

The meeting was called to order at 2:45 p.m. in Room 323 in the Legislative Building.

Senator Blakemore in the Chair.

PRESENT: Senator Richard Blakemore, Chairman
Senator Wilbur Faiss, Vice-Chairman
Senator William Hernstadt
Senator Lawrence Jacobsen
Senator Clifford McCorkle
Senator Joe Neal

ABSENT: Senator Keith Ashworth - Excused

OTHERS

PRESENT: Sharon Alcamo, Department of Motor Vehicles
Assemblyman Dean Rhoads, Elko District
Daryl Capurro, Nevada Motor Transport Association

A.B. 317 REQUIRES FULL PERIOD OF SUSPENSION OF DRIVER'S LICENSE BE CARRIED OUT, AFTER REINSTATEMENT PENDING APPEAL, IF SUSPENSION IS AFFIRMED.

Sharon Alcamo, Department of Motor Vehicles, spoke on A.B. 317. She said this bill was introduced by the District Attorney's Association, it is not a department bill. She said the department does not have any objection to it at all. She said that what it does is it goes back to the original suspension period on a driver's license. She did not feel the problem was significant.

Chairman Blakemore closed the hearing on A.B. 317.

A.B. 716 AUTHORIZES RURAL ELECTRIC COOPERATIVES TO INSTALL POWER LINES ALONG PUBLIC ROADS.

Assemblyman Dean Rhoads, Elko District, spoke on A.B. 716. He said this permits the use of existing road rights of way by non-profit electric cooperatives. There are several rural electric cooperatives in the state that maintain electric distribution and telephone lines. This only applies within the certificated area and must not interfere with the use of the roads and highways. He said this is not new; this permission had been previously granted to rural utilities by legislative act. The use of these rights of way is not a burden to the state, counties or cities, but it greatly reduces the right of way acquisition cost and maintenance cost. This cost savings is passed directly to the consumer. He said this is environmentally sound as well. Mr. Rhoads stated the Department of Highways testified in the Assembly and amended the bill. Since it will not interfere with any policy of theirs, they have no objection to the bill.

Senator Hernstadt asked if the definition of a public highway includes interstate highways and if it does, and the bill were passed,

would the feds get upset if the rights of way were within the boundaries of an interstate highway. Mr. Rhoads said he did not know, but the Department of Highways came in and testified and he assumed they referred to one NRS in the bill which would take care of that particular question.

Senator Hernstadt suggested that before this bill is processed, Mr. Daykin should be consulted regarding this bill and S.B. 47 which deals with minor county roads and how this bill would affect it and also if this would affect interstate highways.

Chairman Blakemore closed the hearing on A.B. 716.

COMMITTEE ACTION:

S.B. 560 PROHIBITS USE OF MOTOR VEHICLE FILES AND RECORDS FOR COMMERCIAL SOLICITATION. (Previous testimony in Minutes of 5/8/79.)

Senator Jacobsen moved that S.B. 560 be recommended: "Do Pass."

Seconded by Senator Faiss.

Motion carried unanimously.

S.B. 570 PROVIDES MANNER IN WHICH GENERAL OBLIGATION BONDS AND REVENUE BONDS FOR MUNICIPAL AIRPORTS MAY BE SOLD. (Previous testimony in Minutes of 5/10/79.)

Senator Hernstadt moved that S.B. 570 be recommended: "Do Pass."

Seconded by Senator Neal.

Motion carried unanimously.

A.B. 103 Chairman Blakemore requested the committee to study the bill and the amendments since there would be further consideration May 17, 1979. (Previous testimony in Minutes of 5/8/79.)

A.B. 75 PROVIDES CIRCUMSTANCES UNDER WHICH OPERATORS OF MOTOR CARRIERS MUST SUBMIT REPORTS TO COMMISSION. (Previous testimony in Minutes of 4/12/79.)

Chairman Blakemore explained that this bill had been inadvertently indefinitely postponed after having been amended and passed.

Senator Hernstadt rescinded the action by which A.B. 75 was indefinitely postponed.

Seconded by Senator Faiss.

Motion carried unanimously.

Senator Neal moved that A.B. 75 be amended and recommended "Do Pass."

Seconded by Senator McCorkle.

