

SENATE TRANSPORTATION COMMITTEE

Minutes of Meeting

Tuesday, April 12, 1977

The meeting was called to order in Room #323, Legislative Building at 2:00 p.m. on Tuesday, April 12, 1977.

Senator Richard Blakemore was in the chair.

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

OTHERS PRESENT: William Engle, Nevada Highway Department
 John Ciardella, Chief-Registration, DMV.
 Darryl Capurro, Nevada Motor Transport Ass'n.
 John Borda, Office of Traffic Safety
 James Lambert, Chief, Nevada Highway Patrol
 William Fitzpatrick, Chief-Drivers License, DMV
 Art Rader, National Driver's Association
 Sam Marber, Interested Citizen

Hearing was then held by the Committee on the following bills:

SJR 21 MEMORIALIZES BROCK ADAMS, SECRETARY OF TRANSPORTATION TO DESIGNATE TO STATE OF NEVADA ADDITIONAL MILEAGE NECESSARY TO CONSTRUCT INTERSTATE 80 SPUR IN RENO.

Chairman Blakemore stated that the bill was requested by the Nevada Highway Department.

Mr. William Engle representing the Highway Department said that the agency had requested the measure in order to speed up the financing and construction of a badly needed freeway facility in Reno. He remarked that the Highway Department felt that if this short segment can be added to the Interstate System, rather than trying to pay for it with Primary Highway funds, we'll cut the time in half necessary to finance and ultimately construct this Spur.

Senator Foote asked Mr. Engle where the Spur was exactly? Mr. Engle said that the Spur is from Mill Street south to South Virginia in Reno. It used to be called the North-South Freeway.

Mr. Engle continued by pointing out that this Resolution would indicate State support from a Legislative viewpoint and hopefully would help to convince the Federal Government of the viability of the Highway Department's request and the need to proceed with it.

There was no one present in opposition to AJR 21.

SB 447 CHANGES CERTAIN PROVISIONS FOR LICENSING OF MOTOR VEHICLE SALESMAN.

John Ciardella, Chief-Registration, Department of Motor Vehicles was the first to testify. He stated that the DMV had requested the bill for the purpose of "beefing up" the Salesman's Act; and, clarifies the language of the law.

He added that at the present time, the DMV can not legally deny an application. Many times there are serious falsifications on applications and there is nothing DMV can do but to call it to the applicants attention, because of the lack of any statutory authority. This bill would give the Department authority to deny a license if the criteria is not fulfilled by the applicant.

Senator Young asked why there was a difference in the time when an applicant can reapply: 1) If an application for a salesman's license has been denied, the applicant may reapply after a period of not less than 1 year from the date of denial, and 2) If the ground for denial is falsification of an application, the applicant may reapply after 6 months of the date of the denial. He felt that, if anything, falsifying an application should have a longer time to reply than just being denied for various reasons.

After discussion on this point, it was the consensus of the Committee and Mr. Ciardella that this could be amended to the same time limit for reapplication for any denial.

Darryl Capurro, representing the Nevada Motor Transport Association was the next to testify. He said that NMTA was in favor of SB 447 and the changes were beneficial because presently there are two sections of the law which are in conflict regarding this matter. The new language would correct this situation. He was also in favor of amending the law to read that the time period for re-application for any denial be the same. He presented a copy of a Statement of Fact and Findings from the Second Judicial District Court in Reno regarding the present conflicting sections of the law for the Committee's information (See Attachment A.)

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There were no opponents to SB 447 present to testify.

AB 295 REPEALS 55 MILE PER HOUR SPEED LIMIT.

Mr. Art Rader of the National Drivers Association was the first to testify. He said that his organization was formed to protect private automobile owners from the increasing onslaught of Federal regulation of cars. He stated that his organization is concerned with energy conservation and highway safety, but they believe there are better ways to achieve those goals than the national speed limit. They are concerned that personal liberty will be sacrificed in the name of safety and conservation. He then presented a study which his organization had made which refuted many of the facts and figures which had been presented by the Office of Traffic Safety and the Department of Transportation. (See Attachment B.)

He stated that his organization was in favor of AB 295 because they felt that the intent of the bill was not to circumspect the national speed limit. The speed limit will still be on the books as required by the Department of Transportation. It will still be enforced by AB 295. He stated that the National Drivers Association is not trying to get out of enforcing the law, they just feel that the penalties should fit the crime.

Mr. Sam Marber, testifying for himself as an interest citizen stated that he felt that he was discriminated against by the 55 mile an hour speed limit inasmuch as he rides a motorcycle which gets 45 to 55 miles per gallon, a vehicle which does conserve fuel, and he did not feel that he should be penalized just because others drove vehicles which did not conserve fuel. He urged passage of AB 295.

John Borda, Office of Traffic Safety, said that speeds have been increasing within the state. This year there have already been 70 people killed on our highways in comparison to 32 at this same time last year. Clark County has 38 killed this year compared to 13 last year. Over 50% of these fatal accidents have been attributed to excessive speeds. He felt strongly that not only has the 55 mile speed limit saved lives but he said that driving is an attitude and when the 55 mile speed limit was first put into effect it changed drivers' attitudes whereby they not only drove slower on the open highways but also in urban areas. This attitude

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has been slowly changing to the point that we have determined (Office of Traffic Safety, Highway Department and the Highway Patrol) that this year the average state vehicle speed is: Over 60 miles per hour-30%, compared to 12.5% last year; over 65 miles per hour-10.1% compared to 8.7%. He was not only concerned because of the safety aspects of this report, but this report must be sent to the Department of Transportation, Federal Highway Administration Office in Washington, D.C. and if these figures do not come down in the next quarterly report, there was no doubt in Mr. Borda's mind that we could lose some highway funds.

James Lambert, Chief of the Nevada Highway Patrol, stated the following:

1. The contradictory statements of Mr. Rader are to the affect that heavy enforcement of an energy, conservation law is saving life where heavy enforcement of the speed law is not. He did not think that this was a substantiable comment.
2. The states which are claiming to have effected such a great safety record with the conservation type laws are also states which have always had speed limits and if you look at their speed studies in the areas where they had speed limits above 55 mph before, there were very few that had limits up to 70 mph.

SB 432 PROVIDES FOR ISSUANCE OF DRIVERS' LICENSES AT LOWER AGE TO CERTAIN PUPILS.

Senator Ashworth stated that this measure was requested by a constituent who is an exceptional student, of which there are many in the state. It addresses the fact that in our school system we have a provision whereby we advance exceptional students. He felt that we are always doing something for the underprivileged and for the "bad" kids and he thought it was about time we did something for the "good" kids. He said that when a bright, 15 year old child is in the Junior year of high school he is in the social accepted (mentally and physically) 16 year old student who is eligible to have drivers' license. The

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bill provides that if a student 15 years of age and have advanced to the 11th grade (Junior), that if they can pass the drivers' examinations they can be licensed.

Senator Foote said that she felt that you can have a very bright child who can fit in the advanced academic world very well, but many times their social problems become unsurmountable and just because they may be a whiz at their studies does not mean they are emotionally capable of driving a car.

William Fitzpatrick, Chief of Drivers' License, DMV, said that he was opposed to the bill for the very reasons that Senator Foote stated. He felt, also, that this bill would discriminate against the person who is attending other than a high school.

John Borda testified that he was in opposition to this measure because they have found that in the age group of 16 to 20 composes 11 percent of the licensed drivers and they are involved in 18 percent of the accidents.

AB 444 PERMITS MOTOR CARRIERS TO SELF-INSURE \$50,000 PER ACCIDENT.

Darryl Capurro, representing the Nevada Motor Transport, spoke as a proponent of AB 444. This measure addresses the insurance for the cab business in Las Vegas. In affect, the commercial driving companies (bus, cab, trucks) are experiencing an extreme problem in even securing insurance at any cost. This bill is designed to allow for self-insurance for the first \$50,000 of single limit coverage. Where financial responsibility can be shown to the Department of Motor Vehicles, then a certificate of self-insurance will be issued to allow them to self-insure for that first amount. He asked the Committee to favorably consider this bill.

Senator Young asked what protection is there that these companies would actually have \$50,000? Mr. Capurro answered that the companies have to file with DMV before they can receive a certificate of self-insurance. They would have to convince DMV that they could actually withstand the initial requirements for financial responsibility to those limits. Senator Young asked if there are follow-up checks made by the DMV on these companies, after they have received a certificate to self-insure, to insure they are continually are financially responsible? Mr. Capurro

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stated that he did not know how often DMV reviewed self-insured carriers.

As there was no one present who could answer this question, the bill was held over until the next meeting when an answer would be provided.

Senator Faiss asked if there was any deposit required by the state from applicants of self-insurance? Mr. Capurro said that under the provisions of issuance of certificates of self-insurance, a carrier only needs to show evidence of financial responsibility.

The Committee then took action on the following bills:

SJR 21 Senator Young moved "DO PASS."
Seconded by Senator Hernstadt.
Motion carried unanimously.

SB 447 Discussion was held and the following amendment were made:

1. Line 21, Page 2: After "reapply after a period of not less than" remove all wording down to line 24 and the words "ter, the applicant may reapply after" and retain the final wording: "6 months has elapsed from the date of denial."

Senator Young moved "Amend and DO PASS."
Seconded by Senator Ashworth.
Motion carried unanimously.

AB 295 Senator Foote moved indefinite postponement.
Senator Faiss seconded the motion.
Motion carried with Senators Faiss, Foote, Young and Hernstadt voting aye, Senator Blakemore not voting and Senator Ashworth voting nay. Senator Neal had stepped out of the room.

SB 432 Senator Ashworth moved "Do Pass."
Motion died for lack of a second.

Senator Hernstadt moved "Indefinite postponement."
Senator Young seconded the motion.
No action taken because of a tie vote, with Senators Hernstadt, Young and Foote voting aye and Senators Blakemore, Ashworth and Faiss voting nay.

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It was the consensus of the Committee that action be held on AB 444 until the next meeting when more testimony could be heard.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Molly M. Jorvik, Secretary

APPROVED BY:


Senator Richard Blakemore, Chairman

MIKE O'CALLAGHAN
Governor

STATE OF NEVADA



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Director
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DEPARTMENT OF MOTOR VEHICLES

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February 2, 1977

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H. John Ciardella
Chief
(702) 885-5370

MEMORANDUM

TO: Legislative Bill Drafters

FROM: E.J. Silva, Supv., Vehicle Compliance & Enforcement
Section, Registration Division, Dept. Motor Vehicles

SUBJECT: Additional information on N.R.S. 482.362

The reasons for requesting these changes are:

When a licensed vehicle salesman is terminated by a vehicle dealer and the reason for the termination is for an illegal act committed by the salesman, the salesman may immediately seek employment at another dealership. Under our existing statutes, he could immediately go to work for his new employer, having ten days to notify the department of his transfer. The ten day time element is very difficult to enforce.

When a vehicle salesman has been terminated in the manner described above, in nearly all cases the dealership will notify this office because they either need assistance with additional investigation or they advise us of pending legal action against the salesman. When this situation occurs only this office, his employer and possibly the district attorney's office would be aware of the situation. On many occasions when a salesman is terminated at one dealership, it is possible for him to transfer from dealer to dealer without the knowledge of this office. In not all cases does a salesman's illegal activities damage his employer but he is able to cause many problems for the dealer's customers. Usually by the time this office is apprised of any salesman problems or violations, he has skipped the state.

This section, as the licensing agency, feels we have a responsibility to the licensed dealer as well as the buying public and we have an obligation to notify the dealer when he is contemplating the employment of a vehicle salesman who has committed some illegal act while previously employed by another dealer. We believe we should have a better handle on salesman's transfers in the event this termination of employment is for other than honorable reasons.

Item number two deals in the denial of an application to become a vehicle salesman and prescribes a set time for reapplying for a license after denial of an application.

RECEIVED
JAN 2 1976

No. 314439

Dept. No. 2

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF WASHOE.

* * * *

THE STATE OF NEVADA,

Plaintiff,

v.

EDWARD D. FORCIER,

Defendant

MEMORANDUM

FILED

Dec 14 10 14 AM '76

STATEMENT OF FACTS AND ISSUE OF LAW

ALEX BOON, CLERK

B. Smith

DEPUTY

I.

STATEMENT OF FACTS

The Defendant, EDWARD D. FORCIER, was employed as an automobile salesman by Reno Toyota and was terminated by Reno Toyota on February 2, 1976. Should he be required to testify, MR. BILL MEYERS, Sales Manager of Reno Toyota, would confirm the termination of employment.

MR. FORCIER was re-employed on February 25, 1976, by Mount Rose Motors. Two witnesses could be summoned to testify to confirm this allegation, those witnesses being MR. JAMES ALFORD who purchased a motor vehicle from MR. FORCIER on February 25th, and MR. ARCHIE ROGERS, Investigator for the Department of Motor Vehicles, who was told by MR. FORCIER that he reinstated employment on February 25th.

The applicable statutes read as follows:

NRS 482.363(6) A salesman's license issued hereunder may be transferred to another dealer or rebuilder upon application and the payment of a transfer fee of \$2.00. However, when a salesman holding a current salesman's license leaves the employment of one dealer or rebuilder for that of

1 another, the new employer may immediately
2 employ the salesman pending the transfer
3 of the salesman's license to his dealer-
4 ship or rebuilding business but the
5 transfer must be completed within ten
6 days.

