themselves under some criticism because of the growth

of personnel and budgets to produce the licenses. The simple fact is the licenses do not make themselves, someone has to produce the finished product. This burden is borne by the State. Therefore, unit cost as such is only a small tip of the iceberg. The additional personnel and the logistic support requirements to support an operation of this type create more headaches, more problems and inevitably greater costs.

The case for citizen convenience can really not be established or proven valid when related to over the counter issue. A properly endorsed "temporary permit" takes far less time than over the counter license issue, especially if the applicant has to wait for a second applicant to appear before he can have his photo driver license issued. To us, this is real inconvenience.

I believe that we at DEK/ELECTRO are the most qualified to evaluate systems since we are the largest single producer of photo driver licenses in the United States and offer both types of currently available systems. According to the 1974 World Almanac, 118,246,864 people had valid driver licenses that year. Of that number, 66,477,707 were photo type and DEK/ELECTRO produced 51,665,077 or 78% of all photo type licenses issued. These figures do not reflect South Dakota which we now have under contract or the State of Illinois where we are the low bidder. I have enclosed in your folder a brief sheet which shows the states to whom we are presently under contract, the system employed and the number of licenses issued.

We fully recognize and appreciate your interest in obtaining concise, objective material on this topic. We trust the material we have provided will provide answers to some of the many questions that must be in your minds. We do not wish to supply meaningless statistics or data—we believe our only purpose in being here is to give you meaningful answers.

### DEK/ELECTRO DIVISION

### THE SCOTT & FETZER COMPANY

DEK/ELECTRO, as a Division of the Scott & Fetzer Company, is presently the largest manufacturer of photo identification media in the world. DEK/ELECTRO is involved in many markets, which include driver licenses, welfare, banks, schools and industry. Currently, we are producing photo driver licenses in 20 of the 32 states who are engaged in this type program.

Because of our position in the marketplace we have a committment to ourselves and to our customers to keep ourselves abreast of advances in technology with respect to the manufacture of and the use of identification media. Our awareness of our committments are indicated in steps we have taken in the past and steps we are taking now to insure our position as the leader in the technology. DEK/ELECTRO is:

- (1) The first and currently the only company to use the tamper-proof polycarbonate material and now Kodak Estar.
- (2) The first company to have a color photo driver license in a state.
- (3) The first company to provide an embossed driver license.
- (4) The first company to provide a color laminated photo driver license in a state.
- (5) The first company to provide an embossed and bar coded driver license in a state.

- (6) The first company to produce a dual lens camera with cassette film loading.
- (7) The first company to provide the ability to produce multi-card types from a single camera card.
  - (8) The only company to successfully operate on a negative system.

1. 1. A. J. J. J. Oak

### **SERVICES**

DEK/ELECTRO maintains negative files of all pictures taken. This means:

- (1) Lost cards may be reissued without the necessity of retaking the cardholder's picture.
- (2) 4" x 5" black and white security blowups can be provided for you upon demand.
- (3) Duplicates for law enforcement authorities.
- (4) You may make any or all of the following changes to your cards at any time:
  - (a) Change the colors.
  - (b) Change the expiration dates.
  - (c) Change the artwork.
  - (d) Change the card size.
  - (e) Change to an embossed card.
  - (f) Change to a keypunched card.
  - (g) Change to a bar coded card.
  - (h) Change to magnetically striped card.

Reissues can be made with all of the above changes without retaking pictures -- at any time.

(5) Because our system utilizes negatives, your cards can be manufactured more rapidly than with any other system, also with consistent quality. The aesthetic qualities of DEK/ELECTRO cards are superior to any instant system.

# WHY USE DEK/ELECTRO WET PROCESS

- 1. As volume increases, the all-inclusive cost per card utilizing the wet process may decrease whereas the cost per card on any instant system remains substantially the same or increases.
- 2. Any changes in physical card properties employing the wet process system can be incorporated at any time without rephotographing card recipeints or disrupting the system in any way. On an instant system, changes cannot be made in card properties without loss of existing inventories at the time of change, or without large capital expenditures for equipment such as embossing and/or laminating.
- 3. As all photo supplies are furnished by DEK as part of the service, the customer does not have to become involved in the expense of maintaining large inventories of spoilable supplies to say nothing of the risk of pilferage due to the fact that instant film can be used in any personal camera.
- 4. With the wet process duplicate photos may be provided by DEK/ELECTRO at the state's option. These duplicates can be extremely valuable operationally. With other systems, duplicates cost almost as much as the original. This versatility is only possible because of the fact that we maintain a negative file for the state at no additional cost.

- 5. An inexperienced single operator can take 300 or more pictures an hour with the wet process system. In comparison with any instant system, an inexperienced operator can only manufacture 30-50 cards per hour assuming that all shots are properly exposed. This usually means that more people or more equipment or both would be necessary to increase the capability of examination stations.
- 6. Instant picture systems may require up to five different pieces of equipment to produce a driver license on site. This means that if any one component fails the entire site is out of commission unless spare components are immediately available. Inasmuch as DEK/ELECTRO has only a camera on the site, the probability for equipment failure is substantially less and does not require the installation of extra laminators, etc., to allow for failures.
- 7. The high speed ID film in DEK/ELECTRO's cameras cannot be processed in commercial establishments. DEK is the only user of this special film.
- 8. It is impossible to make a card on the camera site. With an instant picture anyone can make a card for anyone.
- 9. A card cannot be made just from developed negatives. All validating signatures and artwork are added at DEK/ELECTRO in a contact printing process and are never on premises.

10. The turn around time in the DEK/ELECTRO system promotes integrity in the system. Time is allowed for the State to establish proper eligibility investigations without customer inconvenience.