Motion carried unanimously.

A.B. 67

EXEMPTS EQUIPMENT OF CONTRACTORS USED ON HIGHWAYS UNDER CONSTRUCTION OR RECONSTRUCTION. (Previous testimony in Minutes of 5/10/79.)

Senator Faiss moved that A.B. 67 be recommended: "Do Pass."

Seconded by Senator Jacobsen.

Motion carried unanimously.

A.B. 70

PROVIDES AUTHORITY FOR ESTABLISHMENT AND OPERATION OF REGIONAL SYSTEMS OF TRANSPORTATION. (Previous testimony in Minutes of 5/10/79.)

Senator Neal moved that A.B. 70 be amended and recommended "Do Pass."

Seconded by Senator Hernstadt.

Senator McCorkle asked for discussion. Senator Blakemore said there was a conflict that had to be resolved on A.B. 70.

Daryl Capurro, Nevada Motor Transport Association, said that was a technical conflict but there was another conflict that was the difference between the language in A.B. 70 and A.B. 74. He said the rationale in the meeting of May 10, 1979 was to take the language out of A.B. 74 and put it into A.B. 70.

Senator Neal moved that the subsidy language be removed from A.B. 74 and placed in A.B. 70 with an amendment and recommended: "Do Pass."

Seconded by Senator Hernstadt.

Motion carried unanimously.

A.B. 74

EXEMPTS COUNTY OPERATING AS COMMON MOTOR CARRIER FROM REQUIREMENT OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

Senator Hernstadt moved that A.B. 74 be indefinitely postponed.

Seconded by Senator Faiss.

Motion carried unanimously.

A.B. 108 Chairman Blakemore said this bill would be reconsidered May 17, 1979. (Previous testimony in Minutes of 5/10/79.)

A.B. 476 MAKES VARIOUS CHANGES IN LAW CONCERNING MOTOR VEHICLE CARRIERS.

Senator Faiss moved that A.B. 476 be recommended: "Do Pass."

Senator Neal requested discussion on A.B. 476.

Daryl Capurro said this bill doesn't extend any exemptions, it deletes a couple of them. For instance, it deletes the \$25.00 plate and it includes some administrative clean-up because the 28 months is also the same amount of time that the department is required to maintain its fuel tax records.

Senator Jacobsen asked for an explanation on the plate requirement since he was excused from the meeting in which A.B. 476 had been heard.

Mr. Capurro said that particular section deals with one plate that is allowed for one vehicle under 10,000 pounds for \$25.00 where the normal fee would be \$126. He said that most of them are for out-of-state fleets which create a problem in administration for D.M.V. He said that many times there are various divisions within one company that are all trying to get that one \$25.00 plate. He said some of them have gone to the extreme of setting up several different companies within a holding company so they can all get a \$25.00 plate.

Chairman Blakemore asked for a second to the motion.

Seconded by Senator Hernstadt.

Aye - 3

No - 3

Senators Blakemore, Neal and McCorkle voted no.

A.B. 476 to be held and voted on with a full committee on May 15.

A.B. 591 REQUIRES USE OF SAFETY CHAINS BETWEEN CERTAIN TRAILERS AND VEHICLES TOWING THEM.

Senator McCorkle moved that A.B. 591 be recommended: "Do Pass."

Seconded by Senator Hernstadt.

Motion carried unanimously.

A.B. 679 CREATING CLASSIFICATION OF MOTOR VEHICLE WITH THREE WHEELS, TWO OF WHICH ARE POWER DRIVEN.

Senator Faiss moved that A.B. 679 be recommended: "Do Pass."

Seconded by Senator Neal.

Senator McCorkle moved to amend A.B. 679 by eliminating the necessity to wear glasses, goggles or face masks.

Seconded by Senator Jacobsen.

Senator Neal asked to discuss the amendment. He said that tri-mobiles have no windshield and if something should get in the driver's eye, it could be difficult to stay in control of the vehicles.

The motion lost.

Senators Hernstadt, Neal, Faiss and Blakemore voted no.

Chairman Blakemore asked for a vote on the original motion.

Motion carried unanimously.

