

MEMBERS PRESENT: Chairman Price  
Vice Chairman Polish  
Mr. Beyer  
Mr. DuBois  
Mr. Glover  
Mr. Prengaman  
Mr. Schofield  
Mrs. Westall

MEMBERS ABSENT: Mr. Mello, Excused

The meeting was called to order at 5:00 p.m. Mr. Price was in the Chair.

AB 42 Changes certain laws regulating traffic.

Peter J. Zadra, Major Operations Bureau, Highway Patrol Division, DMV, testified on this measure. He reviewed the following sections with the committee:

SECTION 3 pertains to drivers entering controlled access highways. As presently written, this would prohibit access if there were any vehicles on the highway at the time. Mr. Zadra felt this was too restrictive and suggested amending Line 14 to read "yield the right-of-way to all vehicles on the highway that would create an immediate hazard."

SECTION 4 deals with the definition of snow tires and chains. A number of years ago the federal government came up with a regulation that all snow and mud (S/M) tires would be so marked. The problem now is that tire manufacturers have come out with what they call an "all weather tire." This tire is sold to the public as a snow tire when in fact, it has very little effect on snow. Mr. Zadra stated that they had gone to other states and tire manufacturers and came up with this definition of snow tires.

Mr. DuBois felt that most people are ignorant of the type of tire they buy. If they buy tires in the belief they are snow tires, this could cause problems.

Chairman Price concurred and requested further research on snow tires; including federal, state and manufacturer's requirements.

SECTION 5, Page 3, Lines 32-34 are the result of recommendations from the State Traffic Control Committee, which is a committee of traffic engineers from cities and counties in the Department of Transportation. Mr. Zadra stated that this addresses a real problem in Clark County.

SECTION 6, Page 4, Lines 14-17 are also a recommendation from the same committee. This pertains to the T-intersection, where you have a relatively minor street deadending on a through arterial.

SECTION 7, Page 4, Lines 27-35 relates to drag racing. This includes a provision wherein a speed contest resulting in a personal injury or death would be prosecuted as a felony.

SECTION 8, Page 4, Line 48 is a housekeeping measure. The Highway Patrol regulates wreckers. Certain items are required on wreckers and one of them is a fire extinguisher. This would require that all fire extinguishers be at least 5 pounds in capacity. Mr. Zadra stated that anything less is ineffective.

SECTION 9, Page 5, Lines 15-25 deals with the responsibility of owners, primarily of commercial vehicles, being held responsible for the mechanical condition of their vehicles. Mr. Zadra stated that if a truck is stopped for a mechanical violation, the driver of that truck receives the citation even though he may have no control over the mechanical condition of the vehicle. He further stated that there have been a number of instances where the driver has brought the condition of the vehicle to the attention of the owner and has been told "If you want the job, drive the truck."

Mr. Glover asked how this would affect car rental agencies. He did not believe it would be feasible to send the citation to the national headquarters of the corporation.

Mr. Zarda responded that it would be sent to the local agency from which the car was rented. Even though it is a national organization, the agencies are broken down by localities.

Mr. Beyer questioned why this completely excluded the driver. He felt there were situations where the driver of the car could also be responsible for its condition. He suggested amending Line 20 to read "driver or owner."

Mr. Price disagreed. It was his opinion that situation should be handled internally by the company. If an individual was assigned a vehicle and the corporation was cited because of his failure to maintain it in satisfactory condition, it should be a matter between the individual and his employer.

Garhard H. Wolff, Law Enforcement, Highway Patrol Division, DMV, suggested amending it to "those responsible." He stated that when he was with the California Highway Patrol, they cited the dispatcher as he was responsible for assigning the vehicles. He further felt that discretion should be used by the officer involved.

No action was taken on AB 42 at this time.

AB 73     Makes organizational structure of  
department of motor vehicles dis-  
cretionary with director.

S. Barton Jacka, Director, DMV, testified in support of this measure. He distributed for the Committee's review, a chart registering the present make-up of the department. Attached as Exhibit I.

Mr. Jacka stated that the purpose of this measure was to allow for more flexibility in the organization of the DMV; to modernize it, make it more efficient, economical and more responsive to the needs of the public.

Mr. Glover asked what changes were going to be made and when.

Mr. Jacka responded it would be done only when vacancies occur through retirement or transfers or when it was his determination that certain areas could be consolidated. As an example only, he stated it may be possible to consolidate the administrative service division and the automation division into one distinct unit. Or further to transfer some enforcement responsibility out of the motor carrier division to the highway patrol and then transfer the balance of the motor carrier responsibilities, which are on a tax collecting basis, to the administrative services division, thereby cutting down on administrative overhead in the form of division level personnel assigned to those functions. Mr. Jacka wished to emphasize that these were examples only and in no way indicated what was going to be done.

Chairman Price asked if certain divisions would be required to be maintained.

Mr. Jacka replied there were; the highway patrol, vehicle registration; driver's licenses, etc. It would be the staff or service units that could be consolidated.

Mrs. Westall expressed concern that an employee's position could be simply phased out by the whim of the director.

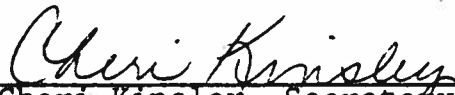
Mr. Jacka stated that would be precluded by personnel rules presently in existence.

Bob Gagnier, Executive Director, State of Nevada Employees Assoc., shared Mrs. Westall's concern. He felt some safeguards should be written into the measure for the protection of the employee and volunteered to draft such an amendment for the committee's review.

Action on this measure was withheld, pending review of an amendment to be drafted by Mr. Gagnier.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
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Cheri Kinsley, Secretary  
Assembly Transportation Committee



ASSEMBLY

AGENDA FOR COMMITTEE ON TRANSPORTATION  
Tuesday  
Date February 10, 1981 Time 5:00 p.m. Room 214

Bills or Resolutions to be considered	Subject	Counsel requested*
AB 42	Changes certain laws regulating traffic.	
AB 73	Makes organizational structure of department of motor vehicles discretionary with director.	

\*Please do not ask for counsel unless necessary.

DEPARTMENT OF MOTOR VEHICLES  
DIRECTOR'S OFFICE