7 NRS 482.363(8) In the event that a
8 salesman ceases to be employed by a
9 licensed and bonded dealer or rebuilder,
10 his license to act as a salesman shall
11 be automatically suspended and his right
12 to act as a salesman shall thereupon
13 immediately cease, and he shall not
14 engage in the activity of a salesman
15 until re-employed by a licensed and
16 bonded dealer or rebuilder. Every
17 licensed salesman shall report in
18 writing to the Department every change
19 in his residence address, place of
20 employment, or termination of employment
21 within five days of the date of making
22 such change.

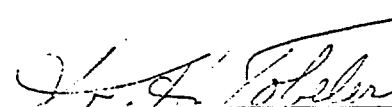
23 II.

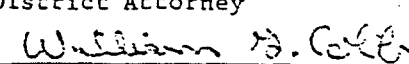
24 ISSUE OF LAW BEFORE THE COURT

25 The issue before the Court is whether a salesman
26 who leaves the employment of one dealer has ten days from
27 the date of termination to transfer his license, or whether
28 he has an indefinite period of time to seek new employment,
29 and thereupon has ten days to effect a transfer of his
30 license.

As applied to this case, the issue is whether,
upon his leaving the employment at Reno Toyota on February
2, 1976, EDWARD FORCIER had until February 12th to transfer
his salesman's license, (the ten day period), or whether he
had an indefinite period of time to seek new employment (in
this case starting February 25th) and once he found new
employment (Mount Rose Motors) he had ten days following the
February 25th date to transfer his license.

DATED this 12th day of December, 1976.

30

WERNER H. TOEBLER
Attorney for Defendant

LARRY R. HICKS
District Attorney
By 
WILLIAM G. COBB
Deputy District Attorney

76-781

1 No. 314439 Dept. No. 2
2 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
3 IN AND FOR THE COUNTY OF WASHOE
4

5 THE STATE OF NEVADA,
6 Plaintiff,
7 vs.
8 EDWARD D. FORCIER,
9 Defendant.

FILED
DEC 28 11 23 AM '76
ALEX COON, CLERK
BY R. HASSON II
DEPUTY

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11 ORDER
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13 This matter came on for hearing before the above-
14 entitled Court on the 17th day of December, 1976, the STATE OF
15 NEVADA being represented by WILLIAM G. COBB, Deputy District
16 Attorney, and the defendant being represented by W. H. TOBELER,
17 Esq.

18 A Statement of Facts and Issue of Law was presented
19 to the Court prior to the hearing, and at the time set for the
20 hearing oral arguments were made by WILLIAM G. COBB for the
21 plaintiff and W. H. TOBELER for the defendant, regarding the
22 merits of NRS 482.363(6) and (8).

23 Upon hearing argument, the Court believes that the
24 above are ambiguous and conflicting in that they do not set
25 forth specific guidelines regarding termination and reemployment
26 of automobile salesmen;

27 NOW, THEREFORE, upon the reading of the Statement of
28 Facts and Issue of Law, and upon oral argument by both parties
29 hereto, the Court finds insufficient evidence to find the
30 defendant guilty beyond a reasonable doubt.

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1 IT IS ORDERED that this matter be remanded back to
2 Reno Justice Court and that the appeal bond heretofore posted
3 be exonerated.

4 DATED this 27th day of December, 1976.

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6 John W. Barrett
7 DISTRICT JUDGE

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THE FOLLOWING 29 PAGES ARE
ATTACHMENT B.

R-J viewpoint

Montana plan for speed limit good

In the works in Carson City these days is a proposal that the legislature abolish the 55 mile per hour speed limit in Nevada.

Spearheading this move is Art Rader, director of the southern Nevada Chapter of the National Drivers Association, who says his group is "dedicated to the abolition of the federal speed limit and other such nonsense that hampers the personal freedom and mobility of Nevada citizens."

He says his association is working with members of the legislature to introduce two resolutions—one which would memorialize Congress to return control of the speed limit to the individual states; and a second which have the Nevada Legislature copy the Montana speed law.

Rader points out that the Montana law has four basic points:

1. The maximum fine for exceeding the 55 miles an hour speed limit in rural areas is \$5.
2. The conviction for exceeding the speed limit is not for speeding, but for wasting a resource (gasoline) currently in short supply.
3. No points on the 12-point driver penalty system may be charged against a driver for exceeding the 55 mile per hour speed limit in rural areas; and
4. No insurance company may raise the premium rates of drivers convicted of violating the speed limit law.

These are solid points that we agree with. Certainly, we expect motorists to drive 55 miles per hour on the busy freeway, but in the rural areas it is ridiculous to have to cruise at 55 miles per hour, and the statistics on reducing the death rate while reducing the speed simply do not stand up.

The point system and insurance plans also are practical. How can a man lose his license, and maybe his ability to earn a living because he received too many points for driving 60 or 70 miles per hour.

Rader also pointed out that it is important to note Montana has exercised this law since 1974 with no penalties from the federal government. He claims the various federal agents have never challenged the Montana law and have never threatened to withhold federal funds for highway construction in Montana because of the law.

It were threats such as these that forced Nevada officials into accepting the federal mandate for a speed limit in Nevada.

We think it would be good for the legislators to adopt this Montana plan or at least something similar to it.

With all the rural highway in this state, we think the plan is reasonable. Besides, we said it before, not since Prohibition has any law been met with such widespread disregard.

Editorials...

A Way To Improve Nevada's Speed Law

Members of the assembly in Carson City several days ago adopted a resolution urging Congress to change the speed limit in Nevada's rural areas to 65 miles an hour, instead of the present federally mandated "double nickle" outrage.

It was a disappointing response by the assemblymen to the statewide conviction that the 55 speed limit is a bum law.

Although we would favor a strong Nevada stand against this instance of federal intervention in this state's affairs by returning the "reasonable and proper" speed standard that distinguished Nevada before the feds flexed their political muscles, we have learned of a compromise that we can support.

The compromise was discussed in a letter received recently from Art Rader, director of the Southern Nevada Chapter of the National Drivers Association in Las Vegas. Rader suggests a speed law in Nevada patterned after what he describes as "Montana's famous speed law."

Rader explains his group is "dedicated to the abolition of the federal speed limit and other such nonsense that hampers the personal freedom and mobility of Nevada citizens."

He says his association is working with members of the legislature to introduce two resolutions — one which would memorialize Congress to return control of the speed limit to the individual states; and a second which would have the Nevada Legislature copy the "famous and brilliant Montana speed law."

That Montana law, which Rader praises so highly, has four basic points. 1) The maximum fine for exceeding the 55 miles an hour speed

limit in rural areas is \$5; 2) The conviction for exceeding the speed limit is not for speeding, but for wasting a resource (gasoline) currently in short supply; 3) No "points" on the 12-point driver penalty system may be charged against a driver for exceeding the 55 mph speed limit in rural areas; and 4) no insurance company may raise the premium rates of drivers convicted of violating the speed limit law.

Rader added that it is important to note Montana has exercised this law since 1974 with no penalties from the federal government. He says the various federal agents have never challenged the Montana law and have never threatened to withhold federal funds for highway construction in Montana because of the law. It was threats such as these that badgered lily-livered Nevada officials into accepting the federal mandate for a speed limit in Nevada.

We endorse the suggestion from Rader's group and would encourage members of the 1977 Nevada Legislature to adopt a copy of the Montana speed law. We don't think the Nevada solons need to worry or wait on the memorialization of Congress to take any action regarding the federal speed law because we are convinced the federal government acted without constitutional authority in imposing the nationwide speed limit. Whether or not Congress corrects its mistake, there is no valid federal legislation on speed limits — and the states are legally and constitutionally free to adopt whatever speed limits they are brave enough to legislate.

We would like to think Nevada legislators are at least as brave as their political cousins in Montana. — M

R-J Viewpoint

Take federal control off speed limits

The 55 mile per hour speed limit experiment has failed.

In the name of energy conservation and safety, the federal government has attempted to force the mandatory speed limit on the American people.

Not since Prohibition has any law been met with such widespread disregard. Americans have made a conscious effort to disobey the 55 speed limit, buying citizens band radios in record numbers to help avoid being caught when they are speeding. And even those without radios regularly exceed the speed limit, both in Las Vegas and elsewhere in the nation, with only a mild fear of receiving a ticket.

On the local freeway, the average speed often approaches 70 miles per hour, which, of course, was once the authorized speed.

Many persons voluntarily slowed down when the energy crisis was in the headlines, but the sentiment for conservation which was felt at that time has disappeared.

Those who preach messages of conservation or safety have failed to convince the public that either purpose will be greatly served by maintaining a slow speed.

It is time to return the prerogative of speed setting to the state governments. Perhaps there will never be an era again when states, such as our own, will have sections of highway with unlimited speeds, but it is reasonable to expect that most states would opt for a 70 m.p.h. limit if given the opportunity to do so.

The advantages of an increased speed limit would be especially felt in Western states, including Nevada. It would greatly facilitate driving between Las Vegas and Reno and would be a welcome relief to the motorists who take Interstate 15 between here and southern California.

Many motorists frequenting the route to Los Angeles do not give a second thought to the speed limit as it is presently set and already travel at higher speeds, but for those who are conscious about staying within the law, an increase would be a blessing which might encourage more trips to our city.

The mandatory imposition of a federal speed limit is an example of the mounting control over our lives by a remote national bureaucracy. States such as ours went along with it when it was established because of the energy crisis and because a loss of federal funds was threatened.

It is time for federal control to be removed, and we hope our representatives in Washington, D. C. will take steps to see that states can again exercise their right to set speed limits which would be appropriate for their own conditions.

COMPARATIVE AUTOMOBILE DEATH RATES

280

MONTANA

Year	Number Deaths	Milage Rate*
1973	323	5.8
1974	298	5.1
1975	299	5.1
1976	300	5.2

Death Reductions,
1973 to 1976: 7.5%

IDAHO

Year	Number Deaths	Milage Rate*
1973	349	5.9
1974	327	5.5
1975	284	5.1
1976	280	4.8

Death Reductions,
1973 to 1976: 20%

NEVADA

Year	Number Deaths	Rate*
1973	267	6.2
1974	216	5.1
1975	221	5.0
1976	224	4.8

Death Reductions,
1973 to 1976: 16%

Death Reductions,
1973 to 1976 on National Level: 17%

Death Reductions or Increases,
1973 to 1976, other states with
modified 55 MPH enforcement:

- Wyoming - Plus 35%
- Nebraska - Minus 7%
- Oklahoma - Plus 5%

* Number of fatals per hundred million
miles traveled within state

*cite whopping increase in Wyoming deaths
and why so...*

THE NEVADA OFFICE OF TRAFFIC SAFETY;
AN ATTACK ON ITS PROPAGANDA FACTS & FIGURES

The Nevada Office of Traffic Safety has printed and circulated at public expense a pamphlet supporting the national speed limit. The pamphlet is an example of how a government agency can misrepresent facts and misinterpret figures to justify its continued existence by justifying the continued existence of the national speed limit. The pamphlet, shown on these following pages, is nothing more than an exercise in propaganda.

How so?

ITEM: The Office of Traffic Safety claims automobile deaths in Nevada have decreased annually under the federal speed limit.

TRUTH: In cold hard numbers, highway deaths in Nevada in 1974, first year of the national speed limit, were 216. In 1975 deaths were 221. In 1976 deaths were 224. The Office of Traffic Safety may plead that the death rate per miles driven has decreased under the speed limit, but what they are telling the public is that actual deaths have decreased. This is patently untrue.

In Montana and Idaho, two states that have reduced penalties for violations of the national speed limit, highway deaths are holding steady or declining.

In Montana, deaths were 298 (1974), 299 (1975) and 300 (1976). In Idaho, deaths were 327 (1974), 284 (1975) and 280 (1976). This is manifestly a better record than Nevada.

ITEM: The Office of Traffic Safety asserts, "there is every reason to believe that the lower speed limit was the primary factor in saving" lives since 1973.

TRUTH: Safety officials in other states and on the Federal level acknowledge that fatalities are down because of reduced driving, higher gasoline prices, improved safety features in recent-model automobiles, better emergency medical treatment on highways, removal of roadside crash hazards and more efficient police

patrols on highways. There is no proof that the speed limit is the primary cause of reduced fatalities.

ITEM: The Office of Traffic Safety claims, "fuel savings as a result of the new speed limit have been substantially improved."

TRUTH: Elsewhere in this report is a study commissioned by Motor Trend Magazine that indicates that at best the national speed limit saves fuel at a marginal rate of one to three percent. There is great suspicion that the speed limit wastes more fuel than it saves.

ITEM: The OTS asserts that an "average" driver of a 3,000 pound automobile driving on a road "perfectly dry and in good condition," requires these stopping distances:

From 70 MPH to zero.....336 feet (102 yards)
 From 55 MPH to zero.....216 feet (72 yards)

These figures are blatantly wrong. Below are stopping distances revealed in road tests by leading automotive journals which indicate cars even much heavier than the OTS' mythical 3,000 pound auto can stop safely from 60 MPH, 70 MPH and 80 MPH in much shorter distances than OTS will admit.

