

SENATE TRANSPORTATION COMMITTEE

MINUTES OF MEETING

Tuesday, March 22, 1977

The meeting of the Senate Transportation Committee was held in Room #323, Legislative Building on Tuesday, March 22, 1977, at 2:00 p.m.

Senator Richard Blakemore was in the chair.

PRESENT: Senator Richard Blakemore, Chairman
Senator Keith Ashworth, Vice Chairman
Senator Wilbur Faiss
Senator Margie Foote
Senator Joe Neal
Senator William Hernstadt

ABSENT: Senator C. Clifton Young

OTHERS

PRESENT: Colonel James Lamber, Nevada Highway Patrol.
John Ciardella, Chief of Registration, DMV.
Howard Hill, Director, Dept. of Motor Vehicles.
Darryl Capurro, Nevada Motor Transport Assn.
Robert F. Guinn, Nevada Motor Transport Assn.
Richard Serdoz, Human Resources Department.
Stan Warren, Nevada Bell.
John Gionotti, Harrah's Club.
John Holmes, Interested Citizen, Carson City.
Heber Hardy, Public Service Commission.
Virgil Anderson, American Automobile Association.

Hearing was then had on the following bills:

S.B. 332 REQUIRES INSPECTION OF CERTAIN MOTOR VEHICLES
FOR SAFETY AND EMISSION CONTROL.

Senator Hernstadt testified on the purpose of the bill. He said that it was designed to require annual inspections both for safety (brakes, lights, etc.) and emission control. His intent in proposing the bill was to help alleviate the pollution problems which are occurring in Clark County, Lake Tahoe and Reno. Las Vegas has already experienced some very dangerous pollution levels, and he felt that if these inspections were carried out on a statewide program, the Federal Government could not step in, in the future, and mandate it's

type of emission control system. He further stated that without annual inspections, the State of Nevada is going to have irresponsible people driving on its roads polluting the air.

Senator Ashworth said that he did not feel that people from the rural areas of the State should be subjected to this type of mandatory legislation. He asked Senator Hernstadt if he would be amenable to restricting the inspections to just those counties with large populations. Senator Hernstadt said this would be fine, however, he felt there could be a problem implementing this in the Lake Tahoe area because Douglas County and Carson City would also be affected.

Senator Hernstadt said that basically the purpose of the bill is to head off as cheaply and in a responsible way as we can the trouble we could legally be in from the Federal Government.

Senator Blakemore remarked that there was a bill similar to this proposed at the last Session of the Legislature and it was found that the cost of implementing the program and the financial burden to the individual were too great.

Colonel James Lambert, Nevada Highway Patrol was the next to testify. He made the following statements:

1. There are 89,000 cars in the State of Nevada which are first registration transfers on a used car basis annually.
2. To accomplish a decent inspection program, the shop time today would average about \$14.50 per hour for a mechanic's repair. An inspection of the type required by this bill (in public operated stations) would cost approximately \$7.00 per inspection; \$2.00 of which would be prorated back to the cost of operating and supervising the program on a statewide basis. On this type of inspection program, the state would have to have employees out doing accounting on stickers and money charged by the public stations. The cost to the state for the first year would be \$175,065 and the second year it would be reduced to \$131,010.

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3. According to this measure, with renewal inspections on used vehicles within the State of Nevada, this figure would have to be escalated to approximately 600,000 cars per year which would be about six and one half times the figures in dollars which he projected.
4. He would not speak in favor or against the bill. He said that in 1976, a test inspection program was run under the supervision of the Highway Patrol and it was quite successful. There was no cost involved and they had 99% favorable comment from the public. However, he felt that to do this on a self-supporting basis, there would be a great deal of money involved.

Mr. John Ciardella, Chief of Registration, DMV, was the next to testify. He stated the following:

1. The figure of 89,000 cars that Colonel Lambert referred to was the number of cars sold each year by new car dealers and used car dealers. For the record there would be approximately 200,000 new cars a year.
2. There would be approximately 600,000 total registrations (including fleet vehicles) which would be involved in this type of inspection program each year.
3. AB 464 deals with the substantive extension of the pilot program in Clark County. He understands there is another bill proposed which deals with emission controls. He felt that safety inspections and emission control inspections are two different types of inspections and that emission control inspections can only be conducted at authorized emission control stations. He felt they should, therefore, be dealt with separately.
4. He also said that as he understood lines 15 through 22 on page 4 of SB 332, this would do away with tire and brake inspections which were placed in the law during the 1975 Session. He felt that these inspections were most important in conducting safety checks.

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Senator Hernstadt said that this was an error in drafting as he certainly did not want to tamper with established programs but wished to enhance the inspection program. He felt that by leaving in lines 23 and 24 on page 4 would certainly include tire and brake inspections. He continued by saying that the bill provides that once the guidelines have been set, a vehicle owner would go to an authorized inspection station and either receive a sticker showing that he had had his annual inspection, or he would have any required repairment done and approved and he would then receive his sticker. The only contact the vehicle owner would have with the Department of Motor Vehicles regarding this program would be to produce a certificate or notice of compliance when he registered his automobile each year.

