

SENATE TRANSPORTATION COMMITTEE

MINUTES OF MEETING

Tuesday, March 8, 1977

The meeting was called to order in Room #323, Legislative Building at 1:30 p.m. on Tuesday, March 8, 1977.

Senator Richard Blakemore was in the chair.

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

OTHERS

PRESENT: Mr. Grant Bastian, Highway Engineer, Highway Department
Mr. Don Crosby, Deputy Highway Engineer, Highway Department
Mr. William Ross, Highway Department
Mr. Tom Morman, Deputy District Attorney,

Mr. William Fitzpatrick, Chief-Driver's License Division, Department of Motor Vehicles

Chairman Blakemore distributed to the Committee members a copy of BDR 43-933, which expands types of railroad crossings which drivers of certain motor vehicles may lawfully traverse without stopping. It was the consensus of the Committee that the bill be introduced by the Senate Transportation Committee.

AB 282 CHANGES PROVISIONS RELATING TO ACQUISITION OF PROPERTY FOR FUTURE HIGHWAY NEEDS.

Don Crosby, Deputy State Highway Engineer, was the first to testify. The bill was sponsored by the Highway Department for the purpose of allowing the State to be involved in an advanced right-of-way acquisition program. Within the last 3 to 4 years, the Federal Highway Administration has developed an advanced right-of-way acquisition revolving fund of several hundred million dollars. This state has made use of that revolving fund in both the Reno and Las Vegas areas. We do not have the ability at the present time, however, to condemn property in an advanced program. As long as the seller is willing, everything is fine, but when we get to a point where we have to condemn property, we do not have the legislation to condemn it in advance because we can not show the need for immediate necessity.

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There is a proposed amendment, which we would like to the bill (See attachment A), which would be on page 3, line 2. It presently reads .."by a concurrent resolution of the legislature," which we would like to strike and replace with the following language: ..."by specific description by a resolution of the board." This means that we could proceed with condemnation by a resolution of the Highway Board, which consists of the Governor, the Attorney General and the State Controller. The reasoning for this is when they get involved in a major project and we start to buy right-of-ways we probably fund the project for as long as 15 years. It is to the interest of the public that we buy that right-of-way as soon as possible because of the escalation of costs.

AB 283

DELEGATES AUTHORITY TO NUMBER HIGHWAYS TO HIGHWAY ENGINEER.

Grant Bastian, State Highway Engineer, was the next to testify. He said that basically, AB 283 is a bill which was proposed by the Highway Department to be granted authority to renumber essentially the secondary roads so that the state route numbers are line with the federal-aid route numbers and be more consistent in the way the numbering is done. We are not asking for the authority to designate routes but we would like to retain the right to assign the numbers. In the past, when we have designated the route we have designated the number and this has resulted in numbers being duplicated but are different routes. This causes a great deal of confusion and we are asking for the authority to change those numbers so they will be consistent with the federal-aid route numbers.

William Ross, Traffic Analyst for the Highway Department, testified that there are three route systems in the State which are:

1. The U.S. Route System which is established by the American Association of State Highway Officials. These are interstate highways and there are no funds connected with the U.S. Route System. They are purely for the convenience of the motoring public.
2. Intra-State Route System which are fairly long highways which connect areas of fairly high density. These routes connect the traveling

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public where there is not a U.S. Route to do so. Generally, these routes do not supply any funds either; although, we can spend state monies on a state route. They do not allow federal aid fund expenditure.

3. Federal-Aid Routes are the routes which bring in the money, by order of importance.

Mr. Ross said that the Highway Department does have a voluntary plan that is offered to the counties if they are interested for establishing a county route system. Mr. Bastian added that each one of the counties has approved each of the Federal-Aid routes which runs through each county.

Senator Faiss asked Mr. Bastian if this change had been suggested by the Federal Government? Mr. Bastian answered no; it is the result of Federal legislation; we had to reassess our entire road system, but the actual numbering is not by their suggestion.

AB 284

BROADENS SCOPE OF HIGHWAY AGREEMENTS BETWEEN STATE AND COUNTY.

Don Crosby testified on AB 284, stating that its purpose is to allow the Department of Highways is to enter into an agreement with the counties and cities so that it can administer the off-system road program. The Federal Government determined that there should be a certain amount of federal monies available for the construction of off-system roads which are strictly local in nature and local in importance. There has been some legal question as to whether or not the Highway Department could spend state highway funds on a county road or a city street. This bill would solve that problem.