<u>CAR BRAND</u>	<u>WEIGHT</u>	<u>80 MPH to 0 MPH</u>	<u>60 MPH to 0 MPH</u>
VW Scirocco	1980 pounds	270 feet	155 feet
	SOURCE: Road & Track Magazine, January 1977		
Pacer Wagon	3436 pounds	284 feet	176 feet
Pontiac Bonneville	4410 pounds	290 feet	184 feet
	SOURCE: Road & Track Magazine, November 1976		

<u>CAR BRAND</u>	<u>WEIGHT</u>	<u>70 MPH to 0 MPH</u>
Jeep Cherokee	4150 pounds	257 feet
	Source: Car & Driver Magazine, March 1977	
Chevrolet Caprice	3952 pounds	215 feet
	SOURCE: Car & Driver Magazine, January 1977	
Ford LTD	5000 pounds	240 feet
	SOURCE: Car & Driver Magazine, January 1977	
Volvo 242GL	2980 pounds	131 feet
	SOURCE: Motor Trend Magazine, April 1975	

<u>CAR BRAND</u>	<u>WEIGHT</u>	<u>60 MPH to 0 MPH</u>
Buick Elēctra	5110 pounds	144 feet 10 inches
Ford Torino	4530 pounds	129 feet 8 inches
Ford Pinto	3010 pounds	133 feet 10 inches
	Source: Motor Trend Magazine, April 1975	

<u>CAR BRAND</u>	<u>WEIGHT</u>	<u>70 MPH to 0 MPH</u>
Pontiac Astre	2848 pounds	214 feet
	Source: Car & Driver Magazine, February 1977	

It is inescapably obvious that the Office of Traffic Safety has lied in its pamphlet to support a law that cannot be enforced and should be modified if not repealed. In this session of the Legislature we have seen lies by other state agencies, notably Nevada Industrial Commission, which misrepresented the true cost of proposed claims benefits increases. The Assembly refused to accept such deception by NIC. I believe it should reject similar deception by the OTS in its false support of the national speed limit.

An Attack on the Propaganda Facts & Figures of the Nevada Office of Traffic Safety and Some Research With Government Officials Administering The Federal Speed Limit prepared by Art Rader, Southern Nevada Chapter, National Drivers Association and delivered to the Nevada State Assembly Transportation Committee on March 10, 1977.

STAY ALIVE.DRIVE 55. IT'S MORE THAN JUST THE LAW.



**"THESE MEN TRY HARDER TO
SAVE YOUR LIFE THAN YOU DO"**

In 1974, Congress passed the national law making the maximum speed limit 55 miles per hour on every road in our country.

The need was critical and immediate. Most importantly, thousands of lives were being lost each year which could be saved. In addition, with the fuel shortage, excessive speeds were an extravagance the nation could no longer afford.

Has the new law made a difference?

Consider for example that in 1974, the first year under the new speed limit, traffic fatalities were reduced in our state by 19 per cent compared to the previous year. That decrease has continued annually. In the 3 year period following the passage of the law, 150 or more people remained alive that otherwise may have been traffic fatalities in Nevada.

Nationally, there were 9,000 fewer traffic deaths in 1974 than in 1973. There is every reason to believe that the lower speed limit was the primary factor in saving these lives.

Fuel savings as a result of the new speed limit have been substantially improved. It is estimated that more than 25 million gallons of gasoline are being saved every day by motorists driving more slowly.

The facts bear out that perhaps no single law in history has ever had so direct, so broad, an impact on saving lives. Certainly, no other measure could have helped conserve our valuable fuel supply so well.

SEE FOR YOURSELF HOW YOUR CHANCE OF DYING INCREASES AS SPEED INCREASES.

The chance of dying in a collision
 25 mph: 1 in 167
 35 mph: 1 in 111
 45 mph: 1 in 67
 55 mph: 1 in 40
 65 mph: 1 in 20
 75 mph: 1 in 8
 80+ ALMOST CERTAIN

HOW GAS CONSUMPTION INCREASES WITH SPEED

Tests by the Federal Highway Administration indicate that fuel economy improvements ranging from 17.1 percent to 39.8 percent (depending on type of car) are possible by driving at 55 mph rather than 70 mph.

Comparative Consumption Rates

<u>Miles/hour</u>	<u>Sub-compact</u>	<u>Compact</u>
30	31.45 mpg	21.33 mpg
40	35.19	21.33
50	33.05	18.94
55	31.91	18.17
60	30.78	17.40
70	22.82	15.36

<u>Miles/hour</u>	<u>Standard</u>	<u>Luxury</u>
30	20.33 mpg	18.33 mpg
40	20.00	19.28
50	17.50	15.62
55	16.84	14.92
60	16.17	14.22
70	14.86	12.74

According to Federal Highway Administration calculations, about a third of all vehicle miles are driven over highways and under conditions where speeds above 55 mph are possible. If all of the nation's highway users strictly observed the 55 mph speed limit on those highways, savings of about 200,000 barrels of gasoline a day could be achieved.



THE STATE OF NEVADA
OFFICE OF THE GOVERNOR

Each year in Nevada there are more persons killed in auto accidents than by crime. The 55 mile per hour speed limit has proven itself as an effective means of saving some of those lives.

I have urged the Nevada Highway Patrol to be vigorous in their enforcement of this law and I have encouraged the Office of Traffic Safety to continue in its efforts to persuasively gain more universal adherence to the law.

The 55 mile per hour speed limit is not a take it or leave it proposition. It's the law. But it's more than just the law.

Sincerely yours,

Mike O'Callaghan, Governor

SPEED : A GAME OF REACTIONS YOU NEVER CAN WIN.

So you're a normal, healthy adult . . . alert, quick? Okay, let's just see how quick.

Pretend you're traveling down the highway at 70 miles per hour. You see an obstacle blocking the roadway some 100 yards away. You must stop.

First you see it. Then you move to put your foot on the brake. As an average person, that single reaction takes .75 seconds— $\frac{3}{4}$ of a second means it takes you at least 25 yards just for reaction at that speed.

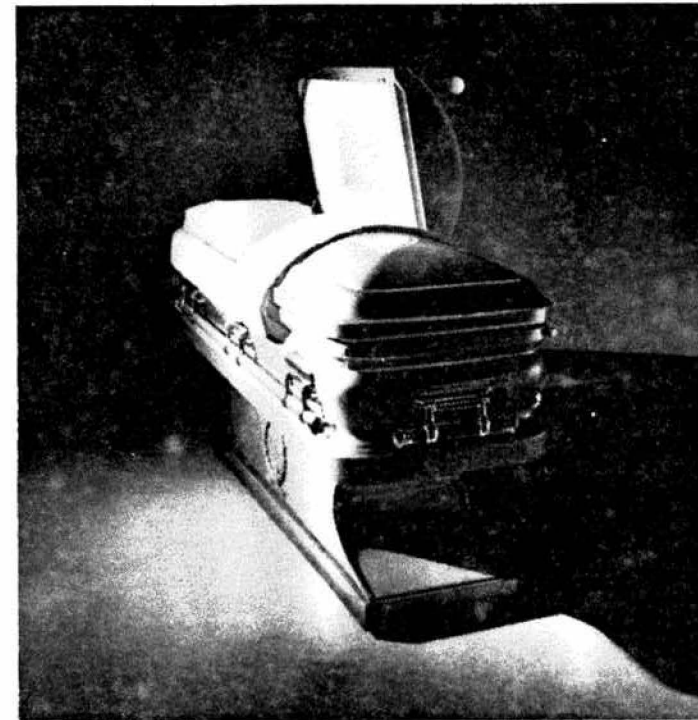
Then your brakes, which are in good condition, start taking hold. No matter how hard you press . . . it still will take 77 yards to stop the ton and a half of steel you are driving. In total, if your car is as safe as can be made . . . if the road is perfectly dry and in good condition . . . if you can see clearly ahead of you—under the best of conditions it will take you 102 yards to stop for that obstacle 100 yards away. That's the length of a football field, to react and stop.

That's how speed kills. At 55, under the same conditions, you would have been able to stop in 72 yards. Safe.

For Information:

Nevada Office of Traffic Safety
Capitol Complex, Carson City, Nevada 89710

If you think the
55 mph speed
limit is a "take it
or leave it"
proposition...



You're dead
wrong.

SOME RESEARCH WITH GOVERNMENT OFFICIALS ADMINISTERING
THE FEDERAL SPEED LIMIT

BILL ENGLE, Assistant Engineer, Nevada Highway Department:

Claims Nevada must not decrease penalties for exceeding the national speed limit or, "we will lose \$50 million annual federal matching funds" for highway construction.

Claims he has been "told informally by local and regional federal officials" that altering the speed laws will definitely cause loss of federal funds.

-- Telephone interview at his Carson City office
(885-5440) on February 28, 1977

GARY OWEN, Governor O'Callaghan's legislative coordinator:

Governor is opposed to changing the speed laws because it will definitely cause loss of federal funds.

-- Telephone interview at his Carson City office
on February 21, 1977

DENNIS TATUM, Nevada Office of Traffic Safety:

Decreasing penalties for exceeding speed limit will certainly cause loss of federal funds.

-- Telephone interview on or about March 1, 1977

ELBERT GOATE, Montana Traffic Safety Office:

Federal Highway Administration has never threatened loss of federal funds because of modified Montana enforcement of 55 mph speed limit. Montana speed law enacted 1974.

Says his findings are there is no safety advantage in speed limit under 70 mph. ←

-- Telephone interview at his Helena, Montana office
(406-449-3412) on February 16, 1977.

BOB PEARSON, Research Chief, Montana Legislative Counsel Bureau:

There has never been a threat to withhold highway matching funds because of Montana's speed laws.

-- Telephone interview at his Helena, Montana office
(406 449-3064) on February 16, 1977.

GARY GARDEN, Montana Office of Traffic Safety:

Federal government has never challenged Montana's modified enforcement of speed limit as being in noncompliance with enforcement regulations.

Does not believe any speed limit under 70 mph is responsible for lower deaths. Believes key to decreasing deaths is vigorous enforcement of speed limit, no matter how high or low it is set. ←

-- Telephone interview at his Helena, Montana office on March 3, 1977 (406 449-2071)

CAPTAIN JOHN GRIFFITH, Montana Highway Patrol:

Montana has 152 highway patrol officers in the field. In 1976 they wrote 113,000 tickets. Have 78,000 miles of highway to patrol but concentrate enforcement on 5,000 mile interstate and primary road system. Do not patrol city streets in urban areas.

Believes 55 mph speed limit is unenforceable and arbitrarily too low. Favors 70 mph speed limit. ←

-- Telephone interview at his Helena, Montana office on March 3, 1977 (406 449-2079)

ALAN WILLIS, Senior Legal Analyst, Idaho State Legislature:

Idaho speed law, an exact copy of Montana law, enacted in 1974. Idaho has never been threatened by the loss of federal funds because of this law.

Idaho Legislative Counsel Bureau is currently amending the speed law to add its application to primary and interstate roads constructed since the law was enacted in 1974.

-- Telephone interview at his Boise, Idaho office on February 28, 1977 (208 384-2475)

TOM SIEMENS, Research Analyst, Idaho Office of Traffic Safety:

Idaho concentrates enforcement on its interstate freeway system because that is where bulk of high-speed traffic is located. ←

Believes reducing the speed limit to 55 mph is secondary cause of lower deaths. Feels that intense enforcement of a speed limit, no matter how high or low it is set, is the primary cause of reduced fatalities. ←

Believes 55 mph speed limit on interstates actually causes danger because cars all going at same speed tend to cluster together. ←

Idaho has never been threatened with loss of Federal funds because of its speed laws.

Reports there is an unpublished National Highway Traffic Safety Administration study that reveals only 20% of reduction in deaths in recent years is directly caused by the national speed limit. ←

-- Telephone interview at his Boise, Idaho office on March 4, 1977 (208 384-3533)

ELBERT STONE, Federal Highway Administration, Nevada office manager:

Montana and Idaho have lower observed speeds than Nevada.

Number of citations issued for speeding in Montana and Idaho are higher than in Nevada. Total citations issued for all causes is higher in Montana and Idaho than in Nevada.

Traditionally, the Federal Highway Administration has had a liberal policy of accepting state laws regulating enforcement and penalties for violating the national speed limit.

-- Telephone interview, his Carson City office on March 7, 1977 (885-5911)

WILLIAM FURNIER, Regional Counsel, Federal Highway Administration, San Francisco, California:

Passage of AB 295 will not of itself cause loss of federal matching highway construction funds in Nevada.

If, after passing AB 295, statistics compiled by the State of Nevada under an FHA mandate indicate "ineffective implementation" of the speed limit, the state could then and only then be subject to revocation of federal funds.

The loss of federal funds would happen only if the Federal Highway Administration believes that AB 295, enacted into law, was the direct cause of "ineffective implementation" of the speed limit.

-- Telephone interview at his San Fransico, Calif., office on March 7, 1977 (415 556-3895)

DICK RILLEY, Director of Public Affairs, Federal Highway Administration:

Substantiated the testimony of Elbert Stone and William Furnier.

-- Telephone interview at his Washington, D.C., office on March 7, 1977 (202 426-0648)



Berry designed an experiment in which they attempted to keep the number of uncontrolled (nuisance) variables to a minimum. With the cooperation of the Texas Department of Public Safety, they used an isolated section of Interstate 30 some 40 miles west of Texarkana, Texas. All testing involved runs in both directions to compensate for lighting and wind conditions, tests were conducted at the same time of day during dry, sunny weather, the vehicle's interior temperature was maintained between 70 and 75 degrees Fahrenheit, and driver instructions were administered identically to all subjects by use of a tape recording.