A.B. 771 LIMITS USE OF STUDDED TIRES TO CONFORM TO LAWS OF ADJACENT STATES. (Previous testimony in Minutes of 5/10/79.)

Senator McCorkle moved that A.B. 771 be recommended: "Do Pass."

Seconded by Senator Faiss.

Motion carried unanimously.

A.C.R. 45 REQUESTS DEPARTMENT OF HIGHWAYS TO PROMPTLY SELECT ROUTE FOR CERTAIN FREEWAY IN WASHOE COUNTY. (Previous testimony in Minutes of 5/10/79.)

Senator McCorkle moved that A.C.R. 45 be recommended: "Do Pass."

Seconded by Senator Jacobsen.

Motion carried unanimously.

S.B. 555 REPEALS CERTAIN PROVISIONS RELATING TO WARRANTS ISSUED FOR VIOLATION OF WRITTEN PROMISE TO APPEAR IN COURT. (Previous testimony in Minutes of 5/8/79.)

Senator Blakemore told Mrs. Alcamo that this bill may have to be

re-referred to Judiciary so they can look at the repealer in the bill. He said it repeals the whole section pertaining to bail which may cause some problems.

Mrs. Alcamo said that subsection 3 of 848.807 was an administrative error in bill drafting. She said that Section 2 pertains to the failure to appear program only.

Senator Blakemore said what he was talking about was regarding 483.515 being repealed. Mrs. Alcamo said that is the failure to appear program and they do want to repeal it entirely. She said it was not their intent to stop the judges from issuing warrants, hence the brackets should be deleted from subsection 3. She said that a warrant would be issued for failure to appear after 30 days.

The bill was held for discussion with legal counsel.

A.B. 317 Senator Neal moved that A.B. 317 be indefinitely postponed.

Seconded by Senator Hernstadt.

Senator Hernstadt felt this bill was not printed in the form that would do the job and it could not be processed in its present form.

Senator McCorkle asked Mrs. Alcamo if she could offer some amendments that would clean up this bill. She replied that it would be very difficult to plug in some kind of system with the point system if someone appeals it because they go by conviction date.

Senator Blakemore called the question.

Motion carried unanimously.

There being no further business, the meeting was adjourned at 3:53 p.m.

Respectfully submitted,


Jane A. King, Secretary

APPROVED:

Richard E. Blakemore, Chairman

S. B. 560

SENATE BILL NO. 560—COMMITTEE ON TRANSPORTATION

MAY 4, 1979

Referred to Committee on Transportation

SUMMARY—Prohibits use of motor vehicle files and records for commercial solicitation. (BDR 43-2050)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.



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

AN ACT relating to the administration of motor vehicle laws; prohibiting the use of the files and records of the department of motor vehicles for commercial solicitation; 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 481.063 is hereby amended to read as follows:
2 481.063 1. The director [is authorized to] *may* charge and collect
3 reasonable fees from persons making use of files and records of the
4 department or its various divisions for [any] *a* private purpose.
5 2. All [moneys] *money* so collected [shall] *must* be deposited
6 [with the state treasurer to the credit of] *in the state treasury for credit*
7 *to the motor vehicle fund.*
8 3. *Information taken from the files and records of the department*
9 *must not be used in the solicitation of persons for the purpose of selling*
10 *or attempting to sell any product or service.*

SENATE BILL NO. 570—COMMITTEE ON
GOVERNMENT AFFAIRS

MAY 7, 1979

Referred to Committee on Transportation

SUMMARY—Provides manner in which general obligation bonds and revenue bonds for municipal airports may be sold. (BDR 44-1825)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.



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

AN ACT relating to municipal airports; providing the manner in which general obligation bonds and revenue bonds may be sold; 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 496.155 is hereby amended to read as follows:
2 496.155 1. Subject to the provisions of NRS 496.150 [,] and sub-
3 sections 2 and 3 of this section, for any undertaking [therein] authorized
4 in NRS 496.150, the governing body of a municipality, as [the governing
5 body] it may determine from time to time, may, on the behalf and in the
6 name of the municipality, borrow money, otherwise become obligated,
7 and evidence [such] the obligations by the issuance of bonds and other
8 municipal securities, and in connection with [such] the undertaking or
9 the municipal airport, including without limitation air navigation facilities
10 and other facilities appertaining to the airport, the governing body
11 may otherwise proceed, all as provided in the Local Government Securities
12 Law, as from time to time amended.
13 2. *General obligation bonds, whether or not their payment is addi-*
14 *tionally secured by a pledge of net revenues, must be sold as provided in*
15 *the Local Government Securities Law.*
16 3. *Revenue bonds may be sold at a public sale as provided in the*
17 *Local Government Securities Law or at a private sale.*
18 SEC. 2. This act shall become effective upon passage and approval.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 67

