

SENATE TRANSPORTATION COMMITTEE

MINUTES OF MEETING

Tuesday, May 3, 1977

The meeting was called to order in Room #323, Legislative Building, at 2:00 p.m. on Tuesday, May 3, 1977

Senator Richard Blakemore was in the chair.

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

OTHERS PRESENT:

Assemblyman Karen Hayes
Colonel James Lambert, Chief, Nevada Highway Patrol
John Borda, Office of Traffic Safety
Ray Crosby, Legislative Chairman, Disabled
American Veterans, State of Nevada
John Ciardella, Chief, Registration, DMV
Howard Hill, Director, DMV
Virgil Anderson, Triple A
Assemblyman Nash Sena
Richard Gerrod, Farmers Insurance Group
Bob Guinn, Nevada Motor Transport Association
Darryl Capurro, Nevada Motor Transport Ass'n.
Leonard Winkelman, Chief, Administrative
Services, DMV

Hearing and action was then taken on the following measures:

AB 424 PROHIBITS USE OF ELECTRONIC DEVICES TO ENFORCE CERTAIN
SPEED LIMITS.

Assemblyman Karen Hayes testified in favor of the bill. She felt that the bill was self explanatory and asked the Committee if there were any questions. She added that California has enacted this law, which outlaws electronic devices used for enforcing speed limits. She said that the Metropolitan Police Department had requested that the bill be aimed at areas where the 55 mile speed limit was in effect because it was needed in school zones, etc. within urban areas. The bill really aims at the rural areas of the State.

Colonel James Lambert, Chief, Nevada Highway Patrol was the next to testify. He said that they were opposed to the measure because, 1) Electronic devices are more accurate than a patrol officer's personal determination, and 2) With electronic devices they have less problems with enforcement.

Senate Transportation Committee
Minutes of Meeting
Tuesday, May 3, 1977

John Borda, Traffic Safety Office, stated that he was certain that if the bill passed speeds would go up and more deaths and accidents would occur on our highways.

Senator Ashworth moved "Indefinite Postponement."
Senator Hernstadt seconded the motion.
Motion carried unanimously.

AB 696 PROVIDES SPECIAL LICENSE PLATES AND PARKING PRIVILEGES
FOR TOTALLY DISABLED VETERANS.

Ray Crosby, Legislative Chairman, Disabled American Veterans, State of Nevada, was the first to testify in favor of this measure. He said that the bill involves 100% service connected veterans to be able to have a specialized license plate primarily because if an emergency should occur (wreck, car breakdown) people would be more apt to stop and help the disabled person. He added that the amount of people throughout the State who would be involved would be from 150 to 200. The fiscal impact would be \$450 to \$500 to set up the particular dyes and it also involves approximately \$950 to \$1,250 monetary loss to the State. Because the fiscal impact of this bill is under \$2000, there is no fiscal note attached. The bill, according to Mr. Crosby passed the Assembly 39 to 0. He urged the Committee to pass the bill.

John Ciardella, Chief, Registration, DMV, testified that the department had no objection to the measure. He did, however, have some problem with the wording "without payment of the annual registration fee" in line 8, page 1. He said that even if you did exempt these persons from the registration fee, which includes the Highway Patrol fee and the privilege tax. He felt that either this should be deleted entirely from the bill or have them pay the appropriate fee. Mr. Crosby said that they were willing to pay the appropriate fee.

Mr. Ciardella said that in line 11 on page 2 the fee for replacement should be changed from \$1 to \$2 to keep it in line with AB 203 which provides for all replacement plates to cost \$2. This change was also acceptable by Mr. Crosby.

The following amendments to AB 696 were then made:

1. Page 1, Section 1, Paragraph 1, line 8 to read ".....personal use." Delete the words "...without payment of the annual registration fee."
2. Page 2, Section 1, Paragraph 5, line 11 to delete \$1 and substitute \$2.

