

*Lebray*

MEMBERS PRESENT

- Chairman Sena
- Mr. FitzPatrick
- Mrs. Hayes
- Mr. Polish
- Mr. Prengaman
- Mr. Stewart
- Mrs. Wagner
- Mrs. Westall

MEMBERS ABSENT

- Vice Chairman Glover

GUESTS PRESENT

- Heber P. Hardy, Chairman, Public Service Commission
- James J. Avance, Administrator, Taxicab Authority
- Sharon Alcamo, Chief, Driver's License Division
- Daryl E. Capurro, Nevada Motor Transport Assn.
- David Hinkley
- Glen Hinkley

Assembly Bill 117 - Makes certain minors eligible for identification cards for persons without drivers' licenses.

Mrs. Wagner introduced Mr. Glen Hinkley, a real estate broker of Reno, Nevada, and said he had requested the introduction of this bill and would explain the reason for the request.

Mr. Hinkley said he had six children and told of their experiences in trying to obtain identification cards for use in travelling out of state and cashing checks obtained from customers on paper routes and baby-sitting jobs. Mr. Hinkley had researched all the possibilities of obtaining identification for his children and found that California issues identification cards for persons of any age. He felt that Nevada should offer the same service for minors. His son, David Hinkley, concurred and told of the need for identification when travelling and other occasions.

When questioned as to why A.B. 117 specified residents 14 years of age or older, Mrs. Wagner said the bill drafter had suggested the age of 14 because it is an age used in common law.

Ms. Alcamo said the Driver's License Division had no problem with lowering the age for identification cards. She told the



history of the California law and said that in 1976 it had lowered the age to "no age" and issued cards to people with or without a driver's license. Ms. Alcamo estimated the division would issue approximately 500 identification cards per year if the age were lowered to 14, and approximately 2,295 per year if lowered to no age. She estimated the fiscal impact to be \$544.00 the first year and \$588.00 the following year.

Mrs. Hayes suggested that A.B. 117 should be amended to state that identification cards should be different for a minor and this might be accomplished by having a profile photograph as on minors' driver's licenses. Mr. FitzPatrick thought that fingerprints should also be required on any identification card.

Assembly Bill 68 - Permits taxicabs in large counties to transport property.

and

Assembly Bill 78 - Permits taxicab motor carriers to transport property.

Mr. Grose said these bills were related but it was necessary to have two bills since one deals with the Taxicab Authority in Clark County and the other with taxicabs elsewhere in the state. The interim subcommittee studying transportation had heard testimony that in many instances there is no public transportation available for parcels or merchandise, particularly in rural areas. A.B. 68 and A.B. 78 would permit this type of service if added to a taxicab's certificate by the Public Service Commission or Taxicab Authority.

Mr. Stewart questioned the language in line 7 of A.B. 68, "transportation of passengers or passengers and light express". He read that to mean that a taxicab could carry light express only in connection with the carrying of passengers. Mr. Grose said that was certainly not the intent of the bill and he would check to ascertain why it was worded in that manner. Mr. Grose felt that A.B. 78, line 7, page 2, and A.B. 68, line 7, page 1, should both be changed to read, "used in the transportation of passengers and their baggage or light express."

Mrs. Westall asked why NRS 706.406 was repealed in A.B. 78. Mr. Grose said he would also check that out.

Mr. Avance said the Taxicab Authority was not in opposition to either A.B. 68 or A.B. 78.

Mr. Capurro stated that it might be well to add a definition of "light express" as it was important that the Public Service Commission and the Taxicab Authority had the same definition.

Mr. Capurro also thought it was important that 706.406 not be repealed as set forth in A.B. 78.

Assembly Bill 71 - Requires recommendation of taxicab administrator before hearing is held on changing number of taxicabs.

Mr. Grose said that Subsection 4 of 706.8819 gives the Taxicab Authority the power to hold hearings and to make decisions on the allocation of taxicabs in Clark County. 706.8823 gives the administrator of the Taxicab Authority the power to hold hearings on taxicab allocations and to make recommendations to the Authority. The interim subcommittee felt that the legislative intent was to have a two-tier system, that is to have the administrator hear the request for allocations and then make a recommendation to the Authority. Mr. Grose further stated that the law is definitely not clear that it is a two-tier system and that is the reason for the change in language in line 10.

Mr. Avance also said that the interim subcommittee raised the question of A.B. 71 due to the ambiguity in the law. He said the Taxicab Authority is not in opposition to the bill. He stated that no matter what happens the administrator is going to make a recommendation and that the staff of the Taxicab Authority is going to make a study and come up with its own facts, figures and conclusions of what it will present to the Board. A. B. 71 may relieve the Board of having to sit through hours of testimony and allow them to read the evidence, hold a hearing and ask questions.

At the request of Chairman Sena, Mr. Hardy explained to the committee the steps taken by an applicant to receive a Certificate of Convenience and Necessity from the Public Service Commission.

Mrs. Wagner read the amendment prepared for A.B. 66 which would provide that the PSC make a safety inspection of the vehicles used by a nonprofit carrier of elderly or physically handicapped persons. Mr. Hardy pointed out that this amendment did not provide for enforcement of safety provisions and the PSC would need some authority for enforcement if a safety inspection revealed the equipment was faulty.

Mr. Prengaman brought up the fact that there was also no provision for insurance of the nonprofit carriers. Mr. Hardy suggested that perhaps the PSC could issue a special certificate at a reduced fee which would require nonprofit carriers to submit evidence of insurance and pass the safety requirements. Mr. Hardy also told Chairman Sena he would assist in preparing an amendment to A.B. 66. Mrs. Wagner said A.B. 66 should be placed on the Chief Clerk's desk until the proper amendment was received.