ASSEMBLY BILL NO. 67—ASSEMBLYMEN HAYES,
GLOVER, JEFFREY, BARENGO AND HORN

JANUARY 16, 1979

Referred to Committee on Transportation

SUMMARY—Exempts equipment of contractors used on highways
under construction or reconstruction. (BDR 58-18)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to transportation; exempting equipment of contractors used in
constructing or reconstructing a highway; conferring powers of investigation
and subpoena on the public service commission and the department of motor
vehicles, and providing for enforcement of those subpoenas; 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 706.081 is hereby amended to read as follows:
2 706.081 [1.] "Highway" means every street, road or thoroughfare
3 of any kind used by the public.
4 [2. "Highway" does not include:
5 (a) That portion of a highway under construction or reconstruction.
6 (b) Any highway constructed by private individuals for the use of
7 a private enterprise, although such highway may be used occasionally
8 by persons other than the individuals constructing such highway or who
9 use such highway in furtherance of a private enterprise if no public
10 funds whatsoever are currently used in the maintenance of such
11 highway.]
12 SEC. 2. NRS 706.736 is hereby amended to read as follows:
13 706.736 Except [as provided in] *the provisions of subsection 4 of*
14 *NRS 706.171, of NRS 706.281, and of sections 4 and 5 of this act, none*
15 *of the provisions of NRS 706.011 to 706.791, inclusive, apply to:*
16 1. Any vehicle operated wholly within the corporate limits of a
17 city, except vehicles operated as common or contract motor carriers,
18 to which all such provisions except NRS 706.491 to 706.536, inclusive,
19 shall apply, but if the corporate limits of any such city are extended

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

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 591

ASSEMBLY BILL NO. 591—ASSEMBLYMEN FITZPATRICK,
WEBB, BENNETT, MAY AND MELLO

MARCH 21, 1979

Referred to Committee on Transportation

SUMMARY—Requires use of safety chains between certain trailers and vehicles
towing them. (BDR 43-1565)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to traffic laws; requiring the department of motor vehicles to
adopt regulations governing loading and securement of loads on vehicles and
combinations of vehicles; 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 484.773 is hereby amended to read as follows:
- 2 484.773 The department of motor vehicles [may make and publish]
- 3 *shall adopt* reasonable [rules and] regulations providing for:
- 4 1. Minimum binder requirements to secure loads on vehicles against
- 5 dangerous displacement and governing the loading and securement of
- 6 loads for transportation over public highways by vehicles.
- 7 2. Safety chains and cables for combinations of vehicles.

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(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 679

ASSEMBLY BILL NO. 679—COMMITTEE
ON TRANSPORTATION

APRIL 2, 1979

Referred to Committee on Transportation

SUMMARY—Creating classification of motor vehicle with three wheels,
two of which are power driven. (BDR 43-1879)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to motor vehicles; creating a classification of vehicle with three wheels, two of which are power driven; 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 the provisions set forth as sections 2 and 3 of this act.
3 SEC. 2. "Trimobile" means every motor vehicle designed to travel
4 with three wheels in contact with the ground, two of which are power
5 driven.
6 SEC. 3. *The department may identify trimobiles as such on certificates*
7 *of ownership and registration.*
8 SEC. 4. NRS 482.010 is hereby amended to read as follows:
9 482.010 [When] *As used in this chapter [.] unless the context*
10 *otherwise requires, the words and terms defined in NRS 482.011 to 482.-*
11 *135, inclusive, [shall for the purposes of this chapter,] and section 2 of*
12 *this act, have the meanings ascribed to them in [such] those sections. [,*
13 *except in those instances where the context clearly indicates a different*
14 *meaning.]*
15 SEC. 5. NRS 484.593 is hereby amended to read as follows:
16 484.593 1. Every motor vehicle, trailer, semitrailer, house trailer and
17 pole trailer, and any combination of [such] *those* vehicles operating upon
18 a highway [shall] *must* be equipped with brakes in compliance with the
19 requirements of this chapter.
20 2. Every such vehicle and combination of vehicles, except:
21 (a) Special mobile equipment towed by a motor vehicle at a speed of
22 20 miles per hour or less;