Senate Transportation Committee
Minutes of Meeting
Tuesday, May 3, 1977

AB 696 (Cont.) Senator Hernstadt moved "Amend and DO PASS."
Senator Ashworth seconded the motion.
Motion passed unanimously.

AB 323 REQUIRES PERSON SEEKING TO REGISTER MOTOR VEHICLE TO
SUBMIT PROOF THAT MANDATORY INSURANCE FOR SUCH VEHICLE
IS IN EFFECT.

Chairman Blakemore stated that previous testimony had indicated that the amendments to NRS 482.215 on page 2 of the measure were found to be difficult to implement from the insurance company standpoint. There did seem to be some appetite for the section on page 3 with the exception of those operators of fleet vehicles. He then asked for anyone present to further testify on the bill.

Virgil Anderson of Triple A stated that he had been asked to work with the various entities involved with the measure to see if a workable amendment could be made. He submitted a copy of the amendment (see Attachment A). This amendment would be added to the existing section of Chapter 484 that makes it unlawful to operate a motor vehicle without security. It retains the penalty provisions that were in AB 323 originally and it would add the requirement of prima facie presumption so that the person who had failed to comply with the financial responsibility law, that failure could constitute prima facie evidence in the violation and could be used by a prosecutor to perhaps get some additional enforcement of this particular section.

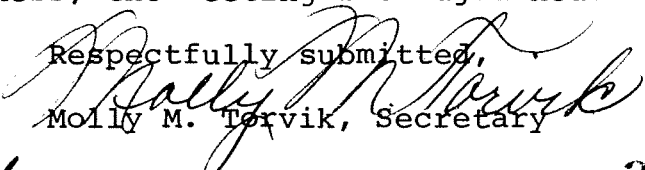
Assemblyman Nash Sena stated that the purpose he had in proposing this legislation because he had been in an accident where the person who hit him didn't have any insurance. He felt very strongly that everyone should have to comply with the rules set up by no-fault.

After further discussion,

Senator Neal moved "indefinite postponement."
Senator Hernstadt seconded the motion.
Motion did not carry because of a tie vote with
Senators Young, Hernstadt and Neal voting aye and
Senators Blakemore, Faiss and Ashworth voting nay.

The bill was therefore held until a later date.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Molly M. Torvik, Secretary

APPROVED BY:


Sen. Richard Blakemore

Assembly BILL No 323

Section 1. NRS 484.263 is hereby amended to read as follows:

484.263 It is unlawful for any person to operate 1. A person shall not:

(a) Operate a motor vehicle registered in this state without having security covering the vehicle as required by Chapter 698 of NRS.

(b) Any person who violates the provisions of, this section shall be fined not less than \$100 nor more than \$500.

(c) Failure to comply with the provisions of NRS 485.190 shall constitute prima facie evidence of violation of this section.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 424

ASSEMBLY BILL NO. 424—ASSEMBLYMEN DINI, MANN, DEMERS, COULTER, SENA, HORN, BANNER, SERPA, VERGIELS, JEFFREY, GOODMAN, HICKEY, POLISH, HAYES, RHOADS, KISSAM, WEISE, MOODY, SCHOFIELD, JACOBSEN, MELLO, ROBINSON, DREYER, CRADDOCK, MAY, WESTALL, GOMES, CHANEY, HARMON, BENNETT AND BARENGO

MARCH 9, 1977

Referred to Committee on Transportation

SUMMARY—Prohibits use of electronic devices to enforce certain speed limits. (BDR 43-1127)

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

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

AN ACT relating to traffic laws; providing for prohibition of the use of radar and other electronic devices by the highway patrol to enforce a 55-miles-per-hour speed limit; providing that evidence of a violation of a 55-miles-per-hour speed limit obtained by a member of the highway patrol by electronic means is inadmissible in a court; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 484 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *No member of the Nevada highway patrol may use any radar or*
4 *other electronic device to measure the rate of speed of any vehicle in order*
5 *to enforce a speed limit of 55 miles per hour.*
6 2. *No court sitting within the state shall admit any evidence of exces-*
7 *sive speed obtained by the use of radar or another electronic means in*
8 *violation of this section at the trial or hearing of a charge of driving a*
9 *motor vehicle in excess of a speed limit of 55 miles per hour.*

Original bill is on file at
the Research Library.