Morris adds, "It was assumed that vehicle type would be a significant parameter, so a single-factor, 3-treatment-level, completely randomized experiment was constructed. Three automobiles, selected to cover the range of generally available commercially manufactured types served as the test vehicles." These were a Datsun 240Z, a Ford Torino station wagon and a GMC Sports Van, each with less than 22,000 miles and each recently tuned (including wheel balance and alignment) to factory specifications. Each was equipped with a speed recorder that was hidden from the driver, and the instrument panel was covered so the driver had no feedback from the vehicle's standard instrumentation. The drivers involved were not told the purpose of the experiment and their instructions were as follows:

"You have been asked to take part in a human factors experiment. You will be required to drive approximately 30 miles on Interstate Highway 30. This experiment is intended to measure various human factors associated with driving: the instrument panel will be covered. You are asked to find a speed which is comfortable to you and maintain it. I will be taking various measurements during the experiment but try to ignore what I am doing. Your task is to drive as you normally would. Adjust your speed so that it feels comfortable to you. If there are any questions I will replay the tape; otherwise, begin now. I will give directions as required."

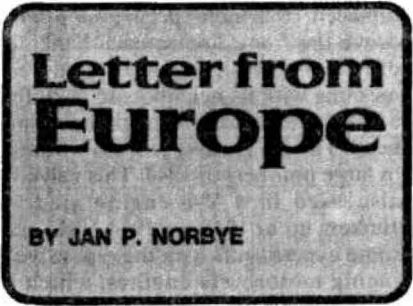
There were seven drivers for each of the three vehicles but none of them drove more than once. Dr Morris concedes that his sample was small in number and thus conclusions drawn from the experiment must be general. He adds that there is an apparent need for more experimentation to determine the nature of the distribution of comfortable driving speeds. His conclusion?

"The experiment clearly demonstrates that the average comfortable driving

speed is well above the existing national speed limit of 55 mph. The analysis of our data resulted in an overall mean comfortable speed of 69.94 mph with a standard deviation of 4.425 mph. From this it is reasonable to conclude that the probability that the entire population's comfortable speed is 55 mph is essentially zero. The comfortable speed of 69.94 mph demonstrates that if the present speed limit of 55 mph is to be continued, further research is needed in the areas of vehicle and roadway design to establish a more acceptable interface between inherent vehicle characteristics and legal speed limits."

Dr Morris adds that constant attention to speed on the part of the driver places additional stress and fatigue on the person, as well as requiring constant throttle corrections which do little to maximize engine performance and conserve energy.

Just as an additional point of interest, the fastest mean average was for the GMC van. The 240Z was second fastest and the station wagon was third. Dr Morris told me that if anyone is interested in pursuing this line of research, he would be happy to give whatever assistance and guidance he can, even though he is presently in a different field. He can be reached at PO Box 2169, Downey, Calif. 90242.



THE FRENCH APPROACH TO FUEL SAVING

There's more to it than just limiting speed

IT'S NOT SPEED that wastes gasoline, it's traffic jams. And guess what, better road signs can save fuel too. The French government is serious about cutting energy consumption, and drivers will have to get by on less gasoline this year. That's because the government has set a ceiling on the sums to be spent on importing fuel. As the oil-exporting countries have just hiked the prices again, that means a reduction in the volume of petroleum coming into French ports.

Several interesting observations on ways to save fuel are included in the Deutsch report, which is now in the hands of the Minister for Industry and Research, Michel d'Ornano. The government commissioned Charles Deutsch (designer of the DB and CD sports cars) to make his recommendations for getting more miles per gallon from the cars now on the road as well as the cars to be made between now and 1985. Well, my opinion of Deutsch is that his brain is not only analytical to the nth degree but also has an infinite capacity for considering the total picture and drawing conclusions that shine with irrefutable logic. His report attacks the real problems and elegantly tosses the ball back in the government's lap.

Inescapably, the best fuel-saving device in existence is a driver with a light foot on the gas pedal. But when the traffic jams up, even the best driver in the world cannot do anything (except switch off the engine when everything grinds to a complete halt). An idling engine delivers 0 mpg. Deutsch's primary recommendation is to take action in traffic engineering. Bottlenecks must be eliminated, and alternative routes developed. Traffic lights must be synchronized to encourage

a steady flow and minimize stops and starts.

Modern French cars run most economically at steady speeds between 60 and 85 kph (37 and 53 mph). It is just as important to avoid lower speeds as to limit higher speeds. Even when city traffic flows well enough to permit an average of 19 kph (12 mph), cars burn 40 percent more fuel than at their most economic speed. A further slowing down wastes more fuel.

What speed limits can achieve, on the other hand, is less certain. The government claims credit for a 4-percent saving in 1976 as resulting from speed limits. France has a 90-kph (56-mph) limit on national and secondary roads, 110 kph (68 mph) on 4-lane divided highways, and 130 kph (81 mph) on tollway auto-routes.

Better marking is another recommendation in the Deutsch report, to prevent fuel waste by drivers taking the wrong turn. This applies to streets as well as highways. A Parisian can easily waste a liter of gasoline trying to find his way around Lyon, for example. Clear signs indicating destinations, through-traffic routes and parking facilities have an important role to play in the fuel-conservation effort.

As for the role of auto maintenance, Deutsch estimates that keeping the engine in tune can save 12 percent in city traffic and 5 percent on the highway.

He dismissed the idea of an automatic transmission with change points pre-set for the most economical operation by pointing out that hydraulic torque converters are inefficient, and that automatics could save fuel "only for very bad drivers."

Deutsch recommended that auto ➡➡➡

Letter from Europe

makers pay more attention to aerodynamics, citing Citroën as a brilliant exception. He estimated that boxy cars such as the Renault 8 and Peugeot 404 wasted 2 liters per 100 km (1.1 ounces per mile) due to easily avoidable form drag.

1 974 was a year of desperation. Millions of motorists all across the country reported late to work because a good portion of their early morning hours were spent playing a new game called "Find The Fuel." No one felt much like playing, particularly when the payoff might be as little as an eight- or ten-gallon drink, maximum. The motorist was rightly outraged. There could be no winner in such a game.

But the worst was yet to come. The government quickly upped the ante of desperation by responding in kind with another desperate move: The 55 mph speed limit was enacted by an unpopu-



CATCH 55: THE NATIONAL SPEED LIMIT

Does Congress have enough sense to pound sand into a rat hole?

By Herb L. Adams

lar and essentially inoperative administration with the avowed intent of conserving precious gasoline. The government also undertook the task of printing millions upon millions of rationing coupons. "Just in case."

States quickly jumped into the act, many of them with "rationing" programs of their own. The government countered with its own national allocation plan, supposedly based on each state's own needs for fuels. Daylight saving time became the law of the land to help conserve heating oil.

Since then, of course, our Arab friends have resumed business as usual, if only for the time being. Permanent daylight saving time is gone, as are state's rationing schemes. All the threatened lawsuits which would have pitted state against federal government over allocation allotments are forgotten. Tensions have eased. For the time being.

But what about this offensive 55 mph speed limit? The bad news is well known; it's here to stay. Both houses of Congress have perpetuated the lowered maximum speed indefinitely. What about the ire of multitudes of Americans—often expressed violently during the so-called "crisis days"—against this most unpopular restriction?

Has it, in fact, saved enormous amounts of gasoline as promised?

No one knows. The federal officials whom one might suspect have such data have remained strangely silent. The Ford administration admitted that no one, *except* the oil industry itself, has any hard facts on what our real petroleum situation is.

Reason urges us to confess that we believe there is a distinct possibility that this 55-mph speed limit may actually be preventing us from using our finite fuel reserves most intelligently.

We're getting ahead of the story. When the 55 mph speed limit was first imposed it was because it seemed a quick means of saving gasoline and would affect all citizens equally. Raising the price of gasoline (which happened anyway) was rejected because of obvious increased hardships (proportionally) to lower income families.

Although the lowered speed limit might appear to be equal for all citizens, consider a Cadillac traveling at 55 mph and a Volkswagen cruising at 70 mph. The Cadillac is using approximately twice the fuel, even though it is traveling slower. It would be difficult to administer a law which would permit smaller, more economical cars to run faster but this would probably be fairer.

Before we look at an alternative means of saving gasoline, let's look at just how much the 55 mph speed limit might be saving. Figure #1 shows a typical full-size car's fuel usage at constant speeds. At 70 mph it gets 16.2 mpg and at 55 mph it gets 18.6 mpg.

The difference is 2.4 mpg or a 14.8 percent increase in fuel economy. It should be noted that is the maximum increase that could be expected. Factors such as some smaller cars in the overall driving population and actual variable-speed driving conditions would significantly reduce this percent of improvement. Since we don't have data to support these factors, we will use the 14.8 figure for further analysis.

All the cars in the country do not run at highway speeds because they are frequently operated in urban areas. The U.S. Department of Commerce estimates that 45 percent of the mileage accumulated by passenger cars is on rural roads which are affected by a 55 mph limit. This means that the 14.8 percent savings in gasoline must be factored by 45 percent for an actual savings potential of 6.7 percent. This savings must be factored again by the mileage driven in those states that had speed limits lower than 70 mph before the Federal law was passed.

THE NATIONAL SPEED LIMIT

FUEL ECONOMY VS. CONSTANT SPEED

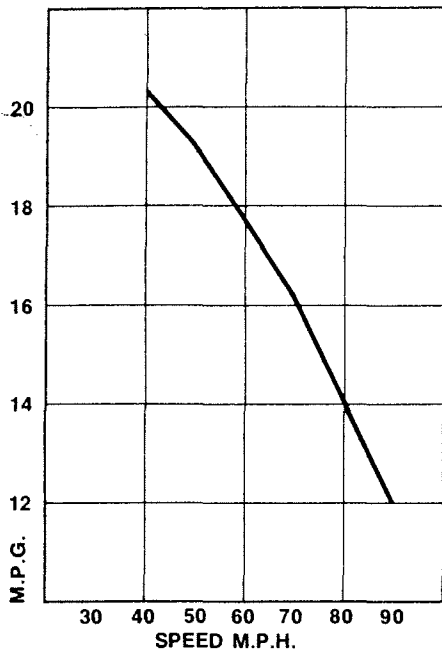


FIGURE #1

Figure #2 shows the state-by-state breakdown of old speed limits and population. A weighted average of the population of each state plus an average of the state-imposed speed limits shows that 63 mph is representative of the average speed a driver was traveling in rural areas before the federal 55 mph limit was imposed. When this data is factored into our 6.7 percent potential savings, the maximum savings is consequently reduced to 3.1 percent.

This calculation does *not* consider that some drivers always exceed the speed limit or that some drivers never go as fast as the limit allows.

It does not take into account driving factors such as acceleration, hill climbing and traffic patterns that would all reduce the potential savings. For comparison purposes it is safe to say that the three percent savings in fuel we calculated is the maximum that might be expected as a result of the federal 55 mph speed limit. Considering actual driving conditions in all parts of the country, the minimum potential gasoline savings could be as little as one percent. A three percent fuel savings is significant but not really very much in light of the enormity of the problem.

Can a better way to save gasoline and the time-saving 70 mph speed limit go together? Ideally, a fuel conservation program should affect all people equally and save maximum amounts of fuel. If we could reduce the weight of the average car by 1000 pounds we

SPEED LIMITS AND POPULATION

STATE	DAY	NIGHT	INTERSTATE	POPULATION (1,000s)
ALABAMA	60	50	70	3,451
ALASKA	60	—	70	305
ARIZONA	60	60	—	1,792
ARKANSAS	60	—	75	1,926
CALIFORNIA	65	—	65	19,994
COLORADO	70	—	70	2,225
CONNECTICUT	RP	—	—	3,039
DELAWARE	50	—	60	550
WASHINGTON D.C.	45	—	50	753
FLORIDA	65	70	—	6,845
GEORGIA	60	50	70	4,602
HAWAII	45	—	65	774
IDAHO	60	55	70	717
ILLINOIS	65	—	70	11,137
INDIANA	65	—	70	5,208
IOWA	70	60	75	2,830
KANSAS	70	60	75	2,248
KENTUCKY	60	50	70	3,224
LOUISIANA	60	—	70	3,644
MAINE	45	—	70	995
MARYLAND	50	—	70	3,937
MASSACHUSETTS	40	—	65	5,699
MICHIGAN	65	55	70	8,901
MINNESOTA	65	55	70	3,822
MISSISSIPPI	65	—	70	2,216
MISSOURI	65	60	70	4,693
MONTANA	65	55	—	697
NEBRASKA	65	60	75	1,490
NEVADA	No limit except as posted in cities.			493
NEW HAMPSHIRE	60	—	70	742
NEW JERSEY	50	—	60	7,195
NEW MEXICO	70	70	70	1,018
NEW YORK	55	—	65	18,260
NORTH CAROLINA	55	—	70	5,091
NORTH DAKOTA	60	65	75	618
OHIO	60	50	70	10,688
OKLAHOMA	65	55	70	2,572
OREGON	55	—	70	2,102
PENNSYLVANIA	55	—	70	11,817
RHODE ISLAND	55	45	60	951
SOUTH CAROLINA	60	50	70	2,596
SOUTH DAKOTA	70	60	75	666
TENNESSEE	65	55	75	3,932
TEXAS	70	65	70	11,254
UTAH	60	50	70	1,069
VERMONT	50	—	65	447
VIRGINIA	55	—	70	4,653
WASHINGTON	60	—	70	3,414
WEST VIRGINIA	50	—	70	1,746
WISCONSIN	65	55	70	4,433
WYOMING	65	—	75	334

FIGURE #2

would realize a fuel savings far greater than would ever be possible with reduce speed limits.

The weight of your car has a greater effect on fuel economy than any other design factor. Analysis of comprehensive data shows that the *overall* fuel economy is approximately equal to a constant,

$$\text{MPG} = \frac{56,000}{\text{Weight}}$$

56,000 divided by total vehicle weight.

