

SENATE TRANSPORTATION COMMITTEE

MINUTES OF MEETING

MONDAY, MAY 19, 1975

The twenty-third meeting of the Senate Transportation Committee was called to order on Monday, May 19, 1975 at 1:05 p.m. in Room #345 of the Legislature Building.

Senator Helen Herr was in the Chair.

PRESENT: Chairman Helen Herr
Vice Chairman Warren Monroe
Senator Richard Blakemore
Senator Mary Gojack
Senator William Raggio

ABSENT: Senator Jack Schofield
Senator Joe Neal

ALSO PRESENT: James Lambert, Nevada Highway Patrol
James Menath, Nevada State Education Department
Howard Hill, DMV
John Ciardella, DMV

Chairman Herr presented an amendment to AJR 28 and asked if The Committee wished to concur with the Assembly? (See Attachment.)

Senator Monroe moved "TO CONCUR."
Senator Gojack seconded the motion.
Motion carried unanimously.

ACTION WAS THEN TAKEN ON THE FOLLOWING MEASURES:

AB 596 PROVIDES ADDITIONAL CIRCUMSTANCE FOR PERMISSIBLE PASSING OF STOPPED SCHOOL BUS.

James Lambert of the Nevada Highway Patrol gave testimony as to the purpose of this measure. (See attachment.) He also stated that they were having real problems with the law as it is now written because of a disagreement between the Attorney General's opinion as to the meaning of the law and the Washoe County District Attorney's interpretation of "divided highway."

Senator Herr then read a leader from the Clark County School District, who were against the measure because they felt there was already too much confusion as to when you could and when you couldn't pass a school bus. Later in the meeting a telephone conversation took place between the secretary of the Committee and the Clark County School District, wherein they, after reading the first reprint, had changed their minds and were in favor of the measure.

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AB 596 (Continued.)

James Menth of the Nevada State Education Department testified that his Department would wholeheartedly endorse this measure the way it was written at this time. (See attachment.)

After further discussion:

Senator Monroe moved "DO PASS."

Senator Blakemore seconded the motion

All voted aye except Senator Herr who voted nay.

Motion carried.

AB 490 AUTHORIZES POLICE OFFICERS TO REMOVE AND STORE VEHICLES UNDER CERTAIN CIRCUMSTANCES.

James Lambert gave testimony as to the purpose of the measure. (See attachment.)

Senator Monroe moved "DO PASS."

Senator Blakemore seconded the motion

Motion carried unanimously.

AB 151 TRANSFERS CERTAIN DRIVER LICENSE REVOCATION PROVISIONS.

William Fitzpatrick of the Driver's License Division of DMV testified as to the purpose of the measure, stating that it served to change some legal wording within the law plus placing it under a different chapter within NRS.

Senator Raggio moved "DO PASS."

Senator Monroe 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.

Due to there being a two year moritorium placed on the Clark County omission control and there being 17 bills before Congress to tone down omission control requirements:

Senator Blakemore moved for indefinite postponement. Motion died for lack of a second.

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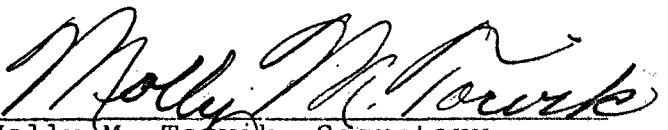
AB 326 (Continued)

Howard Hill and John Ciardella of the Department of Motor Vehicles testified further that the measure was important inasmuch as it clarified the Clark County Vehicle Omission Control Act and allowed for enforcement by State peace officers. They also stated that it was self funded. Mr. Hill testified that there was a measure before the Government Affairs Committee that would also solve the problem.

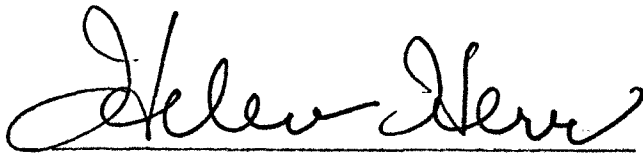
It was, therefore, the concensus of the Committee that the measure be held until the last meeting at which time they would know whether the other measure had passed. If so, they would not act on AB 326; if not, they could then pass it out of Committee.

There being no further business, the meeting was adjourned at 1:28 p.m.

Respectfully submitted:


Molly M. Torvik, Secretary

APPROVED BY:


Senator Helen Herr, Chairman

ASSEMBLY /~~XSENATE~~ AMENDMENT BLANKAmendments to ~~ASSEMBLY~~ Senate~~XXXX~~ Joint Resolution No. 28 (BDR 1875)Proposed by Committee on Environment andPublic ResourcesAmendment N^o 8614

Amend the resolution, page 2, by deleting lines 18 through 21.

Amend the resolution, page 2, line 40, by deleting "give" and insert:

"approve".

Amend the resolution, page 2, by deleting lines 41 through 47 and insert:

"Plan for compliance with the federal "Clean Air Act"; and be it further".

Amend the title, line 2, by deleting "give and insert: "approve".

Amend the title, by deleting lines 3 and 4 and insert: "State Implementation Plan.".

②

THE PURPOSE OF THIS BILL IS TO CLARIFY THE SECTION
AS IT APPLIES TO A DRIVER UPON MEETING A SCHOOL BUS
WHICH IS ON A HIGHWAY THAT IS SEPARATED BY A CENTER
LEFT TURN LANE DESIGNED TO BE USED BY TRAFFIC
TRAVELING IN THE OPPOSITE DIRECTION WHEN MAKING A
LEFT TURN.



CLARK COUNTY SCHOOL DISTRICT

LAS VEGAS, NEVADA 89121

2832 EAST FLAMINGO ROAD - TELEPHONE 736-5011

BOARD OF SCHOOL TRUSTEES

Mrs. Helen C. Cannon, President
 Mr. David Canter, Vice President
 Mr. Glen C. Taylor, Clerk
 Dr. Clare W. Woodbury, Member
 Mr. James C. Andrus, Member
 Mr. Earl A. Evans Jr., Member
 Mrs. B. Bernice Moten, Member

Dr. Kenny C. Guinn, Superintendent

May 8, 1975

The Honorable Helen Herr, Chairman
 Transportation Committee
 Legislative Building
 Carson City, Nevada 89701

Dear Ms. Herr:

The Clark County School District has some real concerns about AB 596 which I believe your committee is considering. The bill relates to permissible passing of a stopped school bus.

Our district operates approximately 200 school buses and we are very interested in maintaining a high standard of safety. We feel that the bill would relax the standards in NRS 484.357 to the point where children could be killed by dashing from a bus stop into moving traffic.

The statute presently allows traffic to pass a stopped bus only "upon a highway, street or road with separate roadways." AB 596 would delete this language and insert "divided highway." This insertion is nebulous because the words "divided highway" convey different meanings to different people. Under the present language, there is no doubt that when a bus is loading or unloading children traffic must stop unless there is a physical separation between roadways.

If a child or children are killed because of this bill, we would have an unnecessary tragedy. The state of Nevada and also a school district could face a large lawsuit if this should occur.

The Honorable Helen Herr
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I urge you not to approve this bill.

Sincerely,

Edward A. Greer

Edward A. Greer, Associate Superintendent
Business and Finance Services

EAG/hm

cc: Dr. Kenny C. Guinn
Mr. Richard White

484.397 Police officers authorized to remove vehicles

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.