

SENATE TRANSPORTATION COMMITTEE

MINUTES OF MEETING

Monday, April 7, 1975

The fifteenth meeting of the Senate Transportation Committee was held on Monday, April 7, 1975 at 1:00 p.m. in Room 345 of the Legislative Building.

Senator Helen Herr was in the Chair.

PRESENT: Chairman Helen Herr
Vice Chairman Warren Monroe
Senator William Raggio
Senator Richard Blakemore
Senator Jack Schofield

ABSENT: Senator Joe Neal
Senator Mary Gojack

ALSO PRESENT WERE: Howard Hill, D.M.V.
James Lambert, Nevada Highway Patrol
Wm. Fitzpatrick, Department of Motor Vehicles
Vern Fletcher, D.M.V.
Darryl Capurro, N.M.T.A.
Robert Guinn, N.M.T.A.
John Borda, Nevada Highway Safety
Grant Bastian, Nevada Highway Department
Gene Phelps, Nevada Highway Department

ACTION WAS THEN TAKEN ON THE FOLLOWING BILLS:

SB 341 Provides for emblems to identify vehicle combinations which include three or more trailers.

Senator Monroe, who introduced this bill, asked if the Committee would hold this measure until a later date.

It was the unanimous opinion of the Committee to do so.

SB 363 Simplifies conveyance to State of Nevada of interests in land held by towns, cities and counties for highway purposes.

Grant Bastian of the Highway Department testified as to the purpose of the bill. He stated that it was so cities and counties could quit claim properties to the State for highway right-of-ways, instead of the State Department of Highways having to use condemnation proceedings.

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SB 363 (Continued)

Senator Raggio asked if this could be legislated? Mr. Bastian answered that he really didn't know. Senator Raggio then asked Mr. Bastian if he would check with the Legislative Counsel in this regard. Mr. Bastian said he would do so and get back to the Committee.

The Bill was then held until a later date.

AB 272

Requires drivers to yield right of way to persons or vehicles engaged in highway construction or maintenance.

Grant Bastian testified as to the purpose of the bill, stating that when highway construction or maintenance was being conducted upon a state highway it establishes that state personnel have the legal right to be there as long as they are acting in a safe and prudent manner with adequate warning signs and signals.

Senator Blakemore moved "DO PASS"
Senator Monroe seconded the motion
Motion carried unanimously.

SB 393

Transfers preparation and publication of Nevada Highways and Parks magazine from Department of Highways to Department of Economic Development.

Grant Bastian and Gene Phelps of the Highway Department testified as to the purpose of this measure. They stated that their department was not able to make the magazine a paying proposition but that the Dept. of Economic Development was willing to take over the magazine and had some ideas which would possibly put it on a paying basis. They had funds which would be transferred to the Economic Development Department to try and get the magazine on its feet for the next two years. This was in the budget and amounted to \$150,000 a year. After that time, the EDD would be responsible and if they could not fund the magazine after the two years, it would go defunct. If the EDD did not take the magazine over, the Highway Department could not handle it themselves after the two years.

Senator Raggio questioned the need for this expenditure and also, if the Highway Department could not get the magazine on a paying basis, then how did the Economic Development Department think that they could?

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SB 393 (Continued)

Mr. Bastian said that the money had already been approved in their budget for the next biennium. He also stated that the EDD had some specific plans which would bring in more advertisement and with the capability of better administrative practices, he felt sure that they could make the magazine a success.

Senator Monroe moved "DO PASS"
 Senator Schofield seconded the motion
 Motion carried with all voting aye except Senator Raggio, who voted nay.

AB 277 Modifies driver's license renewal procedure.

William Fitzpatrick of the Department of Motor Vehicles testified as to the purpose of this measure.

Senator Blakemore moved "DO PASS"
 Senator Monroe seconded the motion.
 Motion carried unanimously.

SB 362 Enacts aviation fuel excise tax and provides for disbursement of such tax by the Public Service Commission of Nevada.

Senator Blakemore asked that the Committee refer the measure to the Taxation Committee first as he thought the Committee would then have a better bill to look at.