### DEK/ELECTRO

Need only camera

# INSTANT SYSTEM

In some types of installations, needs 5 pieces of equipment: camera, laminator, die cutter, timer and sealer. Each component is subject to breakdown, causing delays and added maintenance cost. The additional steps greatly increase the chance for errors.

### TIME INVOLVED

A single operator can easily process 300 persons an hour.

At least 2 minutes or more in some instances are required for each ID. This means extra labor costs at every location.

# MATERIALS COST

None!

20 N 1 1 1 1 1 1 2 1 1 2 1 1 1

On a high volume basis, the instant system admits to a substantially greater per card cost.

### SPACE REQUIREMENTS

Portable camera equipped with convenient carrying case requires only corner of desk or counter.

Sometimes five components, which take at least the space of an average size desk. Space is also needed for storing of bulky supplies.

# SECURITY FACTOR

One of the safest systems known. DEK/ELECTRO equipment is not available to the public. Production in a centralized plant which meets the standards set by the State assures absolute security.

Instant systems are for sale to anyone.

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# NEGATIVE FILE

Negative file of each subject is maintained. With proper authorization, duplicate photo driver licenses and enforcement blowups can be created. This is possible only with a negative system.

None Available.

# PHOTO IDENTIFICATION CARD QUALITY

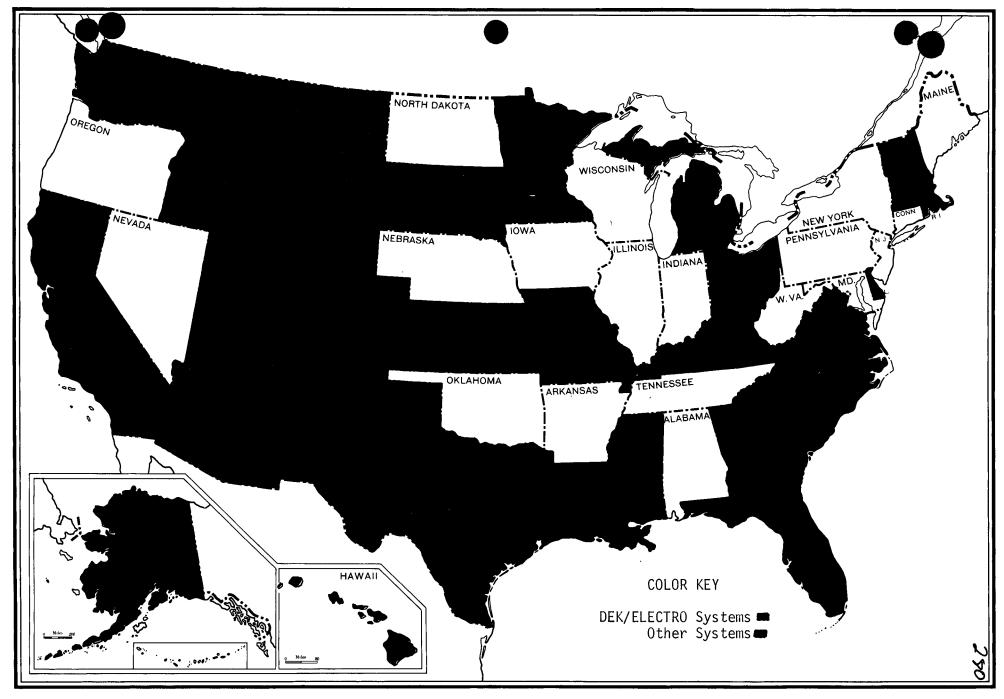
Quality is inherent bacause the system uses the best available professional film, materials and chemicals. Trained laboratory personnel carefully check all stages of manufacture.

The instant type system is subject to error by the operator. There is no central control and rephotographing the applicant is an expensive method of obtaining a decent ID card.

# FILM CAPACITY

800 pictures per film loading. It is not necessary to take this many pictures, however, any number can be sent in at one time from 1 to 800.

Only 16 pictures are possible from one film load and frequent reloading causes delays. In some states only 8 pictures per film load are permitted.



# MAINTENANCE

Camera maintenance is included with the contract.

Camera maintenance is included with the contract.

### **VERSATILITY**

Changes can be made in artwork, validation, colors, card size, embossing, etc. It can be performed on the cards at any time without purchasing hardware, taking photographs again or incurring inventory losses.

None:

# SYSTEMS COMPARISON

INSTANT SYSTEM

POLAROID CORPORATION

Alaska

Delaware

District of Columbia

Kentucky

Massachusetts

\*\* Mississippi

New Hampshire

New Mexico

North Carolina

Ohio

\*\* Vermont

Virginia

WET PROCESS

DEK/ELECTRO DIVISION

Arizona

California

Colorado

Georgia

Hawaii

Idaho

\*\* Kansas

Louisiana

Michigan

Minnesota

Missouri

Montana

Rhode Island

South Carolina

South Dakota

Texas

Utah

Washington

Wyoming

\* Florida

<sup>\*</sup> Florida uses a combination of over the counter with a negative on file. Developed especially for Florida by DEK/ELECTRO Division.

<sup>\*\*</sup> Issued on a voluntary basis only.

According to the 1975 Edition of The World Almanac, the total number of photo driver licenses issued by the above-listed states in 1974 was 72,737,292. Of that number, 53,056,405 were produced by DEK/ELECTRO which represents 73% of all photo driver licenses issued that year. Many of the states holding contracts with DEK/ELECTRO and using the "wet process" are on their second and third contract renewal or extension of contract. Control, quality, total satisfaction with the system by experienced users and the least <u>true</u> cost to the state are the determining factors.