

ASSEMBLY TRANSPORTATION COMMITTEE MINUTES
April 17, 1975

255

Members Present	Chairman Glover Mr. Howard Mr. Dini Mrs. Hayes Mr. Dreyer Mr. Jacobsen
Members Absent	Mr. May (excused)

Guests	Representing
Jim Lambert	Nevada Highway Patrol
Robert Guinn	Franchised Auto Dealers
Grant Bastian	State Highway Engineer
Bob Goodman	Dept of Economic Development
Howard Hill	Dept of Motor Vehicle
John Ciardelli	Dept of Motor Vehicle

Chairman Glover called the meeting to order at 3:40 p.m.
The first bill discussed was:

A.B. 490 Authorises police officers to remove and
store vehicles under certain circumstances.

Jim Lambert, Nevada Highway Patrol, testified for this bill. He told the committee the purpose of this bill is to provide for a situation where a vehicle must be removed from a highway in order to protect it from damage or theft or to preserve the safe use of the highway by other drivers. He said sometimes a driver of a vehicle is not present or incapacitated and cannot make the decision to have his vehicle removed. Consequently, the Highway Patrol must make this decision, and they need some protection so they cannot be sued for an illegal removal. Chairman Glover asked if the highway patrol has been removing vehicle already. Lambert answered yes but wants to get their actions clarified and legal. Chairman Glover asked if people complain about high towing fees after their vehicles have been removed. Mr. Lambert answered they did until the towing fee schedule was set and controlled by the Public Service Commission. Mr. Jacobsen asked about the storage fees, and Mr. Lambert said the Public Service Commission regulates the storage fees also. Mr. Jacobsen inquired how the highway patrol decides which garage to store car in. Lambert answered that they rotate garages. Chairman Glover asked if this action was common in other states. Lambert answered that the powers are common; Mrs. Hayes asked what if she ran out of gas and had to walk for help and leave car on the highway. Would the car be towed? Mr. Lambert answered that they do not tow for approximately 24 hours unless there is evidence that the car has been striped. Then they would tow right away to protect the owner. He also left an amendment for the committee. (see attached)

ASSEMBLY TRANSPORTATION COMMITTEE MINUTES
April 17, 1975

286

The next bill discussed was:

A.B. 117 Revises provisions relating to vehicle dealers and licensing thereof.

Robert Guinn, representing Franchised Auto Dealers, spoke for this bill. He explained the amendments to this bill which have not returned from the bill drafter as yet.

Page 2, line 4 insert after "person" "other than a long or short term lessor"

Line 40 page 4 Strike NRS 482.345 and insert "this chapter"

Line 37, page 5 strike "or rebuilder" after the word dealer and insert ", rebuilder, or long or short term lessor"

Add a new Section 15 which would amend NRS 445.640. This would deal with certification of emission controls. (see attached)

He reviewed with the committee the reason for this bill. He said the present law with respect to used vehicles makes it unlawful for the city, county, or any fleet owner to sell his own vehicles. They should be used vehicle dealers before they do. The law is unworkable and has not been enforced in that manner. A.B. 117 will exempt from the requirement of becoming a used vehicle dealer the insurance companies, banks, and a person who is not engaged in selling vehicles as a business. He said there is still a problem with the leasing companies and rental companies. They will not be exempted. They will have to dispose of their used vehicles as a used vehicle dealer would.

The next bill discussed was:

A.B. 621 Allows charge for excess luggage carried in taxicab

Assemblyman Dreyer said this bill would allow the cabs to set a set price for excess luggage and a fee schedule which would be posted. It would crack down on the drivers, especially in Clark County with the tourists, who are getting away with extra money and charging too much and then not reporting it.

S.B. 393 was discussed next.

S.B. 393 Transfers preparation and publication of Nevada Highways and Parks magazine from department of highways to department of economic development.