369
AB 424

A. B. 696

ASSEMBLY BILL NO. 696—ASSEMBLYMEN KOSINSKI, MELLO, COULTER, SERPA, WEISE, CRADDOCK, RHOADS, SCHOFIELD, HOWARD, GOMES, MOODY, HAYES, HICKEY, MURPHY, PRICE, BROOKMAN, BREMNER AND BARENGO

APRIL 12, 1977

Referred to Committee on Transportation

SUMMARY—Provides special license plates and parking privileges for totally disabled veterans. (BDR 43-1623)

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

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

AN ACT relating to vehicle licensing and registration; providing for special license plates for totally disabled veterans; providing free parking at parking meters and in government lots for holders of disabled veteran plates; and providing other matters properly relating thereto.

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

- 1 SECTION 1. Chapter 482 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *A veteran of the Armed Forces of the United States who, as a*
4 *result of his service, has suffered a 100-percent service-connected disabili-*
5 *ty and who receives compensation from the United States for his dis-*
6 *ability may register one passenger car or light commercial vehicle having*
7 *a manufacturer's rated carrying capacity of one ton or less, for his own*
8 *personal use, without payment of the annual registration fee.*
9 2. *The department shall issue a specially designed license plate for*
10 *persons qualified under this section who submit an application on a form*
11 *prescribed by the department, together with an application fee of \$1 and*
12 *evidence of disability required by the department. The plates shall be*
13 *inscribed with the words DISABLED VETERAN and three or four*
14 *consecutive numbers.*
15 3. *A vehicle on which license plates issued by the department under*
16 *the provisions of this section are displayed is exempt from the payment of*
17 *any parking fees, including those collected through parking meters,*
18 *charged by the state or any political subdivision or other public body*
19 *within the state, other than the United States.*

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 323

ASSEMBLY BILL NO. 323—ASSEMBLYMEN SENA, HORN,
JEFFREY, SCHOFIELD, MANN, KISSAM, HAYES, MOODY,
RHOADS, MELLO, ROBINSON, COULTER, BANNER, WEST-
ALL, GOODMAN, POLISH AND BARENGO

FEBRUARY 21, 1977

Referred to Committee on Transportation

SUMMARY—Requires person seeking to register motor vehicle to submit proof
that mandatory insurance for such vehicle is in effect. (BDR 43-546)

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 insurance; requiring a statement from the
insurer that mandatory insurance is in effect; providing penalties; and provid-
ing other matters properly relating thereto.

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

- 1 SECTION 1. NRS 482.215 is hereby amended to read as follows:
2 482.215 1. All applications for registration, except applications for
3 renewal registration, shall be made as provided in this section.
4 2. Applications for all registrations, except renewal registrations,
5 shall be made in person, if practicable, to any office or agent of the
6 department.
7 3. Each application shall be made upon the appropriate form fur-
8 nished by the department and shall contain:
9 (a) The signature of the owner.
10 (b) His residence address.
11 (c) His declaration of the county where he intends the vehicle to be
12 based, unless the vehicle is deemed to have no base. The department
13 shall use this declaration to determine the county to which the privilege
14 tax is to be paid.
15 (d) A brief description of the vehicle to be registered, including the
16 name of the maker, the engine, identification or serial number, whether
17 new or used, and the last license number, if known, and the state in
18 which issued, and upon the registration of a new vehicle, the date of
19 sale by the manufacturer or franchised and licensed dealer in this state
20 for the make to be registered to the person first purchasing or operating
21 such vehicle.