Mr. Ciardella stated that even if the bill does not pass, by law the State Environmental Commission could expand the Clark County pilot program.

Senator Ashworth asked if the State's current requirements through the State Environmental Protection Agency and the pilot program in Clark County satisfied the Federal requirements on emission standards?

Mr. Dick Serdoz, representing the State Environmental Protection Agency, answered that currently the Federal approval of the State's implementation plan, which requires an ambient standard to be attained at some future date. That ambient standard is to be attained either through an auto inspection program or other transportation control measures such as: bus lines, public transportation, auto free zones and emission density zoning. It is not mandating that you have to have an emission control program, it is mandating that the ambient standard be obtained. Because of the Federal Agency publishing a disapproval of the State's implementation plan there is a possibility of losing state highway funds.

Chairman Blakemore asked what the estimation would be as to the cost of the program proposed by SB 332? Colonel Lambert answered that it would cost approximately \$420,000 a year.

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Senator Foote asked if a person wanted or needed an emission inspection would he have to go to an authorized inspection station. Mr. Ciardella said yes, this is the only place it could be done. Senator Foote then asked how this test was done. Mr. Ciardella answered that it is done with infra-red testing.

Senator Hernstadt asked Colonel Lambert what percentage of failures were found during their spot-testing program? Colonel Lambert said that he did not have the figure with him, however, he would get the statistics and supply them to the Committee later. He added that on cars over two years old there was quite a high percentage of failures. When there is a failure they do not issue citations, they issue repair orders which must be complied with in 10 days.

Daryl Capurro who represented the Nevada Motor Transport Association was the next to testify. He said that he certainly understood Senator Hernstadt's concern, however, the provisions contained currently in SB 322 cause some problems because it refers to amending Chapters 484 and 482 of NRS and the requirements for the current air pollution control are contained in Chapter 445 of NRS. In effect, Chapter 445 gives the Environmental Commission the authority to establish the program for establishing the requirements for the inspection program and the qualification of the inspectors. He felt that this bill would conflict with the current law regarding the emission control inspections.

He said that additionally, the provision for having an inspection which would encompass both safety and emission controls would have to be changed because they are not compatible type inspections. He estimated the cost for a meaningful safety inspection would be from \$8 to \$10. This would translate out to somewhere in the neighborhood of \$5 to \$6 million dollars annually to the citizens of the State of Nevada for somewhat questionable results.

With respect to the emission control inspection, he indicated that there are no heavy duty vehicle emission standards promulgated by the Federal Government nor the Environmental Commission. He said that if the Committee were to seriously consider processing this particular

piece of legislation, he asked that vehicles which are prorated under the Interstate Apportionment Act be exempt from the provisions.

5. These are vehicles which are based out-of-state, but because they are prorationally registered within the State of Nevada, they are considered fully registered within the State, but it would not be possible to enforce the provisions of this bill on those vehicles.

He said that there is also a provision in the bill, on the last page, which refers to vehicle safety inspectors. He noted that this could cause problems because it could possibly mean that a service station attendant who had qualified as a safety inspector could then give out citations and to pull people over for the safety inspection. He was sure that this certainly was not the intent of Senator Hernstadt when he had the bill drafted.

He asked that if the Committee decided to process this bill, if they would have a definition of "fleet" and to also extend the self-certification exemption to fleet vehicles.

Stan Warren from Nevada Bell testified that Nevada Bell has a fleet of about 550 vehicles which are registered annually. They have taken the option to register their vehicles once a year on a calendar year basis and he felt there should be some consideration given to the timing of the inspections so that they would not all have to be done in one short period of time. He strongly felt that fleet operators who maintain their fleets should be granted certification. Nevada Bell maintains their vehicles either by their own employees or under the direction of agents which are hired to accomplish this. Currently, their standards are that each vehicle is inspected every six months or every 10,000 miles, whichever comes first. To keep the work program efficient throughout the year, they spread the inspections out because while a vehicle is being inspected they have to have a replacement vehicle. It would cost Nevada Bell approximately \$6,500 a year if they had to take their vehicles to a specified inspection station. He urged

that whatever is done by the Committee that they seriously consider the fleet operators. Personally, Mr. Warren said he has a problem regarding SB 332 because he is in the process of restoring an old car. He felt there should be some recognition that these controls came about in later years, and if something isn't done by exempting older vehicles, there is a problem with emission control.

Mr. Warren submitted a suggested amendment regarding fleet operators (See attachment A). Senator Hernstadt remarked that when an older vehicle is inspected now, it is inspected by the manufacturer's specifications as of the time of manufacture.

Virgil Anderson of Triple A was the next to testify. He stated that if the Committee feels that a law such as this should be passed, there should be some outside controls on repair costs on emission controls and particularly on older cars. If this is not done, the costs could be more than the car is worth.

Mr. Howard Hill stated that 1959 is the latest date that a car is inspected for emission control. The rules and regulations exempt any car or vehicle older than 1959. From a vehicle safety standpoint, a rebuilt car does have to be inspected at the registration office.

Senator Ashworth asked approximately how old are 75% of the vehicles. Mr. Ciardella said that he would get this information for the Committee.