Grant Bastian, State Highway Engineer, spoke for this bill. He said they were introducing this bill to try and salvage the Nevada magazine. He stated that they had discussed the financial problems with the advisory board and that they were not opposed to this. The reason he wants to do this is because the magazine is in financial trouble and Bastian doesn't want to take the chance of laying people off. He said he would negotiate an agreement between the two agencies

ASSEMBLY TRANSPORTATION COMMITTEE MINUTES
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to effect a transfer of the magazine, funds, and the people. The highway dept would still provide non-monetary support such as keypunching and the photo library to Economic Development. Mr Jacobsen asked how many people would be involved. Bastian answered 7. Mr. Jacobsen asked what was the circulation. Mr. Bastian said about 25,000 paid.

Mr. Bob Goodman, Economic Development, said this would work out well with his department and that he could see no real problems.

S.B. 128 was discussed next

S.B. 128 Extends certain restrictions against vehicle parking to business and residential districts.

Jim Lambert, Nevada Highway Patrol, spoke for this bill.

He said it would eliminate the hazardous parking on a highway in a business or residential area that was outside the city limits and still allow utility trucks, repair trucks, and city and county trucks to park in high speed areas if necessary, and if they comply with the safety regulations.

As there was no other testimony, Chairman Glover declared a five minute recess.

After the recess the following action was taken:

S.B. 128 Mr. Dreyer moved for Do Pass as amended; Mr. Howard seconded; however the motion was defeated with Jacobsen, Dini, Dreyer, Howard, and Hayes voting No. Mr. Dini moved for indefinite postponement; Mr. Jacobsen seconded, and the motion was unanimous with Mr. Glover voting No.

S.B. 393 Mr. Howard moved a Do Pass; Mr. Dreyer seconded, and it was unanimous.

A.B. 621 Mr. Howard moved to hold the bill for more clarification. Mr. Jacobsen seconded, and the motion was unanimous.

A.B. 490 Mr. Dini moved Amend and Do Pass; Mrs. seconded and it was unanimous.

Chairman Glover announced that Mr. May had requested that the committee introduce a bill to increase permissible unladen weights of certain two cars. Mr. Dini made a motion for committee introduction; Mr. Jacobsen seconded, and it was unanimous.

As there was no other business, Chairman Glover adjourned the meeting at 4:30 p.m.

ASSEMBLY

284

AGENDA FOR COMMITTEE ON TRANSPORTATION

Date Thursday Apr 17 Time 3:00 p.m. Room 214

<u>Bills or Resolutions to be considered</u>	<u>Subject</u>	<u>Counsel requested*</u>
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A.B. 117 ✓	Revises provisions relating to vehicle dealers and licensing thereof.	
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A.B. 490 ✓	Authorizes police officers to remove and store vehicles under certain circumstances.	
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A.B. 573 ✓	Revises conditions that common and contract motor carriers must satisfy in order to qualify for reduced license fees.	
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A.B. 621 ✓	Allows charge for excess luggage carried in taxicab	
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S.B. 128 ✓	Extends certain restrictions against vehicle parking to business and residential districts	
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S.B. 393 ✓	Transfers preparation and publication of Nevada Highways and Parks magazine from department of highways to department of economic development	
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Special Meetings:

AB 355

SB 217

1. Whenever any police officer finds a vehicle standing upon a highway in violation of any of the provisions of this chapter, such officer may move such vehicle, or require the driver or person in charge of the vehicle to move it to a position off the paved or improved or main-traveled part of such highway.

2. Whenever any police officer finds a vehicle unattended upon any highway, bridge or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer may provide for the removal of such vehicle in any manner provided by law.

3. Any police officer is hereby authorized to remove or cause to be removed to the nearest garage or other place of safety any vehicle, or part thereof, found upon a highway when;

a. The vehicle has been involved in an accident and is so disabled that its normal operation is impossible or impractical and the person or persons in charge of the vehicle are incapacitated by reason of physical injury or other reason to such an extent as to be unable to provide for its removal or custody, or are not in the immediate vicinity of the disabled vehicle; or

b. When the person driving or in actual physical control of such vehicle is arrested for any alleged offense for which the officer is required by law to take the person arrested before a proper magistrate without unnecessary delay.