Figure #3 shows this relationship for a group of cars with varying weights and fuel economies. This data indicates fuel economy that is realized in overall driving conditions such as you might encounter in putting 25,000 miles on your car over a two year period. As is shown by the data it is accurate within two mpg. This variation allows for different driving habits, car-to-car variations, engine tune and all the other variables that affect fuel econo-

COURTESY, FORD MOTOR CO.

OVERALL FUEL ECONOMY VS. TOTAL VEHICLE WEIGHT

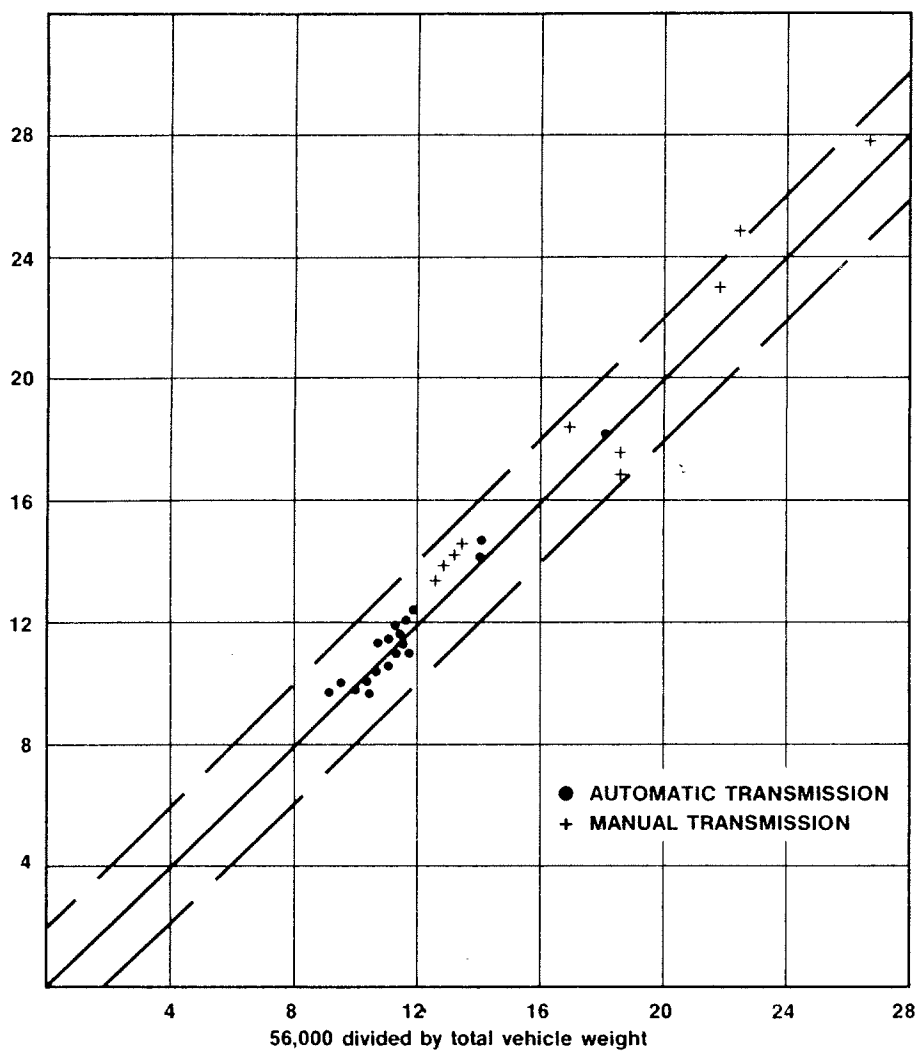


FIGURE #3

my. Our purpose in presenting this data is to show the relationship between fuel economy and total vehicle weight. In this case the total vehicle weight includes passengers, cargo and anything else that moves with the car. Reduced weight results in fuel savings because less energy is required to move less weight. Using the chart for an example we see that a 4000 pound car will get approximately 14 mpg average under all driving conditions. We also see that a 3000 pound car will get 18.6 mpg under the same conditions. This increase of 4.6 mpg equals a 32 percent saving in fuel. If we could reduce the weight of the average car on our roads from 4000 to 3000 pounds, we would realize a fuel savings ten times as great as might be realized with the 55 mph speed limit. The reason reduced weight can save so much fuel is because every car will save all the time, not like with a reduced speed

limit where only a select few will save on select occasions.

Foreign manufacturers (and Detroit, to a much lesser degree) have shown us that it is possible to build smaller, lighter cars that are still safe, attractive and, if desired, luxurious. The use of smaller and lighter cars has the advantage of other savings besides that of gasoline. For one thing, fuel costs to customers will be reduced because they will use less gasoline. More importantly, the widespread use of smaller and lighter cars will result in raw material savings as well as a savings in the energy required to process these raw materials.

Automotive manufacturers will build any type of car that sells because their business is to make money. During last year's gasoline shortage the sale of small cars boomed. But, as soon as gas was available again, even at higher prices, people returned to buying big

cars. It is easy to see why Detroit has not forsaken large cars. What we need then, is an incentive to make people want to own and drive smaller, lighter automobiles.

The obvious incentive to buyers in the middle of a recession is monetary. If the government levied an excessive tax on the weight of cars—proportionally increasing with the weight of the vehicle—it would be possible to influence the weight of cars on the road and realize a savings in fuel usage. Since we would like to make it attractive for people to own and drive lighter cars, the formula for applying the excise tax should favor lighter weight vehicles. This can be done by making the excise tax a cubic function of car weight. An example of how this would work would be:

$$\text{TAX} = 3 \left(\frac{\text{Weight of Car}}{1000} \right)^3$$

WEIGHT	TAX
1000-pound car	\$ 3 per year
2000-pound car	\$ 24 per year
3000-pound car	\$ 81 per year
4000-pound car	\$192 per year
5000-pound car	\$475 per year
6000-pound car	\$594 per year

To simplify paper work in collecting taxes and as a further incentive to owning a lightweight car, all taxes of \$100 or less could be waived. This would mean that a car weighing less than 3000 pounds would pay no tax yet a 6000-pound car would pay almost \$600 per year in excise tax. Over the ten year life of a car, the excise tax of a heavy car could approach its initial cost. This system would permit the status seekers and wealthy to still own their large cars, but in the process they would be paying for the privilege. The majority of the public would be conscious of the cost savings advantages of lighter cars, buy them, and drive them for an overall savings in total gasoline used.

The above tax formula is presented only as an example. The constant and power of the formula can be changed to meet any tax rates that might be desired.

Since the change to light cars is one that must be made slowly, we propose for the full program to be exercised over a five-year period. This would allow for the normal death of existing cars while encouraging the manufacturers and the public to work toward the use of lighter cars. If the program were enforced 20 percent per year we would have a progressive approach to realizing the overall objective. The total

THE NATIONAL SPEED LIMIT

results would not be immediate but each year the fuel savings would increase and the tax dollars to the government would multiply.

To get some idea of how much tax money the government would realize, assume an average car weight of 4000 pounds. The first year, 20 percent of the total would be about \$40 per car. 108 million cars x \$40 each is over four billion dollars. The second year this would grow to over eight billion dollars until the fifth year when it would exceed 20 billion dollars per year. Naturally, by this time more people would be using smaller cars to save the tax. This would reduce the amount of money that the government

would collect in excise tax but it would also result in a considerable savings in gasoline and that is the real objective.

We have attempted here to show how much gasoline the 55 mph speed limit really saves. We have also tried to show that reducing the weight of cars is a much more effective means of saving gasoline. We hope that the government recognizes the effectiveness of this gas savings program and uses this—and all available—information in formulating our country's long range energy policies. But we doubt this will be the case: Remember that the federal government has religiously adhered to a knee-jerk, get-in-the-swim-regardless attitude about your car and mine

that has resulted in some of the most laughable and ineffective laws on the books. And now that President Ford has proposed a five-year moratorium on emissions standards—against the advice of such prestigious organizations as the National Academy of Sciences—it is a pretty good indication that your government will continue to allow depressed big business all the leeway it can take, never you mind that implicit hardships of such policies will be forced onto an over-burdened public.

Yes, indeed, friend, you and I will continue to pay the biggest part of the tab to undo what has already been done. And that is the biggest rip-off of all. Such are the politics of desperation. ■

GAS PRICES-- UP, UP AND AWAY!

The story going around was that gasoline prices would not go above 99 cents a gallon because there were only two-digit counters on the pumps. Grasping at this particular straw would be unwise since the mechanical obstacle of gas pump counters could easily be overcome, but the story is an example of how unreasoning any speculation on future gasoline prices may be.

It's doubtful that prices will approach a dollar per gallon, at least not in the very near future. The only thing that is certain is that they will go up, and soon. It will happen as soon as Congress and the President strike whatever compromise they will be forced into.

At this point the only thing they agree on is the often mentioned goal of cutting oil imports one million barrels a day by the end of 1975. We are currently importing oil at the rate of seven million barrels a day, 37.4 percent of our total consumption. So, to cut imports by a million barrels, we would have to cut our consumption by around five percent. For a person who drives 10,000 miles a year this would mean a 500-mile reduction, if the cut were to be spread evenly. This is the equivalent of a round trip from New York to Washington, D.C.

The problem is that the public has not shown any inclination to-

wards voluntarily reducing its driving and the government is trying to figure out ways to force it.

The President says that by raising the tariff on imported oil and the tax on domestic oil, the price increase at the pump—which will put gasoline in the 70-cent bracket—will deter people from driving and thus accomplish the goal of reducing our dependency on the Organization of Oil Exporting Countries, OPEC.

A tax cut will give the consumer back the extra money he spent on gasoline because of the tariff. The thinking is that a stiff price on the pump will act as a deterrent to casual consumption, even though the money gets returned.

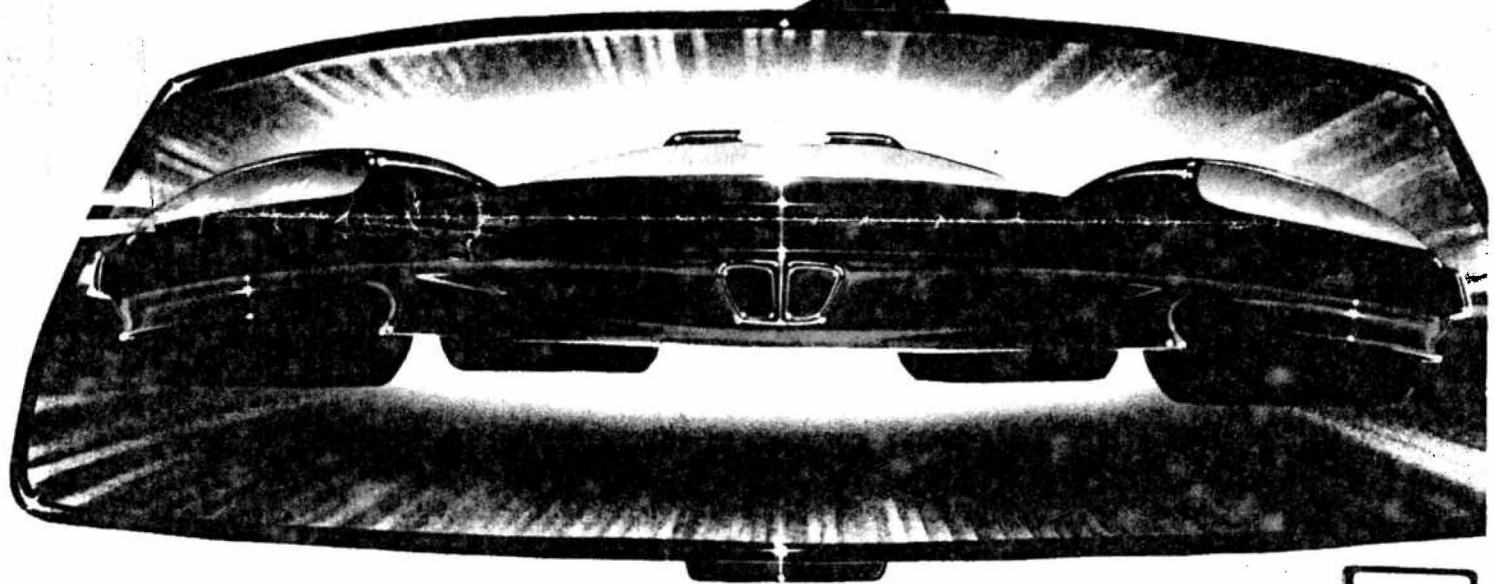
This, the Democratic majority in Congress argues—including such powerful figures as Senator Jackson—is nonsense. What high pump prices will really do, they claim, is to make life more miserable for the person down on the economic scale without having much impact on the rich. It is, in short, unfair.

Their answer is rationing. Either through coupons, gas station closing on Sundays, odd-even rationing or some combination of these, we can cut consumption. Prices will not increase much with this system and everyone will suffer equally.

The President says he will veto

rationing, but acts like he will compromise. Whatever that works out to be remains unclear, but President Ford said that if a compromise is not possible he may simply put a quota on imported oil and accomplish the goal of reducing our dependency that way. He is using this threat as lever on the assumption that nobody wants a drastic action like this. But, if you think about it for a minute, it may not be such a bad idea after all. Simply import one million barrels less a day and let supply and demand take care of itself. At first there would probably be disruptions as the system adjusted itself to such a shortage, but, one suspects that before long it would work itself out. Naturally, if the laws of supply and demand mean anything, there would be a price increase. But that would help to discourage demand and loosen up supply.

