

MEMBERS PRESENT

Chairman Sena
Vice Chairman Glover
Mr. Fitzpatrick
Mrs. Hayes
Mr. Polish
Mr. Prengaman
Mr. Stewart
Mrs. Wagner
Mrs. Westall

OTHER LEGISLATORS PRESENT

Assemblyman Harley L. Harmon
Assemblyman John E. Jeffrey

GUESTS PRESENT

Mr. Bernard Dehl, Chief, Nevada Highway Patrol
Mr. Larry Kitzenberger, Las Vegas Metropolitan Police Department
Mr. Virgil Anderson, California State Automobile Association

Chairman Sena called the meeting to order at 3 p.m. and said the first item on the agenda would be

Assembly Bill 42 - Prohibits passengers in boats towed on public highway.

Mr. Jeffrey explained that this bill was drafted at the request of a park ranger at Lake Mead as there have been problems with persons occupying a boat as it is being towed on a public highway. The present law refers only to occupying a house trailer which is being towed. A.B. 42 is intended to correct this situation.

Mr. Dehl said the Nevada Highway Patrol supports A.B. 42 and suggested that if the law is to be amended it should be amended to include all trailers since riding in a trailer is a very dangerous practice and they would like to see it abolished.

Mr. Dehl presented the committee with suggested amendments to A.B. 42, a copy of which is attached as Exhibit A. He explained that the option contained in the suggested amendments would exclude a Disneyland type of tram or train used in tours or for pleasure.

Mr. Stewart and Mrs. Westall questioned the use of the word "employee" engaged in the necessary discharge of a duty, and Mr. Dehl said perhaps it could be changed to "person". Chairman Sena referred to trailers used in parades which carry people

while being towed. Mr. Dehl explained that parades have many exclusions from traffic laws. He further said that any suggestions from the committee as to other amendments would be helpful in arriving at the true intent of the law.

Mrs. Westall expressed the opinion that the entire A.B. 42 should be deleted as she felt too many restrictions were being placed on the people and they needed education regarding safety, not restrictions. Mr. Dehl said the majority of states do prohibit riding in a trailer.

Mr. Anderson supported the bill but thought the types of trailers covered should be studied carefully.

Assembly Bill 4 - Removes requirement for law enforcement agency to maintain records of disposition of traffic citations.

Mr. Harmon presented proposed amendments to A.B. 4 and gave a brief explanation to the committee. A copy of the amendments is attached as Exhibit B.

The Nevada Highway Patrol is totally in support of A.B. 4 with amendments, according to Mr. Dehl. They would be very fearful to do away with the record of the issuance of a citation since a dishonest officer could write tickets and collect bail or other monies. A record is also needed for audit purposes.

Mr. Kitzenberger also supported A.B. 4 with amendments.

Committee discussion returned to A.B. 42.

Mrs. Wagner said she wanted to study the proposed amendments carefully since she thought there might be a lot of exceptions which did not come to mind immediately. Chairman Sena also felt the categories of trailers should be explored and that Mr. Daykin or one of the deputy legal counsels should give an opinion. Chairman Sena appointed Mr. Fitzpatrick as a committee of one to review the amendments with a bill drafter.

COMMITTEE ACTION:

Assembly Bill 4 - Mr. Glover moved Do Pass as Amended. Seconded by Mr. Fitzpatrick and carried unanimously.

Chairman Sena announced there would be a joint hearing with the Senate Transportation Committee on February 13, 1979, to hear bills relating to proof of insurance coverage.

The meeting was adjourned at 3:45 p.m.

Respectfully submitted,


Jane Dunne, Secretary

(Committee Minutes)

SUGGESTED AMENDMENTS - A.B. 42

484.455 [No] A person shall not occupy [a house trailer] or otherwise ride upon a trailer while it is being [moved upon a public highway.] towed by a motor vehicle. This provision does not apply to an employee engaged in the necessary discharge of a duty, or to occupants of a vehicle drawn by a tow car. (Option: or to trailers used primarily for the transportation of persons in furtherance of commercial enterprise.)

SECTION 1. NRS 484.815 is hereby amended to read as follows:

484.815 1. Every peace officer upon issuing a traffic citation to an alleged violator of any provision of the motor vehicles laws of this state or of any traffic ordinance of any city or town shall deposit the original or a copy of [such] the traffic citation with a court having jurisdiction over the alleged offense or with its traffic violations bureau.

2. Upon the deposit of the original or a copy of [such] the traffic citation with a court having jurisdiction over the alleged offense or with its traffic violations bureau, [such original or copy of such] the traffic citation may be disposed of only by trial in [such] that court or other official action by a judge of [such] that court, including forfeiture of the bail, or by the deposit of sufficient bail with, or payment of a fine to [such], the traffic violations bureau by the person whom [such] the traffic citation has been issued by the peace officer.

3. It is unlawful and official misconduct for any peace officer or other officer or public employee to dispose of a traffic citation or copies [thereof] of it or of the record of the issuance of a traffic citation in a manner other than as required in this section.

4. The chief administrative officer of every traffic enforcement agency shall require the return to him of a copy of every traffic citation issued by an officer under his supervision to an alleged violator of any traffic law or ordinance and of all copies of every traffic citation which has been spoiled or upon which any entry has been made and not issued to an alleged violator.

5. Such chief administrative officer shall also maintain or cause to be maintained [in connection with] a record of every traffic citation issued by [an] officers under his supervision. [a record of the disposition of the charge by the court or its traffic violations bureau in which the original or copy of the traffic citation was deposited.] The record shall be retained at least 2 years following the issuance of a citation.

60TH NEVADA LEGISLATURE
ASSEMBLY TRANSPORTATION COMMITTEE
LEGISLATIVE ACTION

Date January 29, 1979

Subject A.B. 4

MOTION:

Do Pass _____ Amend _____ Indefinitely Postpone _____ Amend & Do Pass XX

Moved by Mr. Glover Seconded by Mr. Fitzpatrick

AMENDMENT: See Exhibit B attached to Minutes of 1-29-79

Moved by _____ Seconded by _____

AMENDMENT: _____

Moved by _____ Seconded by _____

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
FitzPatrick*	<u>x</u>	_____	_____	_____	_____	_____
Glover	<u>x</u>	_____	_____	_____	_____	_____
Hayes	<u>x</u>	_____	_____	_____	_____	_____
Polish	<u>x</u>	_____	_____	_____	_____	_____
Prengaman	<u>x</u>	_____	_____	_____	_____	_____
Sena	<u>x</u>	_____	_____	_____	_____	_____
Stewart	<u>x</u>	_____	_____	_____	_____	_____
Wagner	<u>x</u>	_____	_____	_____	_____	_____
Westall	<u>x</u>	_____	_____	_____	_____	_____
TALLY:	<u>9</u>	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed x Defeated _____ Withdrawn _____

AMENDMENT: Passed _____ Defeated _____ Withdrawn _____

AMENDED & PASSED: Passed _____ Defeated _____

Attached to Minutes of Jan. 29, 1979