Mr. John Holmes testified as a private citizen. He stated that he has had experience with safety and emission control inspections in New Jersey, Pennsylvania and California and found the following:

1. It is an expensive system and no state with which he has had experience can prove statistical benefits in air quality.
2. Safeguards must be placed in the law to protect the public from being "gouged" by the private garage owner.

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3. He found that an inspection took an average time of 1 and 1/2 hours.
4. When inspection duty was left up to law enforcement officers, he had had experience where the officer was not acquainted with his type automobile and therefore cited him for safety infractions which did not exist.

Senator Hernstadt asked Mr. Holmes which system did he feel was the best? Mr. Holmes answered that Pennsylvania's system was the easiest for the public to keep in compliance with, however, there were constant court cases where a citizen sued a garage owner for charging too much.

Mr. John Gionotti, representing Harrah's Club stated that in his opinion most of the air pollutants in Nevada's air is not caused by Nevada's automobiles but by those from other states coming into this tourist oriented state and the people of the State of Nevada should not be penalized.

Senator Hernstadt asked Mr. Gionotti if the gaming industry was aware of the problem and felt any responsibility in trying to solve it? Mr. Gionotti said that the industry would be very happy to help solve the pollution problem.

Senator Ashworth commented that the pollution in the Tahoe basin is not caused so much from the amount of cars but because of traffic conditions causing the traffic flow to be in a stop and go, bumper to bumper situation. If automobiles are traveling at a normal speed the exhaust does not cause near the problems. He did not think that the answer in Nevada is for everyone to have these inspections. He felt that if a bypass is built at Southshore at Lake Tahoe, it would be found that air pollution levels would be much lower and the gaming industry is more than eager to help in achieving this because they are vitally interested in solving this problem.

Bob Guinn, Nevada Transport Association said that he would recommend something be done about some type of emission control inspections in Washoe and Clark

counties, but he felt that it would be a mistake to try to mandate this throughout the rest of the state. He also felt that the safety inspection should not be a part of this bill, because he was certain that legislation might be passed if it just dealt with the emission control.

S.B. 344 PERMITS MOTOR CARRIERS TO BE SELF-INSURED.

Mr. Guinn testified that a bill was passed previously this Session which proposed that the owner of a fleet of vehicles with 10 or more could meet the financial responsibility requirements of Chapter 485 of the NRS administered by the Department of Motor Vehicles through self insurance. The question was raised as to what would happen in the PSC because for higher carriers they have a mandatory requirement for a certain amount of insurance. The suggestion was then made that SB 144 would probably place some compulsion on the Commission to accept this procedure. However, they are concerned about tying the Commission action to what might happen at the Department of Motor Vehicles with respect to financial responsibility. He has some reservation as to whether or not this legislation is needed because they are doing it without benefit of the legislature and possibly if it is passed, it might indicate that their hands were restricted to the point that unless DMV acted, the PSC might not act in another area.

Mr. Heber Hardy from the Public Service Commission clarified that PSC is required to accept either a certificate of insurance or in lieu thereof surety bonds and/or other surety. The addition of this legislation would just clarify the legislative intent that the PSC can accept a Certificate of Insurance from the Department of Motor Vehicles. He felt that this very possibly could be done by departmental rule but he does not have any strong feelings one way or another about the bill.

S.B. 345 EXEMPTS CERTAIN MOTORCYCLES FROM REQUIREMENT FOR TURN SIGNALS.

Mr. John Ciardella testified that this bill was proposed because last Session a law had been passed to exempt Mopeds from registration. The Federal Government has

since mandated that if they are called a special motorcycle which has five horsepower and cannot exceed 30 miles per hour, that they did not require turn signals. This is just a housekeeping bill to amend Chapter 486.271 of NRS, as it now requires that all motorcycles must have turn signals.

A.B. 203 REQUIRES DUPLICATE LICENSE PLATES TO BE ISSUED WITH NUMBERS IDENTICAL TO REPLACED PLATES.

John Ciardella stated that this legislation would allow for plates issued under the old code to be duplicated if the owner wished them to be when they were lost or mutilated.

Mr. John Gionotti said that he felt that this legislation is long overdue. It would also allow people who had low numbers on their old license plates to have them replaced at the small fee of \$7.50. He urged passage of this bill.

Senator Foote moved "DO PASS".
Senator Faiss seconded the motion.
Motion passed unanimously.

ACTION WAS THEN TAKEN ON THE FOLLOWING BILLS BY THE COMMITTEE:

S.B. 345 Senator Neal moved "DO PASS."
Senator Foote seconded the motion
Motion passed unanimously.

S.B. 344 Senator Neal moved "Indefinite Postponement".
Senator Hernstadt seconded the motion.
The vote was 3 to 3, with Senators Neal, Hernstadt and Faiss voting aye and Senators Ashworth, Foote and Blakemore voting nay. The motion, therefore did not pass.

S.B. 332 It was the consensus of the Committee to "Hold this bill in abeyance."

S.B. 145 Senator Ashworth moved "Amend and Do Pass."
Senator Foote seconded the motion.
Motion carried unanimously.