But this doesn't seem likely. What probably will happen is some form of rationing—not with coupons, everybody hates those—and some kind of tariff. The price of gasoline will probably stabilize somewhere between 60 and 70 cents a gallon. If, as promised, the auto manufacturers improve mileage significantly, the new cars of the future should be able to mitigate fuel price increases by being more efficient. ■



55

55 BE DAMNED!

let's face it; there are times when it doesn't make any sense to stick to that stupid-ass speed limit. this is for those times

article **By BROCK YATES**

AT THE RISK of corrupting American youth and kicking away yet another foundation stone of the Republic, I am here to confess an act of overt civil disobedience: I am a speeder. On the open highways of America, I haul ass. I pay about as much attention to the Government's cockamamie 55-mph speed limit as I do to the Treaty of Versailles, and, what's more, by observing a few rules of my own, I get away with it—most of the time.

Yeah, yeah, I know—speed kills, right? Safety freaks have been yapping about that for years and, wringing their hands with concern, they tell us that lower limits and tougher law enforcement will cut the death rate on the highways. A simple solution but patent bullshit. The fact of the matter is that pure speed on clear, uncongested roads has very little to do with fatal accidents. It's the other ingredients such as alcohol (50 percent of all serious crashes involve booze), drugs, mental disturbances, physical disabilities, suicidal instincts (some experts speculate that as many as 15 percent of all fatal accidents are (continued on page 124)

55 BE DAMNED!

(continued from page 103)

suicides, for example), junk cars, poor weather, etc., that combine with speed to cause problems. But there is no statistical support whatsoever that a healthy, reasonably intelligent person with good eyesight and quick reflexes, driving a quick, agile car with top-quality radial tires, excellent brakes, steering, suspension, etc., is contributing to the highway carnage. Convince me otherwise and I'll back off, but until then, I'll operate in good-natured protest against a speed-enforcement system that I believe is shot through with inefficiency and hypocrisy—and keep my eyes open and my foot down.

Using a driving technique that was developed in Europe (where, until the OPEC embargo, most countries had no superhighway speed limits at all—an environment that quite logically produced incredibly safe and roadworthy cars such as the Mercedes-Benz, BMW, Porsche, Alfa Romeo, Ferrari) in the United States was hard enough before the national 55-mph speed limit, but now it takes some real concentration.

But wait a minute, you protest, didn't our saviors in Washington institute the 55-mph limit for two reasons—to save lives and to conserve fuel? Of course they did; the simple fact that it does neither has had no impact on their thinking. Consider these realities: As the economy improves, the accident rate seems headed for pre-fuel-crunch levels, proving what antiestablishment traffic experts maintained all along: Altered driving habits, *not* reduced speeds, temporarily reduced accidents in 1974. Does 55 mph cut fuel consumption? Obviously, the slower the cruising speed, the better the gas mileage, except for trucks, which for the most part must operate in a lower gear, which means higher engine revs and more fuel burned. And then we have really efficient small cars with lightweight, slippery body shapes that get better mileage at 80 mph than some monster sedans get at 40 mph. Add to that the general loss of efficiency in terms of time wasted and you can empathize with the guy who said, "Driving across Texas at 55 mph isn't a trip, it's a goddamn career!"

All well and good, you say, but isn't trying to drive fast in the United States tantamount to robbing a bank armed with a rusty spoon? I mean, the highways are supposed to be swarming with cops in high-powered patrol cars, poised to ticket anybody who exceeds 55 mph. Aren't the papers full of stories about the California Highway Patrol (we scofflaws call cops Chippies) convoying mobs of cars between Los Angeles and Las Vegas? Isn't the word out that Ohio has gone crazy in some kind of asphalt pogrom to enforce the new limit? All true. Yes, even great crossroads of desolation such as Wyoming and Arizona have generated

substantial—if spotty—enthusiasm for enforcement of the "55." Such states as North Carolina, Utah, New Mexico, Pennsylvania, Maryland, New Jersey have evidenced fitful urges to get tough, but, like New York, Colorado, Indiana, Illinois, Texas and others that have quietly resisted this newest spasm of Washington-based nonsense, they lack the money, the manpower and the popular support to make 55 mph effective.

Nobody—not even your Aunt Ruth with her '63 Rambler American—is going 55 mph. Our American interstates simply will not accommodate such a sluggish pace. They were designed for utterly safe speeds in the 70-mph range and lesser velocities are simply dumb. When one recalls that 85 percent of all traffic in a given situation operates at a reasonable speed, regardless of the posted limit, the news that average interstate traffic is loping along at about 65 mph is hardly a revelation.

But that is still not quick enough. My particular preference is a cruising speed in the 75–80-mph range on open interstates, but it's a pace at which you can get your ass handed to you practically anyplace in the Union. Therefore, a little serious preparation is necessary if you plan to run that quickly and (1) keep your license for more than a week at a time, (2) stay out of jail and (3) not go broke paying fines. Actually, a fair amount of field research exists on the subject of subverting the highway heat. There is this underground coast-to-coast race called the Cannonball Baker Sea-to-Shining-Sea Memorial Trophy Dash that has produced incredible amounts of information on the subject. Started in 1971 by a semiweird journalist, car freak and general troublemaker named Brock Yates, the Cannonball has been run four times from midtown Manhattan to the Portofino Inn on the Pacific Ocean at Redondo Beach, California, south of L.A. The present record, including New York and L.A. traffic, plus all stops, is 35 hours and 53 minutes (set in 1975 by two Floridians driving a Ferrari Dino), which works out to an average speed of 82 mph. Can you run fast in the United States? The '75 Cannonball had 18 entrants, all of whom finished the run at an over-all average speed of 70.7 mph and got fewer than a dozen tickets and warnings in the process. Dangerous? Not hardly what the safety establishment tells you: The four Cannonball runs have involved 61 vehicles—ranging from 175-mph Ferraris to motor homes and pickups—and 149 individual drivers. Driving on the interstates at speeds seldom less than 75 mph and often over 100 mph, these people (myself included) have recorded over 160,000 miles with one minor accident. Yes, good drivers and good cars can run quickly and safely on the open roads. Here are

some of the things we learned along the way:

Know thine enemy: Generally speaking, the interstate system is in the jurisdiction of the highway patrols of the individual states. They have different operating procedures and use different brands and colors of cars, etc. California, for example, uses black-and-white Dodges, often without a light or "gum-ball machine" on the roof, which makes them hard to spot in freeway traffic. California uses very little radar or VASCAR, which means the patrols catch people by sitting on the freeways on ramps or making high-speed "sweeps" through traffic, picking up anyone they have trouble overtaking. Many other states use unmarked patrol cars (although they are generally identifiable to the sharp-eyed for the following reasons: 1. They are usually full-size, solid-color, stripped versions of the regular Ford, Chevrolet or Dodge patrol cars used by the particular state in question. 2. Somewhere on the car is a tiny VHF whip antenna and, in many cases, a spotlight on the driver's-side windshield pillar. 3. Specially built police specials usually sit lower on their suspensions and use slightly wider tires than normal cars. 4. They will usually carry official state license plates). This unmarked-car business can be frustrating; many is the time I've warily trailed a slow-moving Dodge or Ford that fits the description, only to discover that the driver is a member of the Office of Weights and Measures or some such thing. Moreover, some states are getting really sneaky—New Jersey is using vans equipped with radar parked on its overpasses and Arizona and Maryland, among others, have been known to let their troopers use what appear to be private cars and even old pickups. However, disguises can work both ways. The 1972 Cannonball featured a trio of sports-car racers who ran their Mercedes-Benz cross-country while decked out as Roman Catholic priests. After being arrested in Arizona for driving 95 mph, one of the impersonators suggested to the patrolman that he might reduce the speed on the ticket to a more saintly—and less expensive—velocity. The officer, vaguely suspicious, countered, "Yes, Father, we could reduce the speed, but that would be lying, wouldn't it?" Until you're sure, be suspicious of any vehicle on the road; it's that simple. Memorize the brands and colors of patrol cars in the areas where you drive.

Highway patrols use three basic methods to trap speeders: radar—a version of the military device that measures speed via microwave signals; VASCAR—a simple time-distance computer, operated by the officer from his car, that emits no beams or signals whatsoever; and the aged but basically foolproof method of clocking relative speeds by speedometer. In theory,

(continued on page 231)

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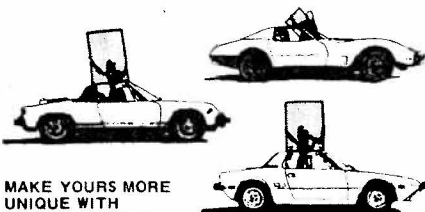
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55 BE DAMNED!

(continued from page 124)

VASCAR is the neatest, cleanest method of the three. It can be used in motion or at rest and can time cars running in the same direction or approaching the patrol car. But police officers complain about its accuracy, its reliability and the fact that it is more cumbersome to use than radar. Therefore, radar becomes a greater factor in speed control with each passing day. The old window-mounted units that had a range of about 1500 feet and could be operated only when stationary have been replaced by the incredible Kustom Signals, Inc., MR-7, which has a range of about a mile and can be operated at rest or in motion, or even hand held away from an automobile! This is decidedly the unit of the future and the one speeding scowflaws must treat with the greatest caution (although there are counter-measures—read on). Radar can be, and is, used in all situations: from bridges, behind hills and around curves, aimed at traffic approaching from either direction, or from a low-flying airplane (known as a Bear in the air or a spy in the sky in C.B. radio parlance). Yes, these "picture-taking machines," as the truckers call radar, are the heart and soul of speed-law enforcement, especially on open stretches of interstates (radar does not work particularly well on heavily congested highways, because it cannot easily discern one car from another) and, thanks to their cost, mobility and relative ease of operation, it appears they will remain as such for years to come.

*Smokeys, Smokeys, in the trees,
They've got radar,
But we've got C.B.s.*

Embodied within that cornball couplet is the secret to fast driving in the U. S. Citizen's-band radios came into really widespread use following the great truckers' strikes of 1973, when the Government first tried to make the big rigs operate at 55 mph. Because these brutes eat more fuel and consume more time (which is money to a driver) at 55, the truckers created an early-warning system via citizen's-band radios (channel 19 across the country and channel 21 in some parts of the West). With it came a beautiful new slang revolving around the world of 18-wheelers (trucks), four-wheelers (cars), etc., that operates from coast to coast. A C.B. radio is indispensable. It's that simple. Using it as an alarm system is great, but it has an added benefit of getting you involved in the highway milieu—of removing you and your associates on the road from those hundreds of little steel capsules and creating a kind of loose camaraderie that fights boredom and fatigue better than all the stereo systems known to man. Since I've put my C.B. on board, I've given up on my tape deck. The next

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time some turkey rips it off, I won't bother to replace it.

A couple of words of warning: Pass the truckers with care. Run by some of them too quickly and they'll begin to yell over the radio about your speed. More and more cops (called Smokeys, Smokey Bears or Bears) are carrying C.B.s in their cars, and before you know it, you may have one on your tail. Also beware of a friendly voice saying something like "It's clear to mile marker 28, come on, come on!" That could be a Smokey (sometimes known as a Sugar Bear) trying to lure the unwary into his radar beam (which is, of course, entrapment, but, then, life ain't easy out there on the interstates, good buddy).

Hit the brakes when you hear the beep: OK, so you've got your C.B. (or two-way, as it is called) tuned up to full volume for incoming Smokey reports, but you still need more warning, which comes in the form of a small black container about the size of a Coney Island hot dog mounted on your dashboard or windshield. When it was introduced, the Snooper, made by Autotronics, Inc., of Richardson, Texas, was the best radar detector on the market. This unit, which sells for \$79.95 (higher in some states), has an effective range of about 5000 feet and will sound an ear-piercing beep as soon as it senses a radar signal. In reaction to the new MR-7 radar, Autotronics now has the Super Snooper, which offers a substantial increase in range and receives both the X-band and the new K-band frequencies used by the latest models of police radar. These devices, like C.B.s, have no substitutes. (Forget that nonsense about putting aluminum foil in your hubcaps to jam the radar—it's useless, although there's a Texan known as the Lubbock Kid who's got his Camaro rigged up with a working police-radar jammer fabricated from the guts of a Sears microwave oven. The guys at Autotronics say a jammer is definitely within the range of their technology but are wary of its legality. However, if you were to have one built by your buddy, the electronics freak. . . .) Not all radar detectors are useful. The small battery-operated units that clip to the sun visor lack the range and sensitivity of more expensive versions and can sometimes create a false sense of security. One motorist roared through a New York State Police radar trap without his detector's making a peep. Irritated after receiving his ticket, he turned around and passed through the trap again, this time at a legal speed. Again the detector failed, which prompted him to stop his car, get out and stomp the device into small pieces.

Treat driving as an art: Being an effective fast driver demands pride both in your personal skills and in your automobile. If you don't care about cars and the science of controlling them, you are stupid to attempt to drive them quickly. Because similar but less intense vehicle

and driver dynamics relate fast road driving with motor racing, I recommend a pair of books: *The Racing Driver: The Theory and Practice of Fast Driving*, by Denis Jenkinson, and *The Technique of Motor Racing*, by Piero Taruffi (both available from Robert Bentley, Inc., 872 Massachusetts Avenue, Cambridge, Massachusetts 02139). When you understand what these experts are talking about and your automobile is in perfect mechanical condition, you can run quickly with minimal risk.

