

TRANSPORTATION COMMITTEE - MINUTES

March 1, 1977

3:10 P.M.

MEMBERS PRESENT: Chairman Hayes Mr. May  
Mr. Demers Mr. Jacobsen  
Mr. Glover Mrs. Westall  
Mr. Harmon

GUESTS PRESENT: Ted Fawcett, WNCC  
Carl Chaplin, WNCC  
Orvis E. Reil, NRTA/AARR-Nev. State Joint  
Legislative Committee  
Helen Skinner  
Frank E. Skinner  
Bernard Dehl, Nev. Highway Patrol  
Odis R. Doyle, The Nevada Sage  
E. Lavonne Lewis  
Kate Butler, Nevadans for ERA  
Dorothy Frehner, Nevadans for ERA  
Verlyn L. Fletcher, Department of Motor Vehicles  
Harry Norcross  
Mary Gojack, Senator  
Sue Morrow, Nevada Appeal  
Howard Hill, Director, Dept. of Motor Vehicles  
John Ciardella, Department of Motor Vehicles  
Eileen Brookman, Assemblyman

SB 57:

Senator Mary Gojack, sponsor of the measure, introduced Mr. Frank Skinner who had done much of the research and had made the presentation to the Senate.

Mr. Frank Skinner, spoke in favor of SB 57. He objected to a person being required to submit to a driver's examination because of age alone. Most other states do not require testing more often for persons over 70 years of age than for younger persons. Nevada's are uniformed officers and this fact alone unnerves many senior citizens and they cannot receive a fair test. (for Mr. Skinner's testimony and supporting data, see EXHIBITES A and B)

Mr. Glover asked if Mr. Skinner thought a drivers license a right or privilege. Mr. Skinner responded it was a right. If a person paid taxes he had the right to use the highways.

Mrs. Westall questioned Item 8 (EXHIBIT B) the portion referring to two year inspection of cars of elderly persons. Mr. Skinner answered the two year inspection was a result of the more frequent driver testing.

Mr. Howard Hill, Director of Department of Motor Vehicles, stated the Department was not opposed to this bill. He also stated that lights and brakes were tested on cars of everyone when they were examined for a driver's license.

TRANSPORTATION COMMITTEE

March 1, 1977

page 2

Mr. Jacobsen asked if statistics indicated more accidents were reported for persons over 70 years of age. Mr. Hill did not have these figures, but stated it was a matter of record that people's reflexes and sight deteriorated with age.

Mr. Jacobsen said we had a responsibility to ascertain these older people could adequately handle an automobile. The way traffic moves today requires fast preception and reflexes. He wanted some statistics to prove whether this was or was not an area of concern.

Mr. Glover stated people's physical condition remained the same for a long time but after 69 or 70 years, they began to deteriorate quickly. More frequent examination protected the older people, who do not realize their decline in competency, as well as others. This is the intent of the requirement.

Mr. Jacobsen asked if the Department used any ununiformed people to administer driver's tests.

Mr. Hill replied they did not. This had been considered and the Department had checked with other states and found that the examiners took a lot of abuse from the public because they were not in uniform.

Chairman Hayes asked the frequency of testing in other states, on the age. Mr. Hill replied that in most states persons over 70 had a license for the same period as a person under 70.

Senator Gojack stated there were only two or three states that compelled persons to go in more often after the age of 70. California, with the heaviest traffic load, prohibits the requirement of renewal of driver's license based solely on age.

The comparison between older drivers and teenagers was made several times with the observation that the older people were more cautious and careful; and that they were not out to prove anything. As for physical condition, the Department of Motor Vehicles reserves the right to call in anyone at any time, regardless of age.

Mr. Odis R. Doyle, Publisher of Nevada Sage Magazine, spoke in favor of SB 57, reiterating that older drivers were safe drivers, and he had a great deal of experience working with senior citizens. Some were not qualified to drive but many were safer drivers than younger people. There was no limit as to age as long as a person proved he was capable. He further stated the driver's license was a privilege.

SB 58

Barney Dehl, Assistant Chief of Nevada Highway Patrol, spoke in favor of SB 58, saying the Patrol was totally in accord with this measure because it removed all doubt as to the eligibility of both men and women for the position of Highway Patrol Trooper.

