Minutes of the Nevada State Legislature

Assembly Committee on Transportation.

Date: April 6, 1981 Page: 1

MEMBERS PRESENT: Chairman Price

Vice Chairman Polish

Mr. Beyer
Mr. DuBois
Mr. Mello
Mr. Schofield
Mrs. Westall

MEMBERS ABSENT: Mr. Glover

Mr. Prengaman

GUESTS PRESENT: Dick Garrod, Farmers Insurance Group

Sharon Alcamo, Drivers License Division, DMV A. J. Horner, Federal Highway Administration

Daryl Cappuro, Director for Nevada Motor Transport Asso.

Al Stone, Department of Transportation

John Madole, Associated General Contractors

(see <u>attached</u> guest list)

Chairman Price called the meeting to order at 5:00 p.m. noting Mr. Glover would arrive late due to another commitment.

S.B. 53 Increases allowable limits on size of vehicles.

Mr. Daryl Cappuro, Managing Director for Nevada Motor Transport Association, distributed a booklet to the committee, attached as EXHIBIT I. He explained that the bill appears to be a little confusing, however, the language on pages 1, 2 and 3, down to line 39, is exactly as in the law today. Mr. Daykin removed it from one section of the law with the intention of recodifying it in another section of the law.

He continued that the only change in the law is in Section 7, on page 3, line 33, which is the entire 'meat' of the bill. This is the only new language except for minor changes such as changing "are" to "must," which is being done in all new legislation.

Mr. Cappuro further explained that the 1975 Highway Act allowed buses to go to 102" in width. This was a change from the federal 96" width limit. The brochure identified above was produced by Greyhound Company and contains the reasons for the wider widths. There are only six states that do not allow the wider buses on a permanent basis and Nevada is among one of the last states to allow the new wider buses.

He pointed out that Greyhound is developing a new bus that does not seat more people, but seats are Wider, tires are wider which increases the braking ability, and the suspension was improved for better stability on the road. Mr. Cappuro added that the Department of Transportation did not oppose this bill when it was heard in the Senate.

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Mr. Beyer asked what percentage of the large bus fleets such as Greyhound and Trailways are 102" wide buses and Mr. Cappuro responded that he did not have those figures, but since Nevada is a 'bridge' state, it does affect the operation of these companies across the states. They are using the new wider buses for charters where they can control the routes, but cannot do this to pass through Nevada for their regular routes.

In response to a question from Mr. DuBois regarding the seating being located higher in the wider buses, above the impact point, Mr. Cappuro said the buses will be a little higher due to the floor and suspension construction which will make it safer for the passengers.

Mr. Al Stone, Department of Transportation, responded to a question from Mr. Beyer about the impact on the road by increasing the tire contact by 46%. Mr. Stone said it would spread the pounds per square inch over a bigger surface so it would have less impact on the road surface and therefore, less deterioration of the road.

Mr. Polish then moved DO PASS on <u>SB 53</u>, seconded by Mr. Mello and carried unanimously.

SB 54 Provides alternative weight limits for certain vehicles.

Mr. Cappuro explained the history of the size and weight law for certain vehicles in Nevada using the three pages of figures attached as EXHIBIT II.

Up to 1975 the table shown on page one extending over to the top of page three was the weight limit authorized in the State of Nevada. We allowed 18,000 lbs single axle, 32,000 lbs tandem and a top weight of 76,800 lbs. In 1975 we processed legislation which had been allowed the states, under the Federal Highway Act, and adopted what has been known as Formula B with 20,000 lbs single axles, 34,000 tandem axles and top weight of 80,000 lbs. The unfortunate part about that showed up over the last couple of years. Formula B, in effect, gives a better brake to the longer combination vehicle and actually cut off some weight allowed for the short-coupled-end-dumps; those are the tractor, semi-trailer end-dumps. It also affects some of the local delivery of beer trucks that you see with a small tractor with a two-axle tractor with a semitrailer for a beer distribution van. It may affect certain other vehicles but it is rather narrow in scope. As shown on the hand-out, the normal combinations that you see on the road today are the ones that are circled where you have an overall length of either 38', 41', 43', or 45' with the inter-axle tandem length; that is from the back of the rear tandem to the front of the first tandem of 25' or 27'. That is a normal combination for a sand-gravel truck. Under Formula B, if you have a 41' vehicle, overall length, that has this 25' inter-axle tandem configuration, the cutback from the original law that was in effect prior to 1975 to those weights allowed under Formula B was 3500 lbs; in other words that

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vehicle lost a payload of 3500 lbs. In effect, it did not lose it because those vehicles are still operating basically at the same weight limitations, and have been up until about November of this year when the Federal Highway Administration adopted their weight certification regulations. These are the procedures that the state must go through to certify that it is, in fact, weighing vehicles and complying with the federal regulations and law along that line. affects of course our federal highway funding. Unfortunately, the weights on these vehicles do not fall within that Formula B. California, when they passed what is basically the same laws that we have, 20-34 and Formula B and 80,000 lbs, they made a special provision in their law and put a sunset on it. That sunset was twice expanded, the last one expired as of January 1 of this year. Last year, in its place, the California legislature, with the blessing of the administration of Federal DOT and the State Trucking Association, passed a permanent solution to that problem by adopting what is basically the very same language that you have in SB 54. They did not repeat the sunset provision but as you will note on page 5, section 7, the option to use what amounts to the old table, expires by limitation without any further action of the legislature on July 1, 1986. The reasoning for that is to allow for the kind of equipment that is in general use on the road owned by private enterprise as well as some governmental agencies. This will eventually wash that equipment out of the system and take advantage of the new type of equipment that is becoming available. SB 54 will allow the use of the older equipment until July 1, 1986, and at that point by operation of law we would revert to Formula B. You are losing 3500 lbs. and the maximum you could lose would be 4580 lbs. But bearing in mind that you are dealing basically with construction companies and some motor carriers, maybe on long term contract, and by reducing their payload in effect you are increasing their costs and increasing the number of trips that will have to be made to accomplish the same purpose. The Senate passed this bill, it was not opposed in its amended form by the State Department of Transportation.