Moreover, make sure you are well fitted to your environment; namely, that you are comfortable while at the controls. For example: Your seat should be far enough away from the steering wheel so that your wrist will touch the top of the rim when your arm is outstretched. Actual driving should be done with *both* hands, located slightly below the traditional ten-to-two position. The grip should be light, the elbows relaxed. Loose clothing is a must, both to enhance mobility and to reduce fatigue. Turtlenecks or tight collars are practically guaranteed to produce sore necks and stiff back muscles. Top-quality sunglasses are invaluable. Many fast drivers insist on small-diameter, leather- or rubber-rimmed steering wheels, which increase control and absorb perspiration, thereby making them easier to grip. A variety of custom steering wheels as well as quartz-halogen driving lights (highly recommended) are available from a multitude of automotive-specialty shops. If you are not happy with the comfort and stability provided by the seat in your car, high-quality, race- and rally-type seats—some fully adjustable—can also be purchased for from \$100 to \$300.

Think! Anyone who thinks of fast road driving as the simple act of cranking the throttle to the wood and hanging on belongs in jail—which is exactly where he is going to end up. The automobile must be driven cautiously at high speeds, because closing rates on dangerous situations and law officers are greater. This means that hill crests, blind bends, etc., must be approached with speed reduced and the driver prepared to hit the brakes, ready for anything. *Concentration* is the key and if you are dull and inattentive enough to drive blindly into a radar trap, you deserve everything you get.

When you get nailed: All the C.B.s and the Snoopers in the world won't prevent the inevitable. If you drive a lot, sooner or later you are going to get stopped for speeding. When (not if) that happens, follow these few rules to ease the pain: 1. Immediately pull over, with your four-way flashers turned on. *Never, never be a dumb-ass and try to outrun a Smokey.* Not only is it unforgivably dangerous but the odds of success are minimal. 2. Get out of your car and walk to the patrol car with your license and registration in hand. This is effective for two reasons, one practical, one psychological:

Highway-patrol officers generally work alone, and that is a dangerous business. They are extremely vulnerable when approaching a stopped vehicle, which they do with reluctance. What's more, if you are conversant with Robert Ardrey's *Territorial Imperative*, you will know that the officer's largess will be increased tenfold when you submissively go to him on his turf. 3. Don't make an ass out of yourself by arguing or flashing that police courtesy card your uncle, the alderman, gave you. Highway patrolmen are, for the most part, highly trained, intelligent men who have heard every whacko story, excuse and tale of influence conceivable. They are professionals who are doing a difficult job (and many of them despise the 55-mph limit as much as anybody) and, if they nail you, they probably have you dead to rights and you're only wasting their time and yours by arguing or protesting. Virtually every rationale for speeding has been tried, including the one used by the Cannonball crew who, after being nailed at 115 mph, tried to convince the officer that they were desperately low on gas and were building up sufficient speed to coast to the next service station. If you think you have been unjustly arrested, get a lawyer and go to court, but don't mess around with the Smokey. And don't, for God's sake, ever, ever try to lay a bribe on him.

One final thought: When I talk about fast driving, I mean *good* driving. I don't mean some slob wheeling along in his Caddy at 70 mph with the stereo turned up and his arm draped over the seat back. To drive quickly means *total involvement* and success or failure is measurable by one simple test: It *must* be accomplished without the slightest inconvenience to anyone else. If you drive fast and cause another motorist to deviate from his own course and speed, even in the most minute fashion, you have failed. Force another driver to touch his brakes, turn his steering wheel or prompt even the most hypertense incompetent on the road to honk his horn in alarm or irritation and you have bad marks as a fast driver. Not only must you not place anybody's personal safety in jeopardy but you must set such high standards for your driving that no one notices that you are on the road. This demands incredible smoothness in your driving, which can only come through complete attention to the problem.

So turn off the stereo, crank up the C.B., get both hands on the wheel and start *driving*—as opposed to slumping behind the wheel and letting the car do the job. You'll be amazed at how rewarding the whole thing can be.

Another thing: Play it safe—take some cash along.

Who Was There?



I have three questions. Where was the national media when the government, citizen Nader and others began to wage war on the automobile?

How is it that practically no one ever challenged proposed automotive Legislation or where it might eventually lead? Why was it that no more than a handful of reporters ever bothered to verify what common sense must have told them was at least a fitful subject for discussion?

The comment has been made in the recent past that this country was full of statesmen in 1776 and 200 years later we are lucky to find *one*. might paraphrase that to include investigative media, as well. Oh yes, you may say, "But what about the Watergate scandals and, more recently, CIA disclosures?"

Well, what about them? The fact of the matter is that these excesses were brought to light only after the stench of moral decay became so rancid someone had to uncover it. The so-called underground press had been carrying stories on many of these controversial topics for almost the last decade.

But the cancerous spread of governmental intervention in the automotive industry was even more clear. When Ralph Nader fired his first test volley into the air 10 years ago, who questioned his credentials in the field of automotive engineering?

And then, later, when the rash of proposals pouring from the Department of Transportation became federal law along with the Clean Air Act, few asked who would pick up the tab, what the real, long-term costs would be and if all the programs made sense as they collectively affected society.

The question of who would pay, may be perhaps the greatest injustice perpetrated on the American public. Until recently, the idea was held by millions of consumers that somehow the car manufacturers would simply take the billions of dollars required to operate and police new

government-mandated programs from some mythical built-up treasury of excess corporate profits.

No headlines ever screamed that because of the safety and smog mandates the majority of the engineers of every manufacturer selling cars in America were engaged in meeting U.S. federal rules, not creating more efficient automobiles. It never occurred to most of the national media that our shortfall in gasoline stocks was almost precisely what our cars had lost in gas mileage because of crash programs and to meet emissions regulations.

And now, finally, there is the most obvious question of all waiting to be answered—what about the national 55 mph speed limit? If you accept that reducing overall speed has directly resulted in the first decline ever in the nation's automobile death rate, then you have to ask why the Department of Transportation simply didn't suggest this expedient years ago. Why was it necessary for billions of dollars to be wasted on theoretical solutions like side-guard door beams, headrests and crash padding, when a better result could have been obtained years ago by changing the numbers on speed limit signs throughout the nation?

Government spokesmen have stated clearly and repeatedly that the 55 mph limit saves lives as well as gasoline. Why hasn't there been a call in the media to bring the responsible officials to account for what appears to be almost deliberate sluggishness in suggesting this pancea before?

I'll tell you why. Because almost no one in the press has more than a passing idea of what is involved. Just as no one 10 years ago ever looked to see if the Corvair was *really* unsafe at any speed, today the *real* merits of the 55 mph are not known.

Certainly the task of the investigative journalist/editor is much easier when his main role is that of Monday morning quarterback. Perhaps all the federal government's moves have been absolutely correct but the terrible reality is that practically no one ever checked to find out, one way or the other.

Maybe what it boils down to in the end is that bringing 20 percent of America's industry to its knees generates better copy. Someone ought to look into it. Might be a story there. ■

!! good

Tuesday, October 5, 1976

LAS VEGAS SUN 35

Speed Of 70 Seems Best

SAN DIEGO (UPI) — Drivers in late model cars without speedometers to nag them about speeding are most comfortable traveling about 70 miles an hour on the highway, according to student safety researchers.

The conclusion was reached in a research project carried out by students at Texas A & M University, the school's Dr. Ronald S. Morris said in presenting a paper on the experiment recently in San Diego at the 14th annual symposium of the SAFE Association, an organization of safety equipment researchers, manufacturers and users.

"The experiment clearly demonstrates that the average comfortable speed is well above the existing national speed limit of 55 miles per hour," Morris told delegates.

"The analysis of our data resulted in an overall mean

comfortable speed of 69.94 miles per hour with a standard deviation of 4.425 miles per hour," he said. "From this it is reasonable to conclude that the probability that the entire population's comfortable speed is 55 miles per hour is essentially zero."

Morris, also secretary of the association, said 18 volunteer students drove both ways over an isolated segment of Interstate 30 west of Texarkana, Tex., during daylight hours when weather was dry and sunny.

The students used a 1970 Datsun 240Z, a 1973 Ford Torino station wagon and a 1973 GMC Sports Van selected to represent the range of commercially available passenger vehicles.

In each vehicle, the speedometer was masked. Road speeds were logged with a spe-

cial speed recorder placed in the rear seats and camouflaged so drivers did not know speed was being measured.

Each was instructed to "find a speed which is comfortable to you and maintain it," Morris said. As to purpose, the student volunteers were told only that the experiment was "intended to measure various human factors associated with driving."

Morris said he and graduate student Charles H. Berry Jr. theorized in setting up the experiment that any driver desiring "to remain legal" when the gap between comfortable speed and legal speed is wide would be "continually required to adjust his vehicle speed by throttle changes" and keep any eye on the speedometer.

"The net effect of this mismatch then will be increased control effort by the driver and consequently increased

fatigue," he said. "Further, any relaxation of constant vigilance by the driver will result in a tendency to return to the comfortable speed."

The experiment showed differences in comfortable speeds for each vehicle with "mean" velocities of 66 miles an hour for the station wagon, 70 miles an hour for the sports car and 77 miles an hour for the van.

"The comfortable speed demonstrates that if the present speed limit of 55 miles per hour is to be continued, further research is needed in the areas of vehicle and roadway design to establish a more acceptable interface between inherent vehicle characteristics and legal speed limits," Morris concluded.

"If the difference between the comfortable speed and the legal speed is large, the driver is placed in a stressful and fatiguing situation.

Fuel shortage helped lower highway fatalities

CARSON CITY (UPI) — The nation's highway deaths declined by 10,000 persons last year due mainly to the fuel shortage and the 55-mile per hour speed limit, a federal safety official said Tuesday.

James B. Gregory, administrator of the National Traffic Safety Administration said, however, motorists were now driving at speeds exceeding 60 miles per hour in recent months.

"People haven't believed the need to conserve and we have seen speeds creeping up. They were averaging below 60 but now are over 60 miles per hour."

Gregory met with Gov. Mike O'Callaghan to discuss future highway safety programs. He said he found the governor enthusiastic about supporting these programs.

There have been reports that state highway patrols and local police officials are not strictly enforcing the 55 mile speed limit. But he said most drivers have reduced their speed 9-10 miles per hour.

Gregory said 1974 figures will show a death toll of about 46,000 or about 20 per cent lower than 1973. He said he hoped that could be reduced another 3,000 persons this year.

Gregory said the biggest single thing now to reduce highway fatalities further "is to get the

drunk and drinking driver off the highway."

He said alcohol was involved in 50 per cent of traffic deaths. What is disturbing, he said, was that a recent study showed half of the nation's high school students are involved in alcohol in some way.

Energy problem helps keep death toll down

WASHINGTON (UPI) — Thanks in part to the energy problem, traffic deaths on the nation's roads and highways decreased by 9,550 last year, the government reported today.

The National Highway Traffic Safety Administration, in an annual report to the President and Congress, said 45,534 persons died in traffic accidents during 1974. That figure was down 18 per cent from 55,084 deaths the previous year.

The report said the lowering of speed limits, less driving and change in driver habits — all related to the energy crisis — had a dramatic impact on traffic deaths in the United States.

It also credited safety devices installed in autos since 1968, better drivers and roads and improved highway safety programs.

The agency said persons under 25 years of age were involved in 35 per cent of all fatal accidents, and alcohol remained "the No. 1 killer on the highways."

Alcohol Often Fatal Factor

CARSON CITY (UPI) — Two out of every three fatal traffic accidents involved persons who had been drinking during the first six months of this year, the Nevada Office of Traffic Safety reported Tuesday.

John Borda, chief of traffic safety, said statistics show that 45 per cent of the fatal crashes involved persons whose blood alcohol content was over the legal limit. In 1974 alcohol levels over the limit were factors in 39 per cent of all fatal crashes for the six month period.

The legal blood alcohol limit in Nevada is .10 and Borda said studies show that with a level of .15 the average driver is 25 times more likely to have an accident than if he were sober.

Alcohol-auto deaths slip by public

ALBANY, N.Y. (UPI) — A state task force report released today said nearly as many persons are killed in alcohol-related traffic accidents as are murdered, yet the public remains apathetic to the problem.

The report, the result of a 2½ year study by the state task force on alcohol problems, noted that public intoxication would be "decriminalized" after Jan. 1, but said that additional funding was necessary to set up a network of "sobering up stations" statewide.

The task force, created in 1972 by former state mental hygiene commissioner Alan D. Miller, did not estimate how much additional money would be needed.

The task force, headed by Gordon E. Brown, executive director of the state communities aid association, estimated that half of the 2,663 traffic fatalities which occurred last year involved drivers or pedestrians who had been drinking.

In contrast, in 1973, there were 2,034 persons murdered in the state, with 1,680 in New York City.

"One act is as horrifying, violent, and senseless as the other," the report said. "Yet with murder, people demonstrate concern for increased public safety provisions while with alcohol-related highway deaths, apathy prevails."

28

DESPITE 55 MPH LIMIT

Highway Death Toll On Rise

SACRAMENTO (UPI) — Despite the 55 mile-an-hour speed limit, traffic deaths in California will soon reach last year's levels, Highway Patrol Chief Walter Pudinski says.

Pudinski said the chief reason for the dramatic reduction in highway fatalities during the first four months this year was because fewer cars were on the road during the "energy crisis" and motorists

were more inclined to obey the reduced speed limit.

But he said in the summer months gasoline has become more available, more motorists are on the roads, and many are driving much faster.

During the first six months of 1974 there were 1,179 deaths compared with 2,320 during the same period in 1973.

Statistics released by the CHP show 180 highway fatalities for the first two weeks of September, 20 fewer than the same period in 1973.

Pudinski, commissioner of the patrol, said in November and December the deaths on California highways should equal last year's, if current conditions prevail. There were 390 fatalities in

November, 1973 and 332 in December.