Mr. Jacobsen asked if, in a particularly dangerous situation, would the Patrol discriminate and send only the men. Mr. Dehl said it would depend on the situation. He further stated that this past year the physical agility test, part of the validation program, had been revised so that women could be eligible on an equal par. The Patrol is not looking for just men and women, but for people who can adequately handle the job. Some women could do this. If a female trooper had to go into an area where the men were disrobed, they would probably try to hold her back.

Chairman Hayes asked if the Patrol had changed their requirements. She was told that the entrance requirements had been changed but they applied to both men and women. The entire physical entrance examination has been changed. The old exam relied on the number of calisthenics, such as pushups and sit ups. They were advised that was not the job as validated so now there are physical ability tests that approximate the job requirement needs of a trooper. These are simulation tests. Some women have performed better on these tests than some of the men.

Mr. May asked if he had not read an article sometime ago about the first female highway patrolman. He was told this was a special officer and not a patrolman.

Mr. Jacobsen asked would the accommodations throughout the State require any remodeling.

Mr. Dehl replied that in Las Vegas and Reno, the locker rooms were in the mens rest rooms and that would require addition or alteration.

Senator Gojack, sponsor of the measure said that this was breaking new ground. It was very clear that women were capable, eligible and should have the opportunity to serve in these various agencies, provided they qualify on a standardized test. They should not have any special favors; they should not be made to feel they do not have entry to these positions.

Chairman Hayes declared a three minute recess.

SB 57

Mr. Jacobsen moved to hold this bill to check out statistics to ascertain a step was not being made in the wrong direction. The Committee agreed.

Chairman Hayes stated AB 15 was being held with the knowledge of the sponsor until action had been taken on SB 57.

SB 58

Mr. Harmon moved to Do Pass SB 58 and re-refer to Committee on Ways and Means, because of the remodeling factor; Mr. Jacobsen seconded the motion; motion carried with one opposing. Mr. Glover opposed

because he felt the measure should not be referred to Ways and Means.

Mr. Harmon stated that remodeling facilities was not in the budget and it should be considered. There was no way of knowing how much it would cost and we did not want them to come back and ask for additional funds because the bill was passed.

Chairman Hayes asked Assemblyman Brookman to take care of the matter in Ways and Means.

Assemblyman Brookman said: "I'll take care of it, but if that's the object to try and kill it, why don't you just do it right now instead of horsing around."

Chairman Hayes said: "I don't think anyone is trying to kill it. I agree with Harley."

Senator Gojack noted there was no fiscal impact note on the bill.

Mr. Harmon said: "We had the Highway Patrol tell us they would possibly have to do a lot of remodeling. That is going to cost money and as a member of Ways and Means, you should be responsible enough to see what the State is spending their tax dollars for; and I, as a taxpayer, want to know, too."

Mr. Demers asked: "Why do you say this will be killed in Ways and Means?"

Assemblyman Brookman replied: "I didn't say that, I said if that was your intention, why don't you just do it now".

Mr. Harmon: "It is not my intention to kill the bill, I just think that, from a fiscal basis, we are talking about a sum of money, we better see what we are going to spend. If I wanted to kill it, I would have made the appropriate motion; I do know how."


Chairman Hayes asked Mr. Glover if he would assist with the bill through Ways and Means.

Mr. Glover said he would and he would ask the Highway Patrol to come up with some figures and what actually had to be done.

Mr. Demers requested the record reflect that he was late because he was attending a meeting of Economics and Tourism.

Meeting adjourned at 3:50 P.M.

Respectfully submitted:

  
M. Robertson, secretary

Ed Kubit A

March 1, 1977

I'm here in behalf of SB57 pertaining to requiring a driver 70 years of age and older to submit to a driving test in order to renew his or her valid drivers license. I have written to all of <sup>the</sup> state driving license departments and have 36 answering letters here with me. Some of them did not answer. All 36 of these have no provision requiring a driving test based solely on age. All of them allow the examining officer to question the applicant's ability to drive if he feels that the applicant is physically or mentally incompetent. But he should inform the applicant why he is asking him to take a driving test. In some cases the applicant may be given a restricted license and may be allowed to drive in city or town in order to make necessary trips to doctor's offices, social security offices, relative, etc. Some ~~are~~ States have trained men to observe an applicant. Also, none of these states has a provision causing the applicant to take a test more often than any other driver unless it has become apparent in the meantime driver has been reported incompetent and that it is not based on age alone. As far as the examiner being able to judge whether a driver is competent or incompetent visually would apply to anyone at any age. I am for treating the senior citizen driver on an equal basis with any other driver at any age. Just the presence of a uniformed officer seated beside you can unnerve some drivers to the point that they will make errors in driving. One State has removed the uniformed police from conducting the road test. *Kentucky*

