

SENATE TRANSPORTATION COMMITTEE

MINUTES OF MEETING

Thursday, April 21, 1977

The meeting was called to order in Room #323, Legislative Building, at 3:00 p.m. on Thursday, April 21, 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:         Assemblyman Darrell H. Dreyer  
                              Assemblyman Harley L. Harmon  
                              Darryl Capurro, Nevada Motor Transport  
                              James Avant, State of Nevada Taxi Cab  
                                  Authority  
                              Howard Hill, Director, DMV  
                              William Fitzpatrick, Chief, Drivers'  
                                  License, DMV  
                              Harold Harmon, Assistant Chief, Registration,  
                                  DMV

Hearing and action was then taken on the following measures:

AB 30    CREATES AND BROADENS OFFENSES RELATED TO MOTOR VEHICLES.

Assemblyman Darrell H. Dreyer was the first to testify. He said that the thrust of the bill was in lines 8 through 11, Section 1, paragraph 2, wherein it provides that "The consent of the owner to the taking or driving of his vehicle shall not be inferred from his consent on any previous occasion to the taking or driving of the vehicle by the same or another person." Mr. Dreyer said that it would also make it a gross misdemeanor for any person, with intent to do severe bodily injury, willfully throws any rock, brick, bottle, metal or other missile, or any other substance capable of doing serious bodily injury or discharges a firearm at any vehicle or occupant.

Mr. Dreyer added that the bill was introduced because of some problems in the Southern part of the State during civil disturbances and riots.

Howard Hill, Director of the Department of Motor Vehicles stated that there is some real need in the Las Vegas area for this legislation.

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After lengthy discussion regarding whether or not the language would also include police in the line of duty, Senator Hernstadt suggested that if the bill is processed it should be amended to exclude police in the line of duty on page 2, lines 8 and 9.

After further discussion,

Senator Young moved that AB 30 be rereferred to the Senate Committee on Judiciary.  
Senator Ashworth seconded the motion.  
Motion carried unanimous.

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

Assemblyman Harley Harmon testified that the purpose of the bill is that there are different lines of automobiles (motor carriers, taxi cabs, leasing companies) who are having trouble getting insurance. He added in the Assembly hearings it was brought out that line 7 in the original bill, other surety was termed to permit self insurance. Also, throughout those hearings, it was found that there was a problem in Clark County because someone other than the state, who had a car rental or taxi company could self-insure under the PSC, but because of the regulations under the Clark County Taxi Authority, there is no authority for anyone under the Taxi Authority to self-insure. He said that the bill was so amended and the Committee was looking at that amended bill today.

Darryl Capurro, Nevada Motor Transport Association was the next to speak. He said that the current law under 706.291, which covers the commercial vehicle carriers, allows for self-insurance of those vehicles. However, the Clark County Taxi Authority is in a completely separate section of the chapter. That particular section indicates that a policy of insurance must be evident and on file. It ties their license strictly to a policy of insurance, whereas the language in 706.291 allows for other surety which could involve something other than the certificate of self-insurance issued by the Department of Motor Vehicles (assignment of a TCD, etc.)

One of the problems which this Committee had shown concern was with regard to the issuance and continued surveillance of those certificates of self-insurance. Mr. Capurro said that the Public Service Commission is going to develop some regulations that will require surveillance of the financial responsibility of the commercial carriers which they regulate. It is his understanding that the Clark County ~~335~~

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Cab Authority has a sophisticated system of accounts and he assumed that in light of that flag those that they felt would not qualify for the certificate of self-insurance.

James Avant, State of Nevada Taxi Cab Authority said that he was in support of this measure. He added that the authority makes annual audits on all taxi cab companies within the State, and every accident is investigated by the authority's investigators.

After further discussion:

Senator Hernstadt moved "do pass."  
Senator Ashworth seconded the motion.  
Motion carried with all voting aye except Senator Neal who voted "nay."

AB 370 PROVIDES ADDITIONAL CONDITIONS UNDER WHICH RESTRICTED DRIVERS' LICENSES MAY BE ISSUED TO PUPILS.

Howard Hill, Director, Department of Motor Vehicles, stated that the department was against this bill because:

1. How does the department determine if the transportation is needed?
2. How does the department determine the severity of an illness of a family member?
3. How does the department administer and determine reasons of employment?
4. How does the department administer and determine that a person under 16 must work for the support of the family.
5. The whole concept would be very difficult to enforce.

Mr. William Fitzpatrick, Chief, Drivers' License Division, DMV added that there are only approximately 15 drivers' licenses issued annually for drivers under the age of 16 and they are restricted to a specific route to and from school. These are only issued when there is no transportation available other than giving them a license to drive to school.

Senator Neal moved indefinite postponement  
Senator Young seconded the motion  
Motion carried with all voting aye except for Senator Ashworth, who voted nay.

