

SENATE TRANSPORTATION COMMITTEE

MINUTES OF MEETING

Friday, May 16, 1975

A meeting of the Senate Transportation Committee was called to order at 1:30 p.m. on Friday, May 16, 1975 in Room #231 of the Legislature Building.

Senator Warren Monroe was in the Chair:

PRESENT WERE:

Vice-Chairman Warren Monroe
 Senator William Raggio
 Senator Richard Blakemore
 Senator Jack Schofield
 Senator Joe Neal

ABSENT WERE:

Senator Mary Gojack
 Chairman Helen Herr

ALSO PRESENT WERE:

Robert Guinn, NMTA
 John Ciardella, DMV
 Bart Schouweiler, Taxi Cab Owners

TESTIMONY AND ACTION WAS THEN TAKEN ON THE FOLLOWING MEASURES:

Vice-Chairman Monroe asked the Committee if they would concur with the Assembly amendment to SB 496?

Senator Raggio moved "TO CONCUR."
 Senator Blakemore seconded the motion
 Motion carried unanimously.

AB 326

CREATES VEHICLE EMISSION CONTROL SECTION IN REGISTRATION DIVISION OF THE DEPARTMENT OF MOTOR VEHICLES, SETS FORTH DUTIES OF EMISSION CONTROL OFFICERS AND GRANTS PEACE OFFICER POWERS.

John Ciardella of the Department of Motor Vehicles gave testimony as to the purpose of this measure. (See attachment.)

This measure does not set up omission controls throughout the State; it can only be used to supervise the pilot program in Clark County.

Senator Raggio moved "DO PASS."
 Senator Schofield seconded the motion.
 Motion carried unanimously.

AB 775

REVISES CERTAIN PROVISIONS REGULATING OPERATION OF TAXI-CABS IN LARGER COUNTIES.

Bart Schouweiler who represents the taxi-cab owners testified as to the purpose of the Bill.

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Mr. Schouweiler stated that this bill was an outgrowth of SB 191 wherein the drivers requirement of a maximum of ten hours driving time per day was omitted because of the difficulty in enforcement of the provision. They felt that this could be covered by contractual agreement between labor and management. It is a negotiable item.

Senator Raggio felt that this was a needed provision because of the safety factor. He then suggested that they amend AB 775 by restoring the provisions which deal with the replacement of vehicles and the 10 hour maximum requirement.

Senator Raggio then moved "AMEND AND DO PASS."
 Senator Schofield seconded the motion.
 Motion carried unanimously.

AB 548

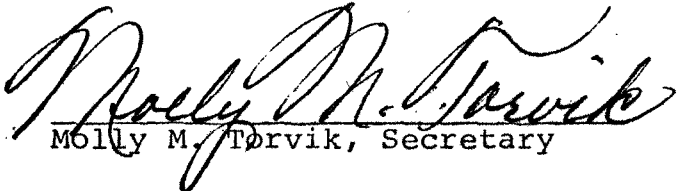
PROHIBITS OPERATION OF MOTOR VEHICLE WITHOUT CERTAIN NO-FAULT INSURANCE COVERAGE.

After a very short discussion:

Senator Raggio moved "POSTPONE INDEFINITELY."
 Senator Neal seconded the motion
 Motion carried unanimously.

There being no further business the meeting was adjourned.

Respectfully submitted;


 Molly M. Torvik, Secretary

APPROVED:


 Senator Warren Monroe, Vice-Chairman

706.151 Legislative declaration of purpose.

1. It is hereby declared to be the purpose and policy of the legislature in enacting this chapter:

(a) Except to the extent otherwise provided in NRS 706.881 to 706.885, inclusive, to confer upon the commission the power and authority and to make it the duty of the commission to supervise and regulate common and contract motor carriers and brokers, and to regulate for licensing purposes private motor carriers of property when used for private commercial enterprises on the highways of this state, and to confer upon the department the power and authority to license all motor carriers, so as to relieve the existing and all future undue burdens on such highways arising by reason of the use of such highways by vehicles in a gainful occupation thereon;

(b) To provide for reasonable compensation for the use of such highways in such gainful occupations, and enable the State of Nevada, by a utilization of the license fees, to provide more fully for the proper construction, maintenance and repair thereof, and thereby protect the safety and welfare of the traveling and shipping public in their use of the highways; and

(c) To provide for fair and impartial regulation, to promote safe, adequate, economical and efficient service and foster sound economic conditions in motor transportation, and to encourage the establishment and maintenance of reasonable charges for such transportation services, without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices.

2. All of the provisions of this chapter shall be administered and enforced with a view to carrying out the declaration of policy contained in subsection 1.

(Added to NRS by 1971, 690)

SUMMARY OF AB-326

This bill amends Chapter 482, whereas it creates the Emission Control Section, Registration Division, Department of Motor Vehicles.

Presently, Emission Control Section is in the Registration Division but only as Emission Control Officers. The last session of the Legislature AB-477 gave enforcement powers to the personnel; however when codified, the enforcement was not carried over. This bill, if passed, will give limited police powers to personnel in Chapters 484-644 & 484-6441 and Chapter 482, 445-610, 445-710 inclusive.

The program is completely self funding.

The main reason that we need the enforcement powers for the Emission Control officers so that they can regulate and enforce the laws as it applies to the authorized stations which we license.