I will be glad to answer any questions pertaining to this Bill SB57

Charman Hayes

M. Skinner

*Exhibit B.*

1. Nevada has a law, rule or policy that requires that all drivers 70 years of age or older to submit to a driving test.
2. This law is unfair as drivers having good driving records are put in a class with those who are physically and mentally unfit and have poor records
3. It is also unfair to charge the elderly driver more for his license fee.
4. Letters are presented here that show that only four or five States have this compulsory law. California with the largest traffic problems in the U. S. does not have this law, in fact they have a law prohibiting the Dept. of Motor Vehicles from refusing to renew a driver's license solely because of age. Almost all of the States do, however allow the examining officer to require a driving test if he feels the driver appears to have a physical or mental condition that might be dangerous. But he has to reveal this condition to the applicant to show why he has to take the re-test.
5. The older drivers have paid much in tax money for the right to drive on our highways. They drove the old dirt and gravel roads in the past. Now that we have good highways these old folks are being denied a license to drive on them when they helped to build them.
6. There are far more out of State drivers who drive lots of miles in this State than there are Nevadans. These drivers havenot been required to take the driving test and many of them are 70, 80, 90 and some over 100 years of age. Why make the home State drivers take the test to drive on their own highways.
7. If this law, SB57, is passed it will in no way tie the hands of the licensing division. It will do away with an injustice and probably save the Department money.
8. The age group of 19 to 27 years of age has the highest accident rate but they are given no test on renewal of license or are their cars inspected. The drivers over 70 have to have their cars inspected every two years. Starting at 65 their rates are lower.
9. In other words, the elderly driver should be treated the same and equal to any other driver unless proven otherwise. He or she should not be favored because of age and should be cited when he commits violations.
10. There is a law, NRS 483.380 which requires a driver over 70 to be re-examined every 2 years. All others are every 4 years. This again is not fair and drivers should be treated as to their ability and previous record and not their age.
11. Hartford Insurance Co. has informed me that the age group 19 to 27 years of age has the most fatal accidents. Then the group 30 to 50 has the most accidents. Next is the elderly group which has the least number. Incidentally this group has the lowest insurance rates of all three. So the elderly group apparently is not the one to worry much about.

GUEST LIST

JK

| <u>NAME</u>                 | <u>REPRESENTING</u>                                     | <u>WISH TO SPEAK</u>             |                                 |
|-----------------------------|---|----------------------------------|---------------------------------|
| (Please print)              |   | <u>Pro</u><br><small>YES</small> | <u>Con</u><br><small>NO</small> |
| Ted Fawcett                 | WNCC  |                                  | <del>Pro</del>                  |
| Carl Chaplin                | WNCC  |                                  | <del>Con</del>                  |
| ORIS E. Reil                | NRTA/AARR - Nevada State Joint<br>Legislative Committee | <del>Pro</del>                   | <del>Con</del>                  |
| <del>HELEN SKINNER</del>    | self  | PRO                              | 57                              |
| <del>FRANK E. SKINNER</del> |   |                                  |                                 |
| BERNARD DEHL                | NEV. HIGHWAY PATROL                                     | PRO                              | SB-58                           |
| Odus R. Doyle               | The Nevada Sage   |                                  |                                 |
| E. Lavonne Lewis            | self  |                                  |                                 |
| Kate Butler                 | Nevada for ERA  |                                  |                                 |
| Archie FRENCH               | Nevada for ERA  |                                  |                                 |
| Verlyn L. Fletcher          | DMU   |                                  |                                 |
| Harry Marcusa               | Self.   |                                  |                                 |
| <del>Mary Goyack</del>      | Constituents  |                                  |                                 |
| <del>Sue Modrow</del>       | Appeal  |                                  |                                 |
| Howard Hill                 |   |                                  |                                 |
| Ciardella                   |   |                                  |                                 |
| ✓ Odus R. Doyle             | Nevada Sage   | ✓                                |                                 |
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