Mr. Tom Moore, Deputy District Attorney from Clark County and representing the Nevada Association of County Commissioners stated that the NACC, at its last regularly scheduled meeting took a position in favor of AB 284 and urged a "do pass."

AB 127

REQUIRES THAT CERTAIN SUSPENSIONS OF DRIVERS' LICENSES RUN FOR CONSECUTIVE PERIODS.

William Fitzpatrick, Chief of Driver's License Division, Department of Motor Vehicles testified

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that last summer the Department had drawn up rules and regulations defining the "habitual drunkard" and persons addicted to controlled substance. He then read a brief letter for the record as follows: "New Frontier Treatment Center, Fallon, Nevada, directed to Howard Hill, Director, Department of Motor Vehicles. Dear Howard: I received my copy of your rules and regulations regarding habitual drunkard and related matters. I cannot overstate how strongly I object to those words and I would like to, at this time, remind you of your promise to submit legislation to change that wording to "habitual drunk driver" or something similar and I am counting on you to keep that promise. Lawrence D. Sullivan, Director."

A bill was then introduced recommending that the word "drunkard" be changed "habitual drinking driver." Subsequent to this, a second reprint of this bill deleted the complete subsection 4 of 43.250 "denying a person a license who is an habitual drunkard or is addicted." Therefore, the complete subsection would be deleted referencing the denial of a license to the habitual drunkard or person addicted to a controlled substance. We feel that in light of our rules and regulations addressing this subject, that the deletion of subsection 4 would be acceptable to the Department. The drinking driver is covered in another section of the law. Additionally, subsection 8 of AB 127 also covers the person with two or more convictions at any period of time.

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

SB 144 INCREASES VEHICLE REGISTRATION FEES PAYABLE TO AGENTS.

Senator Neal moved "DO PASS."
Senator Faiss seconded the motion.
All voted in favor except Senators Ashworth & Foote.
Motion carried.

AB 7 EXCLUDES ADULT DRIVERS OF MOTORCYCLES AND THEIR PASSENGERS FROM REQUIREMENT TO WEAR HEADGEAR AND OTHER PROTECTIVE DEVICES.

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Senator Hernstadt moved that AB 7 be amended to add "or she" wherever it referred to "he"; and add "or her" wherever it referred to "his." Senator Ashworth seconded the motion. Motion carried by a vote of 6 in favor and Senator Foote voting against.

Senator Ashworth moved "Do Pass" as amended. Senator Hernstadt seconded the motion. Motion carried with 5 voting in favor and Senators Young and Foote voting against.

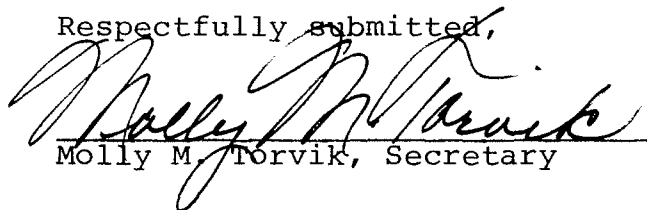
SJR 8

MEMORIALIZES CIVIL AERONAUTICS BOARD TO PROMOTE COMPETITION IN RENO-LAS VEGAS PASSENGER AIR SERVICE.

Senator Hernstadt moved "Do Pass." Senator Neal seconded the motion. Motion carried with 6 voting in favor and Senator Ashworth not voting.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Molly M. Torvik, Secretary

APPROVED BY:


Senator Richard Blakemore, Chairman

STATE OF NEVADA
DEPARTMENT OF HIGHWAYS

MEMORANDUM

February 15, 1977

To Donald J. Crosby

Deputy State Highway Engineer

From Office of the Chief Counsel

Subject: Amendment to A.B. 282 *278*

I discussed amending the proposed bill with Frank Daykin, Legislative Counsel, and he suggested that a request be made to the Chairman of the Committee on Transportation to appear before them to explain the amendment and the reason behind it.

To accomplish what you wish the following is suggested as amendment language:

Present wording - "Unless such retention is authorized as to such property by specific description by a concurrent resolution of the legislature."

Suggested new wording - "Unless such retention is authorized as to such property by specific description by a resolution of the board."