Pudinski said officials of national safety organizations have been plugging the lower speed limit as a "cure-all" for highway fatalities.

"Now that the facts are coming in, I see a big change of heart in their statements," said Pudinski. "They are all beginning not only to agree

with me, but they are echoing what we are saying."

Speeding tickets issued by the patrol have nearly tripled in the last year. Officials have complained that there were not enough officers available to arrest all the lawbreakers.

Pudinski emphasized he was not against the 55 mile-per-hour speed limit. He said the lower speed limit is responsible for saving lives and "anything that saves lives should be retained in some form."

"I think the facts are beginning to show that the speed limit should be determined on the basis of engineering studies. We should determine exactly where we are saving lives by a 55 mile-per-hour speed limit," he said.

"Then," he said, "we should retain the speed limit where we know we are getting the highest life saving payoff."

He said engineers should take a close look at areas in California that have good terrain and are not congested.

"In those areas we should determine the speed on the basis of where we are going to get the most life saving," he said.

Traffic fatalities, miles begin to climb again

CHICAGO (AP) — Traffic fatalities, which declined 17 per cent in 1974, are climbing again as many Americans return to driving patterns to which they were accustomed before last year's gasoline shortages.

The latest National Safety Council statistics for the first two months of this year show a 6 per cent rise from the same two months in 1974. January marked the first monthly increase from the previous year since October 1973.

There was a dramatic decline in the fatality rate in the early months of 1974 during the gasoline crunch as motorists drove less frequently and slower.

From January to May 1974, traffic fatalities were down 25 per cent from record 1973 levels, and the National Safety Council expected some slippage this year.

"There was a tremendous reduction in miles driven last spring," Ron Kuykendall, a council spokesman, said Monday. "Now, mileage is back to normal, a little bit above 1973 levels.

"We also don't have the national trauma we had last spring when we had to wait in long lines

for gasoline and service stations were closed on weekends. Then, too, there is not as much emphasis on reducing driving and on reducing speed."

Initial projections of the council predicted that the 1975 traffic fatality toll would be a little higher than the 46,200 persons who were killed in 1974. With the most recent statistics, however, Kuykendall said early projection may have to be pushed upward.

If the current increase continues at 6 per cent, about 49,000 persons would be killed in highway accidents this year. In comparison, highway deaths in 1973 totalled 55,800 fatalities.

Kuykendall said he expects the fatality rate to increase at a faster rate in the coming months. But he said if the use of safety harnesses remains at its current level, the monthly fatality rate around mid-summer should be about the same as last year.

That was about the time when motorists began reverting to their old driving habits — using the car more often and paying less heed to the 44 mile-per-hour speed limit, he said.

SENATE JOINT RESOLUTION NO. 21—COMMITTEE
ON TRANSPORTATION

MARCH 31, 1977

Referred to Committee on Transportation

SUMMARY—Memorializes Brock Adams, Secretary of Transportation, to designate to State of Nevada additional mileage necessary to construct Interstate 80 Spur in Reno. (BDR 1401)

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

SENATE JOINT RESOLUTION—Memorializing Brock Adams, the Secretary of Transportation, to designate to the State of Nevada the additional mileage necessary to construct the Interstate 80 Spur in Reno.

- 1 WHEREAS, The Reno-Sparks metropolitan area of Nevada is a major
2 center for tourist and industrial development and one of the fastest
3 growing regions in the United States; and
4 WHEREAS, Completion of this extension of Interstate 80 is essential to
5 the orderly growth of the area and the basis for regional transportation
6 plans; and
7 WHEREAS, The proposed construction of this facility has the approval
8 of both state and local officials, and is enthusiastically supported by the
9 affected business and residential community; and
10 WHEREAS, Completion of the critically needed freeway as the area's
11 major north-south arterial will be greatly delayed without the federal
12 funding provided through the approval of additional interstate mileage
13 for the State of Nevada; and
14 WHEREAS, The Interstate 80 Spur, as proposed, meets all criteria set
15 forth by the Federal Highway Administration for eligibility to receive
16 interstate system mileage being withdrawn from other states; now, there-
17 fore, be it
18 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*
19 That the legislature of the State of Nevada hereby respectfully urges
20 Brock Adams, Secretary of Transportation, to give the highest priority
21 to approval of the Interstate 80 Spur as an addition to Nevada's inter-
22 state freeway system; and be it further
23 *Resolved,* That as soon as sufficient interstate mileage becomes avail-
24 able under provisions of 23 U.S.C. 103(e)(4), that mileage be allocated
25 to Nevada for construction of the Interstate 80 Spur in Reno; and be it
26 further
27 *Resolved,* That copies of this resolution be prepared and transmitted

SENATE BILL NO. 447—SENATORS BLAKEMORE
AND HERNSTADT

APRIL 6, 1977

Referred to Committee on Transportation

SUMMARY—Changes certain provisions for licensing of motor vehicle
salesman. (BDR 43-1351)

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 salesmen; changing certain provisions for the
licensing of such salesmen; 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 482.362 is hereby amended to read as follows:
2 482.362 1. Except as provided in NRS 482.324, no person may
3 engage in the activity of a vehicle, trailer or semitrailer salesman in the
4 State of Nevada without first having received a license from the depart-
5 ment. Before issuing a license to engage in the activity of a salesman,
6 the department shall require:
7 (a) An application, signed and verified by the applicant, stating that
8 the applicant is to engage in the activity of a salesman, his residence
9 address, and the name and address of his employer.
10 (b) Proof of the employment of such applicant by a licensed and
11 bonded vehicle dealer, trailer or semitrailer dealer, lessor or rebuilder at
12 the time such application is filed.
13 (c) A statement as to whether any previous application of the appli-
14 cant has been denied or license revoked.
15 (d) Payment of a nonrefundable license fee of \$5 per year. Such
16 licenses shall expire on December 31 of each calendar year.
17 (e) Such other information as the department may deem necessary.
18 2. The department may issue a 60-day temporary license to an appli-
19 cant who has submitted an application and paid the required fee.
20 3. A vehicle, trailer or semitrailer salesman's license issued pursuant
21 to this chapter shall not permit a person to engage in the business of a
22 mobile home salesman.
23 4. **[A]** *An application for a salesman's license may be denied and*
24 *a salesman's license may be suspended or revoked upon the following*
25 *grounds:*

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

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 295

ASSEMBLY BILL NO. 295—ASSEMBLYMAN GOODMAN

FEBRUARY 10, 1977

Referred to Committee on Transportation

SUMMARY—Repeals 55 m.p.h. speed limit. (BDR 43-815)

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

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

AN ACT relating to traffic speed; limiting the penalty for violating the national speed limit as applied to this state.

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

- 1 SECTION 1. NRS 483.470 is hereby amended to read as follows:
2 483.470 1. The department [is hereby authorized to] *may* suspend
3 the license of a driver without preliminary hearing upon a showing by its
4 records or other sufficient evidence that the licensee:
5 (a) Has committed an offense for which mandatory revocation of
6 license is required upon conviction;
7 (b) Has been involved as a driver in any accident resulting in the death
8 or personal injury of another or serious property damage;
9 (c) Is an habitually reckless or negligent driver of a motor vehicle;
10 (d) Is an habitual violator of the traffic laws;
11 (e) Is physically or mentally incompetent to drive a motor vehicle;
12 (f) Has permitted an unlawful or fraudulent use of such license;
13 (g) Has committed an offense in another state which if committed in
14 this state would be grounds for suspension or revocation; or
15 (h) Has failed or refused to comply with the terms and conditions of
16 issuance of a restricted license.
17 2. As used in this section, "traffic violation" means conviction on a
18 charge involving a moving traffic violation in any municipal court, jus-
19 tice's court or district court in the State of Nevada, and includes a finding
20 by a juvenile court pursuant to NRS 62.083 that a child has violated a
21 traffic law or ordinance other than one governing standing or parking.
22 3. The department shall establish a uniform system of demerit points
23 for various traffic violations occurring within the State of Nevada affect-
24 ing any holder of a driver's license issued by the department.
25 4. Such system shall be a running system of demerits covering a

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

310
AR 295

SENATE BILL NO. 432—SENATOR ASHWORTH

APRIL 1, 1977

Referred to Committee on Transportation

SUMMARY—Provides for issuance of drivers' licenses at lower age to certain pupils. (BDR 43-1437)

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 drivers' licenses; providing for issuance of a license at a lower age to certain pupils; 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 provi-
3 sions 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] 15 years
9 of 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 expiration
13 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] a habitual drunkard or is addicted
18 to the 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. To any person who is required by NRS 483.010 to 483.630,
24 inclusive, to take an examination, unless such person has successfully
25 passed such examination.
26 7. To any person when the administrator has good cause to believe

RECEIVED
JAN 20 1977

1 No. 314439

Dept. No. 2

2 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
3 IN AND FOR THE COUNTY OF WASHOE.

4 * * * *

5 THE STATE OF NEVADA,

6 Plaintiff,

7 v.

8 EDWARD D. FORCIER,

9 Defendant

MEMORANDUM

FILED

Dec 14 10 14 AM '76

10 STATEMENT OF FACTS AND ISSUE OF LAW CLERK

E. Smith
DEPUTY

11 I.

12 STATEMENT OF FACTS

13
14 The Defendant, EDWARD D. FORCIER, was employed as
15 an automobile salesman by Reno Toyota and was terminated by
16 Reno Toyota on February 2, 1976. Should he be required to
17 testify, MR. BILL MEYERS, Sales Manager of Reno Toyota, would
18 confirm the termination of employment.

19 MR. FORCIER was re-employed on February 25, 1976,
20 by Mount Rose Motors. Two witnesses could be summoned to
21 testify to confirm this allegation, those witnesses being
22 MR. JAMES ALFORD who purchased a motor vehicle from MR. FORCIER
23 on February 25th, and MR. ARCHIE ROGERS, Investigator for
24 the Department of Motor Vehicles, who was told by MR. FORCIER
25 that he reinstated employment on February 25th.

26 The applicable statutes read as follows:

27 NRS 482.363(6) A salesman's license
28 issued hereunder may be transferred to
29 another dealer or rebuilder upon application
30 and the payment of a transfer fee of \$2.00.
However, when a salesman holding a current
salesman's license leaves the employment
of one dealer or rebuilder for that of

1 another, the new employer may immediately
2 employ the salesman pending the transfer
3 of the salesman's license to his dealer-
4 ship or rebuilding business but the
5 transfer must be completed within ten
6 days.

7 NRS 482.363(8) In the event that a
8 salesman ceases to be employed by a
9 licensed and bonded dealer or rebuilder,
10 his license to act as a salesman shall
11 be automatically suspended and his right
12 to act as a salesman shall thereupon
13 immediately cease, and he shall not
14 engage in the activity of a salesman
15 until re-employed by a licensed and
16 bonded dealer or rebuilder. Every
17 licensed salesman shall report in
18 writing to the Department every change
19 in his residence address, place of
20 employment, or termination of employment
21 within five days of the date of making
22 such change.

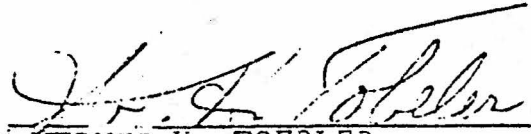
23 II.

24 ISSUE OF LAW BEFORE THE COURT

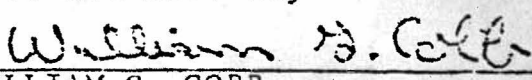
25 The issue before the Court is whether a salesman
26 who leaves the employment of one dealer has ten days from
27 the date of termination to transfer his license, or whether
28 he has an indefinite period of time to seek new employment,
29 and thereupon has ten days to effect a transfer of his
30 license.

As applied to this case, the issue is whether,
upon his leaving the employment at Reno Toyota on February
2, 1976, EDWARD FORCIER had until February 12th to transfer
his salesman's license, (the ten day period), or whether he
had an indefinite period of time to seek new employment (in
this case starting February 25th) and once he found new
employment (Mount Rose Motors) he had ten days following the
February 25th date to transfer his license.

DATED this 13TH day of December, 1976.


WERNER H. TOEBLER
Attorney for Defendant

LARRY R. HICKS
District Attorney

By 
WILLIAM G. COBB
Deputy District Attorney

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No. 314439 Dept. No. 2
IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

THE STATE OF NEVADA,

Plaintiff,

vs.

EDWARD D. FORCIER,

Defendant.

FILED
DEC 28 11 23 AM '76
ALEX COON, CLERK
BY R. HASSON II
DEPUTY

ORDER

This matter came on for hearing before the above-entitled Court on the 17th day of December, 1976, the STATE OF NEVADA being represented by WILLIAM G. COBB, Deputy District Attorney, and the defendant being represented by W. H. TOBELER, Esq.

A Statement of Facts and Issue of Law was presented to the Court prior to the hearing, and at the time set for the hearing oral arguments were made by WILLIAM G. COBB for the plaintiff and W. H. TOBELER for the defendant, regarding the merits of NRS 482.363(6) and (8).

Upon hearing argument, the Court believes that the above are ambiguous and conflicting in that they do not set forth specific guidelines regarding termination and reemployment of automobile salesmen;

NOW, THEREFORE, upon the reading of the Statement of Facts and Issue of Law, and upon oral argument by both parties hereto, the Court finds insufficient evidence to find the defendant guilty beyond a reasonable doubt.

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IT IS ORDERED that this matter be remanded back to Reno Justice Court and that the appeal bond heretofore posted be exonerated.

DATED this 27th day of December, 1976.

John W. Barrett

DISTRICT JUDGE