Responding to questions regarding A.B. 74, Mr. Hardy said the Public Service Commission should have no jurisdiction in this regard and that the cities and counties should take full responsibility for their actions when they enter the mass transit business.

Chairman Sena thanked Mr. Hardy for providing the committee with the definitions of various kinds of carriers, a copy of which is attached as Exhibit A.

Committee Action:

A.B. 77 - Mr. Polish moved Do Pass. Seconded by Mr. FitzPatrick. Motion carried with Mr. Prengaman and Mr. Stewart voting no. Mrs. Hayes and Mr. Glover not present.

A.B. 252 - Mr. FitzPatrick moved Amend and Do Pass with an amendment to the effect that this bill would become effective upon repeal of the 55 miles per hour speed limit by the Federal Government. Seconded by Mrs. Westall. Motion lost. Polish, Westall, FitzPatrick and Wagner voting yes. Stewart, Sena and Prengaman voting no. Hayes and Glover absent.

A.B. 252, A.B. 220 and A.J.R. 12 to be held in abeyance until subcommittee has its discussions.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Jane Dunne  
Assembly Attache

or property, including a common motor carrier of passengers, a common motor carrier of property, and a taxicab motor carrier.

(Added to NRS by 1971, 687)

✓ **706.041 "Common motor carrier of passengers" defined.** "Common motor carrier of passengers" means any person or operator, including a taxicab motor carrier, who holds himself out to the public as willing to undertake for compensation to transport by vehicle from place to place, either upon fixed route or on-call operations, passengers or passengers and light express for all who may choose to employ him. Nothing in this section shall be construed to permit a taxicab motor carrier to operate on a fixed route basis.

(Added to NRS by 1971, 687)

✓ **706.046 "Common motor carrier of property" defined.** "Common motor carrier of property" means any person or operator, including a motor convoy carrier, who holds himself out to the public as willing to undertake for compensation to transport by motor vehicle from place to place, either upon fixed route or on-call operations, the property of all who may choose to employ him.

(Added to NRS by 1971, 688)

✓ **706.051 "Contract motor carrier" defined.** "Contract motor carrier" means any person or operator engaged in transportation by motor vehicle of passengers or property for compensation under continuing contracts with one person or a limited number of persons:

1. For the furnishing of transportation services through the assignment of motor vehicles for a continuing period of time to the exclusive use of each person served;

2. For the furnishing of transportation services designed to meet the distinct need of each individual customer; and

3. Not operating as a common carrier of passengers or property.

(Added to NRS by 1971, 688)

**706.056 "Converter gear dolly" defined.** "Converter gear dolly" means a vehicle with a fifth wheel lower half or equivalent mechanism, the attachment of which converts a semitrailer to a trailer.

(Added to NRS by 1971, 688)

**706.061 "Department" defined.** "Department" means the department of motor vehicles.

(Added to NRS by 1971, 688)

**706.066 "Driveaway-towaway" defined.** "Driveaway-towaway" transportation means the driving of a motor vehicle in transit, singly under its own power, or in lawful combination by the towbar, saddle-mount or combinations thereof, or where a trailer or semitrailer in transit is being towed or drawn, and in the process of delivery.

(Added to NRS by 1971, 688)

(1973)

24974

**706.096 "Motor vehicle" defined.** "Motor vehicle" means every vehicle which is self-propelled, but not operated on rails, used upon a highway for the purpose of transporting persons or property.

(Added to NRS by 1971, 689)

**706.101 "Operator" defined.** "Operator" means a person, other than a lienholder, having a property interest in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle under a lease or contract for the purpose of transporting persons or property.

(Added to NRS by 1971, 689)

**706.106 "Person" defined.** "Person" means any person, firm, association, partnership, corporation, lessee, trustee, receiver or company engaged in or intending to engage in the operation of any vehicle in any of the carrier services defined in NRS 706.016 to 706.146, inclusive.

(Added to NRS by 1971, 689)

✓ **706.111 "Private motor carrier of property" defined.**

1. "Private motor carrier of property" means any person or operator engaged in the transportation by vehicle of property sold, or to be sold, or used by him in furtherance of any private commercial enterprise.

2. "Private motor carrier of property" shall not be construed as permitting the carriage of any property whatsoever for compensation, direct or indirect.

(Added to NRS by 1971, 689)

**706.116 "Semitrailer" defined.** "Semitrailer" means every vehicle so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(Added to NRS by 1971, 689)

**706.121 "Special mobile equipment" defined.**

1. "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved upon a highway, including but not limited to scoopmobiles, forklifts, ditch-digging apparatus, well-boring apparatus and road construction and maintenance machinery such as asphalt graders, bituminous mixers, bucket loaders, tractors other than truck tractors, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earth-moving equipment.

2. "Special mobile equipment" does not include house trailers, dump trucks, truck-mounted transit mixers, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

(Added to NRS by 1971, 689)

(1973)

24976

60TH NEVADA LEGISLATURE  
ASSEMBLY TRANSPORTATION COMMITTEE  
LEGISLATIVE ACTION

Date March 6, 1979

Subject A.B. 77

MOTION:

Do Pass  Amend  Indefinitely Postpone  Amend & Do Pass

Moved by Mr. Polish Seconded by Mr. FitzPatrick

AMENDMENT:

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>Absent</u> | _____     | _____        | _____     | _____        | _____     |
| Hayes       | <u>Absent</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>5</u>      | <u>2</u>  | _____        | _____     | _____        | _____     |

ORIGINAL MOTION: Passed  Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_

AMENDMENT: Passed \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_

AMENDED & PASSED: Passed \_\_\_\_\_ Defeated \_\_\_\_\_

Attached to Minutes of March 6, 1979