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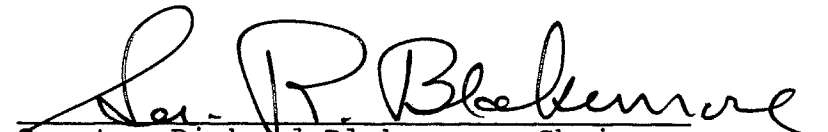
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There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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Molly M. Torvik, Secretary

APPROVED BY:

  
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Senator Richard Blakemore, Chairman

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 30

ASSEMBLY BILL NO. 30—ASSEMBLYMAN DREYER

JANUARY 18, 1977

Referred to Committee on Transportation

SUMMARY—Creates and broadens offenses related to motor vehicles.  
(BDR 43-533)

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 vehicles; creating or broadening certain offenses; providing penalties; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 205.2715 is hereby amended to read as follows:  
2 205.2715 1. Every person who takes and carries away or drives  
3 away the vehicle of another without the intent to permanently deprive  
4 the owner thereof but without the consent of the owner of such vehicle  
5 is guilty of a gross misdemeanor.  
6 2. Every person who is in possession of a vehicle without the con-  
7 sent of the owner of such vehicle is presumed to have taken and carried  
8 away or driven away the vehicle. *The consent of the owner to the taking*  
9 *or driving of his vehicle shall not be inferred from his consent on any*  
10 *previous occasion to the taking or driving of the vehicle by the same, or*  
11 *another person.*  
12 3. Vehicle as used in this section means every device in, upon or  
13 by which any person or property is or may be transported or drawn  
14 upon a public highway, excepting devices moved by human power or  
15 used exclusively upon stationary rails or tracks.  
16 SEC. 2. NRS 205.2741 is hereby amended to read as follows:  
17 205.2741 1. It is unlawful for any person:  
18 (a) To throw any stone, rock, missile or any substance at any motor-  
19 bus, truck or other motor vehicle; **[or]**  
20 (b) To discharge any gun, pistol or any other firearm at any motorbus,  
21 truck or other motor vehicle; or  
22 (c) Wrongfully to injure, deface or damage any motorbus, truck or  
23 other motor vehicle, or any part thereof.  
24 2. Any person who violates any of the provisions of subsection 1 is

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

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AB 30

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 444

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ASSEMBLY BILL NO. 444—COMMITTEE ON COMMERCE

MARCH 11, 1977

Referred to Committee on Commerce

SUMMARY—Permits motor carriers to self-insure \$50,000 per accident. (BDR 58-1142)

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

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

AN ACT relating to the taxicab authority; permitting certificate holders to self-insure the first \$50,000 of liability for each accident; and providing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 706.8828 is hereby amended to read as follows:  
2 706.8828 1. A certificate holder shall file with the administrator, and  
3 keep in effect at all times, a policy of insurance with an insurance company  
4 licensed to do business in the State of Nevada.  
5 2. The insurance policy specified in subsection 1 shall:  
6 (a) Provide the following coverage:  
7 For injury to one person in any one accident..... \$100,000  
8 For injury to two or more persons in any one accident..... 300,000  
9 For property damage in any one accident..... 10,000  
10 (b) Contain a clause which states substantially that the insurance carrier  
11 may only cancel the policy upon 30 days' written notice to the administrator;  
12 and  
13 (c) Contain such other notice provisions as may be required by law to  
14 be given to the certificate holder.  
15 3. If an insurance policy is canceled, the certificate holder shall not  
16 operate or cause to be operated any taxicab that was covered by such policy  
17 until other insurance is furnished.  
18 4. *A certificate holder to whom the drivers' license division of the*  
19 *department of motor vehicles has issued a certificate of self-insurance may*  
20 *self-insure the first \$50,000, combined single-limit, per accident, of the*  
21 *coverage required by subsection 2.*

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ASSEMBLY BILL NO. 370—ASSEMBLYMAN HAYES

FEBRUARY 28, 1977

Referred to Committee on Transportation

SUMMARY—Provides additional conditions under which restricted drivers' licenses may be issued to pupils. (BDR 43-1007)

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.

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AN ACT relating to drivers' licenses; providing additional conditions under which restricted drivers' licenses may be issued to school 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 483.270 is hereby amended to read as follows:  
2 483.270 1. The department may issue a restricted license to any  
3 pupil between the ages of 14 and 16 years [who is attending:  
4 (a) A public school in a school district in this state when transportation  
5 to and from school is not provided by the board of trustees of the school  
6 district; or  
7 (b) A private school meeting the requirements for approval under NRS  
8 392.070 when transportation to and from school is not provided by the  
9 private school,  
10 and it is impossible or impracticable to furnish such pupil with private  
11 transportation to and from school.] when:  
12 (a) *Transportation to and from a public school is inadequate or not pro-*  
13 *vided by the board of trustees of the school district and it is impossible or*  
14 *impracticable to furnish the pupil with private transportation to and from*  
15 *school.*  
16 (b) *Transportation to and from a private school meeting the require-*  
17 *ments of NRS 392.070 is inadequate or not provided by the private school*  
18 *and it is impossible or impracticable to furnish the pupil with private*  
19 *transportation to and from school.*  
20 (c) *Transportation facilities are inadequate and it is necessary for the*  
21 *pupil to operate a motor vehicle because of the illness of a family mem-*  
22 *ber.*  
23 (d) *Transportation facilities are inadequate and it is necessary for the*  
24 *pupil to operate a motor vehicle to and from his employment because:*

Original bill is 2 pages long.  
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