4. The commission shall consider, prior to promulgating any rule or regulation or establishing any criteria pursuant to subsection 2 of this section, the following:

(a) The availability of devices adaptable to specific makes, models and years of motor vehicles.

(b) The effectiveness of such devices for reducing the emission of each type of air pollutant under conditions in this state.

(c) The capability of such devices for reducing any particular type or types of pollutants without significantly increasing the emission of any other type or types of pollutant.

(d) The capacity of any manufacturer to produce and distribute the particular device in such quantities and at such times as will meet the estimated needs in Nevada.

(e) The reasonableness of the retail cost of the device and the cost of its installation and maintenance over the life of the device and the motor vehicle.

(f) The ease of determining whether any such installed device is functioning properly.

(Added to NRS by 1973, 1703)

445.640 Certificate of emission control compliance prerequisite to transfer of used motor vehicle.

1. On and after February 1, 1974, subject to any applicable limitation of NRS 445.650 or any regulation promulgated pursuant thereto, no used motor vehicle as defined in NRS 482.132 may be registered by a new owner in this state unless the application for registration is accompanied by a certificate of emission control compliance issued by any authorized station certifying that the vehicle is equipped with motor vehicle pollution control devices required by federal regulation or such other requirements as the commission may by regulation prescribe under the provisions of NRS 445.610 to 445.710, inclusive.

2. ~~Any used vehicle dealer, as defined in NRS 482.132,~~ shall be responsible for providing all certificates of emission control compliance for vehicles to which such certificates apply for which a dealer's report of sale is required under the provisions of NRS 482.424.

(Added to NRS by 1973, 1703)

445.650 Exceptions to requirement of certificate of emission control compliance. The provisions of NRS 445.640 do not apply to:

1. Transfer of registration or ownership between:

(a) Husband and wife; or

(b) Companies whose principal business is leasing of vehicles, if there is no change in the lessee or operator of such vehicle; or

2. Motor vehicles which are subject to prorated registration pursuant to the provisions of NRS 706.801 to 706.861, inclusive, and which are not based in this state.

(Added to NRS by 1973, 1704)

The seller of any used motor vehicle



Nevada Legislature

291

April 18, 1975

Honorable William R. Beemer
Justice Court Judge
Reno Justice Court Dept #1
Box 1130
Reno, NV 89510

Dear Judge Beemer,

The Nevada State Assembly Transportation Committee is holding a meeting Thursday, April 24, at 4:00 p.m. in room 214 of the Legislative Building. Your presence is requested in regards to the problem with prosecuting persons who fail to stop for school buses on highway 395 south of Reno. Attorney General, Robert List, Washoe County District Attorney, Larry Hicks, and other interested parties will be present at this meeting.

We cannot continue to have political subdivision of the state disagreeing on state law, and we will try and resolve these conflicts so they will be amicable to all parties involved.

If you have any questions or for some reason cannot attend, please call me at 883-2771.

Sincerely,

Alan H. Glover

AHG:cl



Nevada Legislature

292

April 18, 1975

Honorable Richard C. Minor
Justice Court Judge
Reno Justice Court Dept #2
Box 1130
Reno, NV 89510

Dear Judge Minor,

The Nevada State Assembly Transportation Committee is holding a meeting Thursday, April 24, at 4:00 p.m. in room 214 of the Legislative Building. Your presence is requested in regards to the problem with prosecuting persons who fail to stop for school buses on highway 395 south of Reno. Attorney General, Robert List, Washoe County District Attorney, Larry Hicks, and other interested parties will be present at this meeting.

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Sincerely,

Alan H. Glover

AHG:cl

ALAN H. GLOVER
ASSEMBLYMAN
ASSEMBLY DISTRICT NO. 40, CARSON CITY
230 SO. IRIS STREET
CARSON CITY, NEVADA 89701



COMMITTEES
CHAIRMAN
TRANSPORTATION
MEMBER
WAYS AND MEANS

Nevada Legislature

April 18, 1975

293

Mr. Larry Hicks
Washoe County District Attorney
Box 11130
Reno, NV 89510

Dear Mr. Hicks:

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Alan H. Glover

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