Senator Monroe then moved that the bill be referred to the Taxation Committee without recommendation from the Committee.

Senator Blakemore seconded the motion.
 motion carried unanimously.

Senator Raggio then presented a proposed bill (BDR 35-1672) which he had drafted which enabled the board of directors of the department of highways to establish the statewide speed limit. The bill included authority, violation regulations and signs to be placed throughout the state for any speed limit they might set which was in the best interest of the public health, welfare and safety of the people of the State of Nevada. This bill would cover the problems brought about by the SB 322 not passing out of Committee. (See attachment.)

Senator Blakemore moved we introduce as a Committee Bill
 Senator Raggio seconded the motion.
 Motion carried unanimously.

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

James Lambert testified as to the purpose of the bill and stated that after meeting with Mr. Guinn of the Nevada Motor Transport Association, the only change in the bill was the removal of the word "utility" on line 23 of page 1.

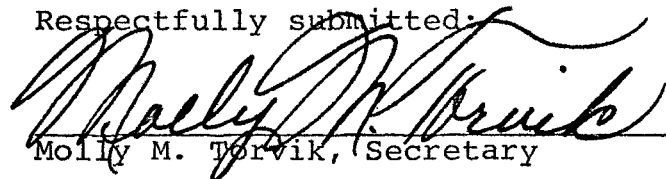
Senator Blakemore moved "Amend and DO PASS"
Senator Raggio seconded the motion
Motion carried unanimously.

SB 397 Transfers regulation of tow cars from public service commission to counties.

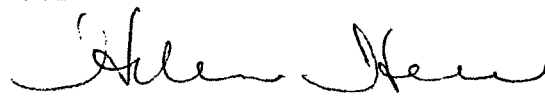
Senator Herr asked what the Committee's feelings were regarding SB 397. It was the unanimous consensus of the Committee that this bill be postponed indefinitely.

There being no further business, the meeting was adjourned at 2:00 p.m. until Wednesday, April 9, 1975, at 12:00 Noon.

Respectfully submitted:


Molly M. Torvik, Secretary

APPROVED:



Senator Helen Herr, Chairman

v v a

SUMMARY--Enables board of directors of department of highways to establish statewide speed limit. Fiscal Note: No. (BDR 35-1672)

AN ACT relating to vehicular speed limits on state highways; enabling the board of directors of the department of highways to direct the establishment of a particular statewide maximum speed limit; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 408.125 is hereby amended to read as follows:

408.125 The board may:

1. Adopt such rules, bylaws, motions and resolutions, not inconsistent with this chapter, as may be necessary to govern the administration, activities and proceedings of the department.
2. On behalf of the State of Nevada, enter into agreements with any adjoining state, or any proper agency of such state, for the construction, reconstruction, improvement, operation and maintenance by any party to such agreement, in such manner and by such means as may be provided in the agreement, of bridges over interstate waters, and may enter into like agreements with respect to construction, reconstruction, improvement, operation and maintenance of highways within the State of Nevada or such adjoining state, when such highways are at or near the common boundary of the states.
3. Authorize the department to join associations of highway officials of other states and other organizations which have been heretofore or may hereafter be established, having as their purpose the interchange of information, establishment of standards and policies relating to highway construction, reconstruction, improvement, maintenance and administration.
4. If it determines that the establishment of a particular statewide maximum speed limit is in the best interest of the

public health, welfare and safety of the people of the State of Nevada, direct the department to establish such a speed limit on the state highway system.

Sec. 2. NRS 484.361 is hereby amended to read as follows:

484.361 It is unlawful for any person to drive or operate a vehicle of any kind or character at:

1. A rate of speed that is greater than a statewide maximum speed limit;

2. A rate of speed greater than is reasonable or proper, having due regard for the traffic, surface and width of the highway;

[or

2.] 3. Such a rate of speed as to endanger the life, limb or property of any person; or

[3.] 4. A rate of speed greater than that posted by a public authority for the particular portion of highway being traversed.