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S.B. 228 Senator Ashworth moved "Amend and re-refer."
Senator Faiss seconded the motion.
Motion carried unanimously.

S.B. 218 Senator Hernstadt moved "DO KILL."
Senator Ashworth seconded the motion.
Motion carried unanimously.

S.B. 292 Senator Herstadt moved "DO PASS."
Senator Ashworth seconded the motion
Motion carried unanimously.

S.B. 329 Senator Ashworth moved "DO KILL."
Senator Foote seconded the motion.
Motion carried unanimously.

S.B. 309 Senator Ashworth moved "DO PASS."
Senator Faiss seconded the motion
Motion carried unanimously.

S.B. 291 Senator Foote moved "DO PASS."
Senator Hernstadt seconded the motion.
Motion carried unanimously.

A.B. 283 Senator Ashworth moved "DO PASS."
Senator Faiss seconded the motion.
Motion carried unanimously.

A.B. 284 Senator Ashworth moved "DO PASS."
Senator Faiss seconded the motion.
Motion carried unanimously.

A.B. 282 Senator Ashworth moved "DO PASS."
Senator Hernstadt seconded the motion.
Motion carried unanimously.

A.B. 127 Senator Hernstadt moved "DO PASS."
Senator Faiss seconded the motion.
Motion carried unanimously.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Mollie M. Torvik, Secretary

APPROVED BY:


Senator Richard Blakemore, Chairman

AMENDMENT TO NEVADA SENATE BILL NO. 332

Amendment No. 1

On page 1 of the printed bill after line 24 insert:

(e)
"Provide for fleet owners qualifying under NRS 482.206 (3.) who establish an official inspection station to self certify motor vehicles owned, leased or under their operation; such certification shall be valid until the established registration expiration date of each vehicle inspected and certified."

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 203

ASSEMBLY BILL NO. 203—ASSEMBLYMEN MELLO, ROBINSON, DEMERS, HOWARD, MAY, WESTALL, KISSAM, DINI, JACOBSEN, WEISE, MURPHY, GOMES, HARMON, VERGIELS, HAYES AND BROOKMAN

JANUARY 31, 1977

Referred to Committee on Transportation

SUMMARY—Requires duplicate license plates to be issued with numbers identical to replaced plates. (BDR 43-459)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to vehicle licensing and registration; providing for the replacement of license plates with the same number as the plates replaced; 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 482.270 is hereby amended to read as follows:
2 482.270 1. The director shall order the preparation of motor
3 vehicle license plates with no other colors than blue and silver. The
4 director may, in his discretion, substitute white in place of silver when
5 no suitable material is available.
6 2. The director may determine and vary the size, shape and form and
7 the material of which license plates shall be made, but each license plate
8 shall be of sufficient size to be plainly readable from a distance of 100
9 feet during daylight. All license plates shall be so treated as to reflect
10 light and to be at least 100 times brighter than conventional painted
11 number plates. When properly mounted on an unlighted vehicle, the
12 license plates, when viewed from a vehicle equipped with standard head-
13 lights, shall be visible for a distance of not less than 1,500 feet and
14 readable for a distance of not less than 110 feet.
15 3. Every license plate shall have displayed upon it the registration
16 number assigned to the vehicle and to the owner thereof, and the name
17 of the state, which may be abbreviated, and:
18 (a) If issued for a calendar year, such year.
19 (b) If issued for a registration period other than a calendar year,
20 the month and year such registration expires.

Original bill is 4 pages long.
Contact the Research Library for
a copy of the complete bill.

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AB 203

S. B. 345

SENATE BILL NO. 345—SENATOR BLAKEMORE

MARCH 14, 1977

Referred to Committee on Transportation

SUMMARY—Exempts certain motorcycles from requirement for turn signals. (BDR 43-1100)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to traffic laws; exempting certain motorcycles from the requirement of being equipped with turn signals; 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 484.557 is hereby amended to read as follows:
2 484.557 1. Every motor vehicle, trailer, semitrailer and any vehicle
3 which is being drawn at the end of a train of vehicles shall be equipped
4 with electric turn signal lamps, except that vehicles less than 80 inches in
5 overall width not originally equipped with electric turn signal lamps and
6 manufactured prior to July 1, 1969, are not required to be equipped with
7 such lamps.
8 2. Such lamps shall be located on the front [or] and rear of any such
9 vehicle or combination of vehicles and shall indicate an intention to turn
10 by flashing lights in the direction toward which the turn is to be made.
11 3. The lamps showing to the front shall be mounted on the same level
12 and as widely spaced laterally as practicable and, when signaling, shall
13 emit white or amber light, or any shade of light between white and amber.
14 4. The lamps showing to the rear shall be mounted on the same
15 level and as widely spaced laterally as practicable, and, when signaling,
16 shall emit red or amber light, or any shade of light between red and
17 amber.
18 5. Such lamps shall be visible in normal sunlight from a distance of
19 not less than 500 feet.
20 6. The provisions of this section do not apply to:
21 (a) Mopeds; [or]
22 (b) Special mobile equipment, except when such equipment is being
23 towed at the end of a train of vehicles [.] ; or

SB 345

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Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

SENATE BILL NO. 344—SENATOR BLAKEMORE

MARCH 14, 1977

Referred to Committee on Transportation

SUMMARY—Permits motor carriers to be self-insured. (BDR 58-1130)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.