A. B. 771

ASSEMBLY BILL NO. 771—ASSEMBLYMEN MELLO,
DINI, SENA AND GLOVER

APRIL 18, 1979

Referred to Committee on Transportation

SUMMARY—Limits use of studded tires to conform to laws of adjacent
states. (BDR 43-1869)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.



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

AN ACT relating the motor vehicles; limiting the use of studded tires to conform
to laws of states adjacent to Nevada; 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 484.6425 is hereby amended to read as follows:
2 484.6425 1. Except as provided in subsection 2, a person shall not
3 operate any motor vehicle equipped with tires which have on the
4 periphery any block, flange, cleat, ridge, bead or any other protuberance
5 of metal or wood which projects beyond the thread of the traction surface
6 of the tire.
7 2. This section does not prohibit:
8 (a) Tire chains.
9 (b) Pneumatic tires which have embedded therein wire not exceeding
10 0.075 inch in diameter and which are so constructed that under no
11 conditions will the percentage of metal in contact with the roadway
12 exceed 5 percent of the total tire area in contact with the roadway, except
13 that during the first 1,000 miles of use, the metal in contact with the
14 roadway may exceed 5 percent of the tire area in contact with the road-
15 way but [shall in no event] *must not* exceed 20 percent of [such] *that*
16 area.
17 (c) Pneumatic tires containing metal-type studs of tungsten carbide
18 or other suitable material which are so inserted or constructed that
19 under no conditions will the percentage of metal in contact with the
20 roadway exceed 3 percent of the total tire area in contact with the road-
21 way, but such tires may only be used between [September] *October 1*
22 and April 30.

A. C. R. 45

ASSEMBLY CONCURRENT RESOLUTION NO. 45—ASSEMBLY—
MEN WEISE, RUSK, WAGNER, WEBB, COULTER, MELLO,
WESTALL, PRENGAMAN, BEDROSIAN AND BARENGO

MAY 3, 1979

Read and adopted

SUMMARY—Requests department of highways to promptly select route for certain
freeway in Washoe County. (BDR 2023)

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

ASSEMBLY CONCURRENT RESOLUTION—Requesting the department of
highways to promptly select route for a certain freeway in Washoe County,
Nevada.

- 1 WHEREAS, Washoe County and the surrounding area has been under-
2 going a dramatic and dynamic period of economic growth; and
3 WHEREAS, Economic growth and the attendant growth in population
4 is expected to continue; and
5 WHEREAS, It is extremely difficult for the planning agencies and the
6 board of county commissioners of Washoe County to adequately plan
7 for growth without well-defined plans; and
8 WHEREAS, The department of highways is involved in the planning for
9 the construction of a freeway from the Winters Ranch in Washoe Valley
10 to South Virginia Street in the City of Reno; and
11 WHEREAS, It is necessary to identify transportation corridors for local
12 planning agencies and other governmental entities to adequately plan for
13 the controlled growth of Washoe County; and
14 WHEREAS, It is not readily apparent that any major step has been taken
15 toward the selection of a final alignment for that transportation corridor;
16 now, therefore, be it
17 *Resolved by the Assembly of the State of Nevada, the Senate concur-*
18 *ring,* That the department of highways is requested to promptly take the
19 necessary actions to develop and finalize the alignment of the transporta-
20 tion corridors between South Virginia Street in the City of Reno and the
21 Winters Ranch in Washoe Valley by creating a current regional trans-
22 portation plan and environmental impact reports and statements con-
23 cerning the corridors; and be it further
24 *Resolved,* That the department of highways is requested to investigate
25 all sources of funding for the freeway project including general obligation
26 bonds of the state, special appropriations from the state, federal aid and
27 other sources of funding which may be available to the department of
28 highways for the construction of the project.