Irregardless, if this program is somewhat restricted, the Emission Control officers need enforcement powers to regulate the stations and answer complaints from the general public.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 326

ASSEMBLY BILL NO. 326—COMMITTEE
ON TRANSPORTATION

FEBRUARY 26, 1975

Referred to Committee on Transportation

SUMMARY—Creates vehicle emission control section in registration division of the department of motor vehicles, sets forth duties of emission control officers and grants peace officer powers. Fiscal Note: No. (BDR 43-272)



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

AN ACT creating the vehicle emission control section in the registration division of the department of motor vehicles; setting forth duties of emission control officers and granting peace officer powers thereto; 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 481 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 1. *There is hereby created, within the registration division of the*
- 4 *department, a section known as the vehicle emission control section.*
- 5 2. *The director shall appoint, within the limits of legislative appropri-*
- 6 *ations, vehicle emission control officers in the vehicle emission control*
- 7 *section.*
- 8 3. *The duties of the vehicle emission control officers shall be to travel*
- 9 *the state and:*
- 10 (a) *Act as agents and inspectors in the enforcement of the provisions of*
- 11 *NRS 445.610 to 445.710, inclusive, chapter 482 of NRS and NRS*
- 12 *484.644 and 484.6441.*
- 13 (b) *Cooperate with personnel of the state environmental commission*
- 14 *division of the state department of conservation and natural resources in*
- 15 *all matters pertaining to vehicle emission control.*
- 16 (c) *Perform such other duties as may be imposed by the director.*
- 17 4. *Vehicle emission control officers shall have the powers of peace*
- 18 *officers in carrying out their duties under this section but shall not be*
- 19 *deemed police officers for purposes of chapter 286 of NRS.*
- 20 SEC. 2. NRS 169.125 is hereby amended to read as follows:
- 21 169.125 "Peace officer" includes:
- 22 1. The bailiff of the supreme court;

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FIRST REPRINT

A. B. 548

ASSEMBLY BILL NO. 548—ASSEMBLYMEN WITTENBERG, MELLO, GETTO, BARENGO, DREYER, FORD, MAY, HICKEY, MANN, ROBINSON, DEMERS, JACOBSEN, HOWARD, CRADDOCK, SENA, SCHOFIELD, YOUNG, LOWMAN, JEFFREY, BENKOVICH, BANNER, VERGIELS, POLISH, WEISE AND HEANEY

APRIL 3, 1975

Referred to Committee on Judiciary

SUMMARY—Prohibits operation of motor vehicle without certain no-fault insurance coverage. Fiscal Note: No. (BDR 57-1514)

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

AN ACT relating to motor vehicle insurance; prohibiting the operation of a motor vehicle without certain no-fault insurance coverage; providing for a declaration of no-fault coverage upon registration of a vehicle; providing a penalty; 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. *It is unlawful for any person to operate a motor vehicle registered*
4 *in this state without having security covering the vehicle as required by*
5 *chapter 698 of NRS.*
6 2. *Possession of a valid registration certificate, issued after January*
7 *1, 1976, pursuant to NRS 482.215 or 482.280, by an operator of a motor*
8 *vehicle is prima facie evidence that such person has complied with the*
9 *provisions of chapter 698 of NRS.*
10 SEC. 2. NRS 482.215 is hereby amended to read as follows:
11 482.215 1. All applications for registration, except applications for
12 renewal registration, shall be made as provided in this section.
13 2. Applications for all registrations, except renewal registrations,
14 shall be made in person, if practicable, to any office or agent of the
15 department.
16 3. Each application shall be made upon the appropriate form fur-
17 nished by the department and shall contain:

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FIRST REPRINT

A. B. 775

ASSEMBLY BILL NO. 775—COMMITTEE ON
TRANSPORTATION

MAY 6, 1975

Referred to Committee on Transportation

SUMMARY—Revises certain provisions regulating operation of taxicabs in
larger counties. Fiscal Note: No. (BDR 58-2055)EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT relating to the taxicab authority; prescribing an application fee for a certificate of public convenience and necessity; establishing criteria for issuance of a taxicab driver's permit; prohibiting certain acts by taxicab drivers; providing penalties; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 706.8813 is hereby amended to read as follows:
2 706.8813 "Certificate holder" means a person who has obtained and
3 who holds a certificate of public convenience and necessity which was
4 issued for the operation of a taxicab business within the county by:
5 1. The public service commission of Nevada prior to July 1, 1969,
6 and which has not been *transferred*, revoked or suspended by the taxicab
7 authority; or
8 2. The taxicab authority.
9 SEC. 2. NRS 706.8827 is hereby amended to read as follows:
10 706.8827 1. A person shall not engage in the taxicab business
11 unless he:
12 [1.] (a) Holds a certificate of public convenience and necessity from
13 the public service commission of Nevada issued prior to July 1, 1969,
14 which has not been *transferred*, revoked or suspended by the taxicab
15 authority; or
16 [2.] (b) Obtains a certificate of public convenience and necessity
17 from the taxicab authority as provided in NRS 706.386 to 706.396,
18 inclusive, and NRS 706.406.
19 2. *A nonrefundable fee, not to exceed \$200, shall be paid when an*
20 *application for a certificate of public convenience and necessity is sub-*
21 *mitted to the taxicab authority. The fee shall be used by the taxicab*
22 *authority only for costs incurred in conducting an investigation of the*
23 *application.*