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

AN ACT relating to motor vehicle carriers; permitting carriers to be self-insured for liability for accidents; 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 706.291 is hereby amended to read as follows:
2 706.291 1. **[The]** *Except as provided in subsection 3, the commis-*
3 *sion shall require every common and contract motor carrier, within*
4 *such time and in such amounts as the commission may designate, to file*
5 *with the commission in a form required and approved by the commis-*
6 *sion a liability insurance policy, or a certificate of insurance in lieu*
7 *thereof, or a bond of a surety and bonding company, or other surety, in*
8 *such reasonable sum as the commission may deem necessary to protect*
9 *adequately the interests of the public.*
10 2. **[Such]** *A liability insurance policy or certificate, policy or bond*
11 *of a surety and bonding company or other surety shall bind the obligors*
12 *thereunder to pay the compensation for injuries to persons or for loss*
13 *or damage to property resulting from the negligent operation of [such]*
14 *the carrier.*
15 3. *A motor carrier to whom a certificate of self-insurance has been*
16 *issued by the drivers' license division of the department of motor vehicles*
17 *may be self-insured for the purposes of this section.*

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Original bill is on file at
the Research Library.

SENATE BILL NO. 332—SENATOR HERNSTADT

MARCH 10, 1977

Referred to Committee on Transportation

SUMMARY—Requires inspection of certain motor vehicles for safety and emission control. (BDR 43-989)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to motor vehicles; requiring the annual inspection of certain motor vehicles for safety and compliance with regulations for emission control; 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 the provisions set forth as sections 2 to 8, inclusive, of this act.
3 SEC. 2. "Certificate of inspection and approval" means a certificate
4 issued by an official inspection station after a used motor vehicle has
5 been inspected and approved by such station.
6 SEC. 3. "Department" means the department of motor vehicles.
7 SEC. 4. "Director" means the director of the department of motor
8 vehicles.
9 SEC. 5. 1. The director shall establish procedures for the inspections
10 of all used motor vehicles which are intended to be registered in this
11 state, to determine whether they are safe for operation and their devices
12 for emission control are in working order.
13 2. The director shall issue licenses, instructions and necessary forms
14 to official inspection stations for the purpose of permitting stations to
15 inspect motor vehicles and issue official certificates of inspection and
16 approval.
17 SEC. 6. 1. The department shall adopt regulations which:
18 (a) Prescribe requirements for licensing official inspection stations;
19 (b) Prescribe the manner in which official inspection stations inspect
20 motor vehicles and issue certificates of inspection and approval;
21 (c) Provide for the administration and enforcement of vehicle safety
22 standards; and
23 (d) Provide for any fee, bond or insurance which is necessary to carry
24 out the provisions of sections 5 to 8, inclusive, of this act.

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

S. B. 145

SENATE BILL NO. 145—COMMITTEE ON TRANSPORTATION

JANUARY 26, 1977

Referred to Committee on Transportation

SUMMARY—Amends provisions of special fuel tax laws. (BDR 32-205)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to taxation; amending certain provisions of the special fuel tax laws, the motor carrier laws and the Interstate Highway User Fee Apportionment Act; 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 366 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 "*Special mobile equipment*" means a vehicle not designed or used
4 primarily for the transportation of persons or property, and only incidentally
5 operated or moved upon a highway. The term includes scoopmobiles,
6 forklifts, ditchdigging apparatus, well-boring apparatus and road construction
7 and maintenance machinery, such as asphalt graders, bituminous
8 mixers, bucket loaders, tractors other than truck tractors, leveling graders,
9 finishing machines, motor graders, road rollers, scarifiers, earth moving
10 carryalls and scrapers, power shovels, draglines and self-propelled cranes
11 and earth moving equipment. "*Special mobile equipment*" does not
12 include house trailers, dump trucks, truck-mounted transit mixers, or
13 other vehicles designed for the transportation of persons or property to
14 which machinery has been attached.
15 SEC. 2. NRS 366.110 is hereby amended to read as follows:
16 366.110 The department: [is:
17 1. Charged with the enforcement of] 1. Shall enforce the provisions
18 of this chapter.
19 2. [Authorized and empowered to prescribe,] May adopt and enforce
20 [rules and] regulations relating to the administration and enforcement
21 of this chapter.
22 3. May determine whether any particular vehicle not specified in
23 section 1 of this act is special mobile equipment.
24 SEC. 3. NRS 366.140 is hereby amended to read as follows:

Original bill is 6 pages long.
Contact the Research Library for
a copy of the complete bill.