Sec. 3. NRS 484.367 is hereby amended to read as follows:

484.367 1. Except as provided in subsection 2 and pursuant to the power granted in NRS 269.185, the town board or board of county commissioners may, by ordinance, limit the speed of motor vehicles in any unincorporated town or city in the county as may be deemed proper.

2. The department of highways [may] shall establish the speed limits for motor vehicles on highways within the boundaries of any unincorporated town or city when such highways were constructed and maintained under the authority granted by chapter 408 of NRS.

Sec. 4. NRS 484.369 is hereby amended to read as follows:

484.369 1. The department of highways shall install appropriate speed signs controlling vehicular traffic on the state highway system, as established in chapter 408 of NRS, when it is directed by the board to establish a particular statewide maximum speed limit.

2. The department [of highways] is authorized to prescribe speed zones, and to install appropriate speed signs controlling vehicular traffic on the state highway system as established in chapter 408 of NRS through hazardous areas, after necessary studies have been made to determine the need therefor, and to eliminate speed zones and remove the signs therefrom whenever the need therefor ceases to exist.

[2.] 3. After the establishment of a speed limit or speed zone and the installation of appropriate speed-control signs, it is unlawful for any person to drive a motor vehicle upon [the road and] any road or in such speed zone in excess of the speed therein authorized.

[3.] 4. The department shall cause to be displayed, in each school zone where the department has posted a speed limit, signs designating the hours of the day or night or both during which the school zone speed limit is to apply.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 272

ASSEMBLY BILL NO. 272—COMMITTEE
ON TRANSPORTATION

FEBRUARY 14, 1975

Referred to Committee on Transportation

SUMMARY—Requires drivers to yield right of way to persons or vehicles engaged in highway construction or maintenance. Fiscal Note: No. (BDR 43-927)

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

AN ACT relating to traffic laws; requiring drivers to yield right of way to persons or vehicles engaged in highway construction or maintenance; exempting authorized emergency vehicles; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 484 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *The driver of any vehicle, except an authorized emergency vehicle*
4 *using appropriate audible and visual signals, shall yield the right of way*
5 *to all persons and vehicles actually engaged in work, construction or*
6 *maintenance on or near the traveled portion of the highway.*
7 2. *Persons or vehicles shall be presumed to be actually engaged in*
8 *work, construction or maintenance when encountered in a clearly marked*
9 *area of construction or maintenance, or when such vehicles display flash-*
10 *ing warning lights, as provided in NRS 484.629.*
11 3. *This section does not relieve any person so engaged in work upon a*
12 *highway from the duty to conduct such work in a safe and prudent man-*
13 *ner and to give adequate warning thereof.*

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 393

SENATE BILL NO. 393—SENATOR HERR

MARCH 26, 1975

Referred to Committee on Transportation

SUMMARY—Transfers preparation and publication of Nevada Highways and Parks magazine from department of highways to department of economic development. Fiscal Note: No. (BDR 18-1380)



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

AN ACT relating to the promotion of tourism; transferring the preparation and publication of the Nevada Highways and Parks magazine from the department of highways to the department of economic development; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 231 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 *The department shall prepare and publish a magazine to be known*
- 4 *as The Nevada Magazine and such magazine shall contain materials*
- 5 *directed toward the promotion of tourist travel into and through the state*
- 6 *and to our highways, parks, monuments, scenic attractions, places of*
- 7 *interest and natural resources.*
- 8 SEC. 2. NRS 408.960 is hereby repealed.
- 9 SEC. 3. The director of the department of economic development of
- 10 the State of Nevada and the state highway engineer shall execute an agree-
- 11 ment providing for the transfer of:
- 12 1. Selected classified personnel, materials and equipment used in the
- 13 preparation and publication of the Nevada Highways and Parks maga-
- 14 zine; and
- 15 2. Moneys budgeted for the current fiscal year and ensuing biennium
- 16 for the magazine publishing effort by the department of highways,
- 17 from the department of highways to the department of economic develop-
- 18 ment of the State of Nevada.
- 19 SEC. 4. 1. This section and section 3 of this act shall become effective
- 20 upon passage and approval.
- 21 2. The balance of this act shall become effective 30 days after the
- 22 execution of the agreement provided for in section 3 of this act.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 277