William M. Raymond
William M. Raymond
Deputy Attorney General
Assistant Chief Counsel
Department of Highways

WMR:p

STATE OF NEVADA
DEPARTMENT OF HIGHWAYS

MEMORANDUM

To Donald J. Crosby, P. E., Deputy State Highway Engineer February 17, 1977

From Eldredge T. Porch, Chief Right of Way Agent

Subject: Total Expenditures on Advance Acquisition Projects
through January 1977

	<u>Project No.</u>	<u>E. A. No.</u>	<u>Total Expenditure</u>	<u>Total by Co.</u>
<u>Clark County</u>				
	QF-006-2(8)	70493	\$1,839,639.00	
	QF-006-2(9)	70576	1,057,974.00	
	QF-006-2(10)	70640	<u>897,616.00</u>	
	Total Clark County			\$3,795,229.00
<u>Washoe County</u>				
	QF-009-1(10)	70594	2,658,524.00	
	QF-009-1(11)	70595	4,101,062.00	
	QF-009-1(12)	70596	4,176,323.00	
	QF-009-1(13)	70597	<u>1,807,669.00</u>	
	Total Washoe County			\$12,743,578.00
				Total \$16,538,807.00

Clark County

Anticipated expenditure of \$75,000,000 for R/W, relocation and utilities on I-515 and Priority Primary.

Land values in Washoe and Clark Counties have more than tripled since acquisition. Based on this, we have already realized a savings in the neighborhood of \$40 million.

Based on growth and our past history, it is anticipated that between \$150-\$200 million will be saved by the advanced acquisition of the I-515 and Primary rights of way.

ETP/IB:rm

SENATE BILL NO. 144—COMMITTEE ON
TRANSPORTATION

JANUARY 26, 1977

Referred to Committee on Transportation

SUMMARY—Increases vehicle registration fees payable to agents.
(BDR 43-285)

FISCAL NOTE: Local Government Impact: Yes.
State or Industrial Insurance Impact: Yes.

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

AN ACT relating to vehicle licensing and registration; increasing the amount of vehicle registration fees and the amount payable to agents for vehicle registration services; 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 482.160 is hereby amended to read as follows:
2 482.160 1. The director may adopt and enforce [such administra-
3 tive rules and] regulations [as may be] necessary to carry out the pro-
4 visions of this chapter.

5 2. The director may establish branch offices as provided in NRS
6 481.055, and may by contract appoint any person or public agency as
7 an agent to assist in carrying out the duties of the department under
8 this chapter. The director shall designate the county assessor of each
9 county with a population of less than 100,000, as determined by the
10 last preceding national census compiled by the Bureau of the Census of
11 the Department of Commerce of the United States, as agent to assist in
12 carrying out the duties of the department in such county.

13 3. The contract with each agent appointed by the department in
14 connection with the registration of motor vehicles and issuance of license
15 plates shall provide for compensation based upon the reasonable value
16 of the services of such agent but shall not exceed [~~\$1~~] \$2 for each
17 registration.

18 SEC. 2. NRS 482.480 is hereby amended to read as follows:

19 482.480 There shall be paid to the department for the registration
20 or transfer of registration of motor vehicles, trailers and semitrailers,
21 fees according to the following schedule:

22 1. For each stock passenger car, bus and each reconstructed or
23 specially constructed passenger car, regardless of weight or number of
24 passenger capacity, a registration fee of [~~\$5.50.~~] \$6.50.

25 2. For every motorcycle, the sum of [~~\$3.50.~~] \$4.50.

FISCAL NOTE

BDR 43-285
 A.B. _____
 S.B. 144

Date Transmitted _____

• STATE AGENCY ESTIMATES Date Prepared February 1, 1977

Agency Submitting Department of Motor Vehicles

Revenue and/or Expense Items	Fiscal Note 1976-77	Fiscal Note 1977-78	Fiscal Note 1978-79	Continuing
Approximate additional Revenue to Highway Fund.		\$400,000.00	\$400,000.00	Yes
Approximate additional Revenue to counties		\$125,000.00	\$125,000.00	Yes
Total		\$525,000.00	\$525,000.00	

Explanation (Use Continuation Sheets If Required)

See attached sheet for distribution of additional revenue increase to eligible counties.

Local Government Impact YES NO
 (Attach Explanation)
 All counties except Clark and Washoe will gain revenue.

Signature *Howard E. Barrett*
 Title Director

• DEPARTMENT OF ADMINISTRATION COMMENTS Date February 10, 1977

The above estimate appears reasonable.