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SB145

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 228

SENATE BILL NO. 228—SENATOR DODGE

FEBRUARY 15, 1977

Referred to Committee on Transportation

SUMMARY—Enlarges group of security deposits which may be accepted by the department of motor vehicles. (BDR 43-995)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to the department of motor vehicles; enlarging the group of security deposits which the department may accept; 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 482.345 is hereby amended to read as follows:
2 482.345 1. Before any dealer's license, dealer's plate, [or plates,]
3 special dealer's plate [or plates] or rebuilder's license or rebuilder's plate
4 [or plates shall be] *is* furnished to a manufacturer, dealer or rebuilder
5 as provided in this chapter, the department shall require that the appli-
6 cant make application for a dealer license and dealer plate [or plates]
7 or a rebuilder license and rebuilder plate [or plates] upon a form to be
8 furnished by the department, and the applicant shall furnish such infor-
9 mation as the department may require, including proof that the applicant
10 has an established place of business in this state, and also, except as
11 provided in subsection 2, procure and file with the department a good
12 and sufficient bond in the amount of \$10,000 with a corporate surety
13 thereon, duly licensed to do business within the State of Nevada,
14 approved as to form by the attorney general, and conditioned that the
15 applicant shall conduct his business as a dealer or rebuilder without
16 fraud or fraudulent representation, and without violation of the pro-
17 visions of this chapter. The department may, by agreement with any
18 dealer or rebuilder who has been in business for 5 years or more, allow
19 a reduction in the amount of the bond of such dealer, if the business of
20 such dealer or rebuilder has been conducted satisfactorily for the pre-
21 ceding 5 years, but no bond [shall] *may* be in an amount less than
22 \$1,000.
23 2. A manufacturer or dealer who manufactures or sells only motor-
24 cycles, horse trailers, tent trailers, utility trailers or trailers designed to

Original bill is 4 pages long.
Contact the Research Library for
a copy of the complete bill.

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SB228

SENATE BILL NO. 218—COMMITTEE
ON TRANSPORTATION

FEBRUARY 11, 1977

Referred to Committee on Transportation

SUMMARY—Requires proof of financial security for
vehicle registration. (BDR 43-618)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to vehicle licensing and registration; requiring proof of financial security as part of vehicle registration applications; 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. Chapter 482 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:

3 1. *An insurer which has issued a certificate of insurance on behalf of*
4 *a holder of an automobile insurance policy, or which insures the owner of*
5 *a vehicle registered in Nevada, shall immediately inform the department*
6 *on a form provided by the department of termination of its policy or of*
7 *changes in the policy limits or provisions which are material to the finan-*
8 *cial security of the insured.*

9 2. *An insurer which has issued a certificate of insurance shall inform*
10 *the department of renewals of the policy for which the certificate was*
11 *issued within 15 days after the execution of the renewal binder or policy,*
12 *and shall provide a copy of the information to the insured.*

13 SEC. 2. NRS 482.215 is hereby amended to read as follows:

14 482.215 1. All applications for registration, except applications for
15 renewal registration, shall be made as provided in this section.

16 2. Applications for all registrations, except renewal registrations, shall
17 be made in person, if practicable, to any office or agent of the department.

18 3. Each application shall be made upon the appropriate form fur-
19 nished by the department and shall contain:

20 (a) The signature of the owner.

21 (b) His residence address.

22 (c) His declaration of the county where he intends the vehicle to be
23 based, unless the vehicle is deemed to have no base. The department shall

S. B. 292

SENATE BILL NO. 292—SENATOR BLAKEMORE

MARCH 1, 1977

Referred to Committee on Transportation

SUMMARY—Provides for service of notification by registered or certified mail upon violators of certain outdoor advertising regulations. (BDR 35-1021)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to highway beautification; providing that notice of violation and demand for removal may be served by registered or certified mail upon violators of certain outdoor advertising regulations; 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 410.360 is hereby amended to read as follows:
2 410.360 Any outdoor advertising sign, display or device erected after
3 the effective date of NRS 410.220 to 410.410, inclusive, which violates
4 the provisions of NRS 410.220 to 410.410, inclusive, is hereby declared to
5 be a public nuisance and the engineer shall remove any such sign, display
6 or device which is not removed prior to the expiration of 30 days after
7 [personal service of] notice of such violation and demand for removal
8 *have been served personally or by registered or certified mail* upon the
9 landowner and the owner of such sign or their agents. Removal by the
10 department of such sign, display or device on the failure of such owners to
11 comply with such notice and demand shall give the department a right of
12 action to recover the expense of such removal, cost and expenses of suit.

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Original bill is on file at
the Research Library.