ASSEMBLY BILL NO. 277—COMMITTEE
ON TRANSPORTATION

FEBRUARY 14, 1975

Referred to Committee on Transportation

SUMMARY—Modifies driver's license renewal procedure.
Fiscal Note: No. (BDR 43-293)EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT relating to drivers' licenses; removing requirement for advance preparation of renewal licenses; providing for discretionary testing of certain applicants; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 483.380 is hereby amended to read as follows:
 2 483.380 1. Every driver's license issued after July 1, 1971, shall
 3 expire in the case of a person 70 years of age or older on the second anni-
 4 versary and in the case of all other persons on the fourth anniversary of
 5 the licensee's birthday, measured in the case of an original license, a
 6 renewal license and a [license renewing] *renewal of an expired license,*
 7 from the birthday nearest the date of issuance or renewal. Any applicant
 8 whose date of birth was on February 29 in a leap year shall, for the pur-
 9 poses of NRS 483.010 to 483.630, inclusive, be considered to have the
 10 anniversary of his birth fall on February 28. Every license shall be renew-
 11 able on or during a 90-day period before its expiration upon application
 12 and payment of the required fee, and, except as provided in subsection
 13 6, each applicant for renewal shall appear before a driver's license
 14 examiner and successfully pass a test of his eyesight. Every driver's license
 15 issued on or prior to July 1, 1971, shall be valid until the expiration date
 16 indicated thereon.
 17 2. [Thirty] *No later than thirty days* prior to the expiration of his
 18 license, the driver's license division of the department shall mail to each
 19 licensee who has not already renewed his license an expiration notice.
 20 [and prepare a renewal license.] The department may require an appli-
 21 cant for a renewal license successfully to pass such additional tests as the
 22 department may find reasonably necessary to determine his qualification
 23 according to the type or class of license applied for.

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SECOND REPRINT

S. B. 128

SENATE BILL NO. 128—COMMITTEE
ON TRANSPORTATION

JANUARY 30, 1975

Referred to Committee on Transportation

SUMMARY—Extends certain restrictions against vehicle parking to business and residential districts. Fiscal Note: No. (BDR 43-310)



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

AN ACT relating to motor vehicle traffic; extending restrictions against stopping, parking or leaving vehicles on highways to business and residential districts; providing exceptions; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 484.395 is hereby amended to read as follows:
- 2 484.395 1. Upon any highway outside of a business or residence dis-
- 3 trict no person shall stop, park or leave standing any vehicle, whether
- 4 attended or unattended, upon the [paved] roadway or main-traveled part
- 5 of the highway when it is practicable to stop, park or so leave such vehicle
- 6 off such part of the highway, but in every event an unobstructed width
- 7 of the highway opposite a standing vehicle shall be left for the free
- 8 passage of other vehicles and a clear view of such stopped vehicles shall
- 9 be available from a distance of 200 feet in each direction upon such
- 10 highway.
- 11 2. *Upon any highway inside a business or residence district no person*
- 12 *may stop, park or leave standing any vehicle, whether attended or*
- 13 *unattended, upon the roadway or main-traveled part of the highway when*
- 14 *it is practicable to stop, park or so leave such vehicle off such part of the*
- 15 *highway, but in every event an unobstructed width of the roadway oppo-*
- 16 *site a standing or parked vehicle shall be left for the free passage of other*
- 17 *vehicles.*
- 18 3. This section shall not apply to: [the]
- 19 (a) *The driver of any vehicle which is disabled while on the [paved]*
- 20 *roadway or main-traveled portion of a highway in such manner and to*
- 21 *such extent that it is impossible to avoid stopping and temporarily leaving*
- 22 *such disabled vehicle in such position [.] ;*
- 23 (b) *The driver of any vehicle within a business or residence district,*

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