Signature *H. E. Barrett*
 Title Director of Administration

• LOCAL GOVERNMENT FISCAL IMPACT Date February 11, 1977
 (Legislative Counsel Bureau Use Only)

Based on figures supplied by the Department of Motor Vehicles, increasing the agent fee from \$1.00 to \$2.00 will increase revenue to counties as follows:

Carson - \$32,250	Humboldt - \$7,000	Pershing - \$3,250
Churchill - 13,250	Lander - 3,375	Storey - 1,625
Douglas - 14,250	Lincoln - 2,875	White Pine - 8,500
Elko - 15,125	Lyon - 8,000	
Esmeralda - 1,000	Mineral - 6,250	TOTAL <u>\$125,000</u>
Eureka - 1,125	Nye - 7,125	

Signature *E. A. Selon*
 Title Deputy Fiscal Analyst

SENATE JOINT RESOLUTION NO. 8—
SENATOR HERNSTADT

JANUARY 28, 1977

Referred to Committee on Transportation

SUMMARY—Memorializes Civil Aeronautics Board to promote competition
in Reno-Las Vegas passenger air service. (BDR 996)

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

SENATE JOINT RESOLUTION—Memorializing the United States Civil Aeronautics Board to expedite hearings on applications of air carriers to provide passenger service between Reno and Las Vegas.

- 1 WHEREAS, Competition between providers of services and goods is the
2 cornerstone of the American economy, and it provides the best service for
3 the least cost by making available fields for intelligent and informed
4 choices; and
5 WHEREAS, Because of its speed and convenience, passenger air travel is
6 a vital part of the economy of this state and of the United States; and
7 WHEREAS, The State of Nevada, with its centers of population widely
8 divided and largely isolated from one another by surface transportation, is
9 in need of efficient, convenient and available air transportation between
10 the southern and the northwest areas; and
11 WHEREAS, Passenger air travel between the population centers of Reno
12 and Las Vegas is in the hands of one carrier, without competition; now,
13 therefore, be it
14 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*
15 That the United States Civil Aeronautics Board is memorialized to pro-
16 ceed with all deliberate speed in its consideration of the applications of air
17 carriers to provide service between Reno and Las Vegas; and be it further
18 *Resolved,* That the Civil Aeronautics Board is requested to give every
19 consideration to the provision of meaningful competition in this impor-
20 tant line of communication, and that the right of each citizen of Nevada
21 and of the United States to make informed choices in the market place be
22 given its rightful importance; and be it further
23 *Resolved,* That copies of this resolution be prepared and transmitted
24 forthwith by the legislative counsel to the chairman and members of the
25 Civil Aeronautics Board; and be it further
26 *Resolved,* That this resolution shall become effective upon passage and
27 approval.

⑩

Original bill is on file at
the Research Library.

S. J. R.
8

(REPRINTED WITH ADOPTED AMENDMENTS)
FIRST REPRINT

A. B. 7

ASSEMBLY BILL NO. 7—ASSEMBLYMEN COULTER, MANN,
JEFFREY, GOMES, WEISE, POLISH, BENNETT, HICKEY,
GOODMAN, CHANEY, BREMNER, KISSAM, SENA, HOW-
ARD, WESTALL, DEMERS, CRADDOCK, MOODY AND
SCHOFIELD

JANUARY 17, 1977

Referred to Committee on Transportation

SUMMARY—Excludes adult drivers of motorcycles and their passengers from
requirement to wear headgear and other protective devices. (BDR 43-579)

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 motorcycles; excluding adult drivers and adult passengers
from requirement to wear headgear and other protective devices; and provid-
ing 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 41 is hereby amended by adding thereto a new
2 section which shall read as follows:
3 *In any action to recover damages for a personal injury sustained while*
4 *driving or riding a motorcycle, evidence that the plaintiff was not wearing*
5 *protective headgear may be introduced for the purpose of diminishing*
6 *the amount of damages which the plaintiff is entitled to recover.*
7 SEC. 2. NRS 486.231 is hereby amended to read as follows:
8 486.231 1. The department of motor vehicles shall adopt standards
9 for protective headgear and protective glasses, goggles or face shields to be
10 worn by the drivers and passengers of motorcycles and transparent wind-
11 screens for motorcycles.
12 2. Except as provided in this section, when any motorcycle is being
13 driven *or ridden* on a highway [, the driver and passenger] *by a person*
14 *who is under 18 years of age, he* shall wear protective headgear securely
15 fastened [on the head] and protective glasses, goggles or face shields
16 meeting such standards. Drivers and passengers of mopeds are not
17 required to comply with the provisions of this section.
18 3. When a motorcycle is equipped with a transparent windscreen

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