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58192

SENATE BILL NO. 329—COMMITTEE ON TRANSPORTATION

MARCH 9, 1977

Referred to Committee on Transportation

SUMMARY—Expands types of railroad crossings which drivers of certain motor vehicles may lawfully traverse without stopping. (BDR 43-933)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to railroad crossings; expanding the types of crossings which drivers of certain motor vehicles may lawfully traverse without stopping; 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 484.353 is hereby amended to read as follows:
2 484.353 1. Except as otherwise provided in [this section,] *subsec-*
3 *tion 4*, the driver of any motor vehicle carrying passengers for hire, or
4 of any school bus carrying any school child, or of any vehicle carrying any
5 explosive or flammable liquid as a cargo or part of a cargo, before cross-
6 ing at grade any track or tracks of a railroad, shall: [stop]
7 (a) *Stop* such vehicle within 50 feet but not less than 15 feet from the
8 nearest rail of such railroad; [and while so stopped shall listen]
9 (b) *Listen* and look in both directions along such track for any
10 approaching train [, and] *or* for signals indicating the approach of a
11 train; [, and shall not proceed until he can do so safely.] *and*
12 (c) *Proceed only when it is safe.*
13 2. After stopping as required in this section and upon proceeding
14 when it is safe to do so, the driver of any such vehicle shall cross only
15 in [such] *the* gear of the vehicle that [there] will [be no] *preclude the*
16 *necessity* for changing gears while traversing such crossing. [and the]
17 *The* driver shall not shift gears while crossing the track or tracks.
18 3. When stopping is required at a railroad crossing the driver shall
19 keep as far to the right of the highway as possible and shall not form two
20 lanes of traffic unless the highway is marked for four or more lanes of
21 traffic.
22 4. [No such stop need be made] *The provisions of this section do*
23 *not apply* at a railroad *grade* crossing:
24 (a) [Where a police officer or official traffic-control device controls

SB 329

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Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

SENATE BILL NO. 309—SENATOR BLAKEMORE

MARCH 7, 1977

Referred to Committee on Transportation

SUMMARY—Adds to code letters authorized for use on passenger car license plates in Clark and Washoe counties. (BDR 43-1099)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to motor vehicle registration; adding to the code letters authorized for use on passenger car license plates in Clark and Washoe counties; 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 482.270 is hereby amended to read as follows:
2 482.270 1. The director shall order the preparation of motor vehicle
3 license plates with no other colors than blue and silver. The director
4 may, in his discretion, substitute white in place of silver when no suitable
5 material is available.
6 2. The director may determine and vary the size, shape and form
7 and the material of which license plates shall be made, but each license
8 plate shall be of sufficient size to be plainly readable from a distance of
9 100 feet during daylight. All license plates shall be [so] treated [as]
10 to reflect light and to be at least 100 times brighter than conventional
11 painted number plates. When properly mounted on an unlighted vehicle,
12 the license plates, when viewed from a vehicle equipped with standard
13 headlights, shall be visible for a distance of not less than 1,500 feet and
14 readable for a distance of not less than 110 feet.
15 3. Every license plate shall have displayed upon it the registration
16 number assigned to the vehicle and to the owner thereof, and the name
17 of the state, which may be abbreviated, and:
18 (a) If issued for a calendar year, such year.
19 (b) If issued for a registration period other than a calendar year, the
20 month and year such registration expires.
21 4. The registration numbers assigned to passenger cars shall be
22 coded for Carson City and the several counties and consecutively num-
23 bered. The code letters shall be at the left of the number plate, as follows:

58309

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Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

SENATE BILL NO. 291—SENATOR BLAKEMORE

MARCH 1, 1977

Referred to Committee on Transportation

SUMMARY—Authorizes department of highways to compile confidential lists of certain highway and road hazards. (BDR 35-683)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to highways and roads; authorizing the department of highways to compile confidential lists of certain highway and road hazards; 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 408 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *The department may inventory and document railroad grade cross-*
4 *ings, high hazard locations, roadside obstacles, bridge locations and pave-*
5 *ment markings, whether on or near state, county or township highways*
6 *or on streets or ways within municipalities. The department shall classify*
7 *the information about these sites according to a formula for determining*
8 *the probability of accidents and by taking into account the volume of*
9 *vehicular traffic, train traffic, train types and speed, limitations of view,*
10 *intersection angles, location of obstacles and other relevant factors.*
11 2. *The department shall prepare a priority list for the protection of*
12 *traffic and alleviation of hazardous conditions at such sites, assigning the*
13 *highest priority to crossings or locations where the highest probability of*
14 *accidents exists and the lowest priority to those where the lowest proba-*
15 *bility of accidents exists.*
16 3. *The priority lists shall not be admitted into evidence in any action*
17 *to recover damages for injuries or loss arising out of the use of such*
18 *crossings or locations. The lists shall be made available to the public*
19 *service commission of Nevada for its own use upon the commission's*
20 *request, and may be made available to the Federal Government, pursuant*
21 *to federal law or regulation.*
22 4. *The department may accept any federal money available for the*
23 *purposes of this section.*

30

ASSEMBLY BILL NO. 283—COMMITTEE
ON TRANSPORTATION

FEBRUARY 7, 1977

Referred to Committee on Transportation

SUMMARY—Delegates authority to number highways to
highway engineer. (BDR 35-51)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to highways; delegating authority to number highways to the
state highway engineer; 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 408.285 is hereby amended to read as follows:
- 2 408.285 1. The highways which are constructed, reconstructed,
- 3 improved and maintained by the department in accordance with the
- 4 provisions of this chapter [shall be] *are* state highways, and the depart-
- 5 ment [shall be charged with the responsibility of such] *is responsible*
- 6 *for their* construction, reconstruction, improvement and maintenance. [
- 7 provided:
- 8 (a) That the funds] *Funds* available to the state through the Acts of
- 9 Congress described in NRS 408.245 or any other federal acts may be
- 10 used therefor. [; and
- 11 (b) That when such] *When* federal funds are made available under
- 12 federal acts authorizing the use of federal funds to build roads in the
- 13 national forests, the board is authorized to set aside for that purpose and
- 14 to expend highway funds on state highways built by the Federal Govern-
- 15 ment.
- 16 2. *Other highways which are not constructed, reconstructed, improved*
- 17 *and maintained by the department may be designated by the engineer as*
- 18 *state highways if:*
- 19 (a) *They connect or extend existing state highways; or*
- 20 (b) *Their construction, reconstruction, improvement and maintenance*
- 21 *by the department is anticipated within a reasonable period.*
- 22 3. For department administrative purposes all highways [not already
- 23 or hereafter designated and assigned route numbers by the legislature]
- 24 may be selected, designated and assigned route numbers by the engineer.

AB 283

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Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

A. B. 284

ASSEMBLY BILL NO. 284—COMMITTEE
ON TRANSPORTATION

FEBRUARY 7, 1977

Referred to Committee on Transportation

SUMMARY—Broadens scope of highway agreements between
state and county. (BDR 35-50)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to highways; permitting cooperative agreements between the state and counties for improvement of roads; 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 408.283 is hereby amended to read as follows:
2 408.283 1. The department may enter into cooperative agreements
3 with any board of county commissioners in the state for the improvement
4 of any [rural] road. [in the state highway system.]
5 2. Roads improved pursuant to this section shall belong to the county
6 and shall be maintained at the expense of the county.
7 3. [All agreements] *Each agreement* entered into pursuant to this
8 section [shall be approved by] *is effective upon the approval of the board,*
9 and no funds shall be expended pursuant to [such agreements] *an agree-*
10 *ment* except upon authorization by the board.

20

Original bill is on file at
the Research Library.

AB 284

ASSEMBLY BILL NO. 282—COMMITTEE
ON TRANSPORTATION

FEBRUARY 7, 1977

Referred to Committee on Transportation

SUMMARY—Changes provisions relating to acquisition of property
for future highway needs. (BDR 35-718)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to acquisition of property for future highways needs; placing administration with the board of directors of the department of highways; eliminating the advance right-of-way acquisition and management fund; limiting the method of paying for acquired property; 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 409 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 "*Board*" means the *board of directors of the department of highways*.
4 SEC. 2. NRS 409.010 is hereby amended to read as follows:
5 409.010 As used in this chapter, unless the context otherwise requires,
6 the words and terms defined in [NRS 409.020] *section 1 of this act* to
7 409.070, inclusive, have the meanings ascribed to them in such sections.
8 SEC. 3. NRS 409.090 is hereby amended to read as follows:
9 409.090 It is not the intent of the legislature by enacting this chapter
10 to authorize the [agency] *board* or the department to acquire or retain
11 any land for which no highway use is projected.
12 SEC. 4. NRS 409.100 is hereby amended to read as follows:
13 409.100 1. [The advance right-of-way acquisition and management
14 agency is hereby created to supervise the administration of the provisions
15 of this chapter. The agency shall consist of the secretary of state, the chief
16 of the budget division of the department of administration, the state high-
17 way engineer, the director of the department of commerce and the execu-
18 tive director of the department of taxation.
19 2. The agency, with the approval of a majority of its members,] *The*
20 *board* may acquire by purchase or condemnation any real or personal
21 property which the engineer deems necessary for improvements or future
22 needs of the state highway system.

Original bill is 3 pages long.
Contact the Research Library for
a copy of the complete bill.

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 127

ASSEMBLY BILL NO. 127—COMMITTEE
ON TRANSPORTATION

JANUARY 21, 1977

Referred to Committee on Transportation

SUMMARY—Requires that certain suspensions of drivers' licenses
run for consecutive periods. (BDR 43-688)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.

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

AN ACT relating to driver's licenses; clarifying terminology; 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 483.250 is hereby amended to read as follows:
2 483.250 The department shall not issue any license under the pro-
3 visions of NRS 483.010 to 483.630, inclusive:
4 1. To any person who is under the age of 16 years, except that the
5 department may issue:
6 (a) A restricted license to a person between the ages of 14 and 16
7 years pursuant to the provisions of NRS 483.270.
8 (b) An instruction permit to a person who is at least 15½ years of
9 age pursuant to the provisions of subsection 1 of NRS 483.280.
10 (c) A restricted instruction permit to a person under the age of 16
11 years pursuant to the provisions of subsection 3 of NRS 483.280.
12 2. To any person whose license has been revoked until the expira-
13 tion of the period for which such license was revoked.
14 3. To any person whose license has been suspended; but, upon good
15 cause shown to the administrator, the department may issue a restricted
16 license to such person or shorten any period of suspension.
17 4. [To any person who is an habitual drunkard or is addicted to the
18 use of any controlled substances as defined in chapter 453 of NRS.
19 5.] To any person who has previously been adjudged to be afflicted
20 with or suffering from any mental disability or disease and who has not
21 at the time of application been restored to competency by the methods
22 provided by law.
23 [6.] 5. To any person who is required by NRS 483.010 to 483.630,

AB 127

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Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.