Mr. Mello asked if we presently had in the law that these trucks cannot exceed 105' and was advised by Mr. Cappuro the state limit is 70' and then from 70 to 105' by special permit. The overall length only goes up to 56' or over and the maximum at 76.8', at that point Formula B overtakes the old formula and its kind of a moot question then. It will do nothing for length and basically reinserts what was in the law prior to 1975.

Mr. Cappuro said he would like to make one additional point, there are four other states that have allowed this particular exemption in the west. Washington, Idaho, California, and Arizona do have similar type of provision, maybe written differently but it is basically the

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same provision in their act allowing the use of this type of equipment for varying periods of time.

Mr. Mello then asked if other states are using Formula B and was advised by Mr. Cappuro that all of the western states have adopted Formula B but there are variations. For instance, Utah has a higher axle limitation than Nevada has which takes care of some of the coal haulers over there but as to having a specific allowance in its law allowing the use of this equipment, the four states mentioned are basically it. You may see more in the future because the regulations from the Federal Highway Administration came out effective November of 1980 and many of these states have not moved to allow this type of equipment to be used. Or, in effect, reinstated their original weights.

Mrs. Westall asked if the purpose of this legislation was to allow for a different type of equipment. Mr. Cappuro responded no, the type of equipment that is currently on the road right now, such as the end-dump is and has been on the road for quite some time. order to comply with Formula B, the weight formula that you passed in 1975, you are now seeing these bob-tailed dump trucks with the long tongue and a short trailer and either a tandem axle or two single axles behind it. That is a new kind of equipment and the reason for it is, it spreads it out long enough with that long tongue, to allow them to get a maximum capacity on those individual or tandem axles on trailers. That is fine for over-the-road application but you run into problems with that particular configuration when you are working in a pit area or certain other places where maneuverability is a prob-There would be no different equipment under this bill than is currently on the road. Mr. John Madole, who represents the Associated General Contractors, reported that they support the bill as it is now written.

Mr. Schofield asked if they support it with the amendment from the Senate. Mr. Madole answered that they do. Ideally they would like to not have the sunset provision in there, but they support it to give these people a chance to use their equipment. Some contractors have purchased these trucks and trailer as recently as the last twelve months and it would really leave them in a tough spot.

In reply to a question from Mr. Mello, he stated they would continue to support it with the Sunset provision even though they will stay with their position of rather not having it.

Testifying next was Mr. Al Stone, Department of Transportation who stated his agency supports the amendment for the 5-year sunset clause. The bill is the only thing they have to protect the highway from weight in this state and this is of course an exception to Formula B. He added that Formula B has been if effect since 1976, therefore, the five year Sunset clause will give eleven years to phase out

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his equipment. It is very important that we keep the Sunset clause in because it would be the only way we have to protect ourselves from overweight vehicles. He pointed out that California had a grandfather clause that allowed their bill to apply to the interstate system; Nevada does not. This bill will not apply to the interstate system - we will still be on Formula B as far as the interstate system is concerned which is taken care of in Section 3, page 3.

This concluded the testimony on this measure and a motion was then introduced by Mr. Schofield, seconded by Mr. Polish for a "DO PASS". There were five members voting "aye", with Mr. Mello and Mrs. Westall not voting. Mr. Mello advised, for the record, that he may change his vote on the floor and vote either in support or in opposition of the bill.

S.J.R. 24 - Memorializes Congress to permit state to set speed limits on highways.

Mr. Price advised the committee members that Senator Hernstadt could not attend this meeting but he had discussed this with him and was advised that he has talked to a representative from the Reagan administration and did not find any problems with it. He reminded the members that this was one of the issues on the campaign paltform. There was no one present to testify on the measure and Mr. Polish moved a "DO PASS", seconded by Mr. Mello and carried unanimously.

S.B. 196 - Excludes certain convictions for speeding from system of demerit points and revises certain related penalties.

A motion was introduced for a "DO PASS" by Mr. Polish, seconded by Mr. Mello and the following testimony was taken prior to voting on the motion.

Speaking in opposition to the measure was Mr. Richard Garrod, representing Farmers Insurance Group. Their group does not like to see any law that extends the vulnerability of people to go out and kill themselves. This bill says that it is a violation of the law to waste fuel, and that is the only reason for the passage of the bill. You will be fined \$5.00 if you exceed the speed limit which is giving the people in Nevada a license to go out and kill themselves. Every report he has seen shows that speed kills. Statistics show that if a person travels one hour at 65 MPH he only saves eleven minutes and maybe that eleven minutes saved puts him in the hospital. The insurance groups overall do not support any law that increases speed on the highways.

Mr. Mello pointed out that what Mr. Garrod was claiming was that it allows the individual to burn more energy and kill themselves, but

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what he is not saying is that when a person gets a speeding ticket, his insurance premium goes up immediately. What does the insurance carrier have to say about that practice? Mr. Garrod pointed out that under the new policies of the insurance commissioner, they passed P.C. 21 that disallows that. Mr. Mello stated that might be the case, but under a regulation that can be changed tomorrow - if this is put in the law, it can only be changed by the legislature and becomes a more permanent protection.

In response to questions on whether there have been any statistics either statewide or nationwide as to the increase in accidents either before the 55 mph limit or after, Mr. Garrod stated that he did not know of any.

Testifying next in support of the bill was Senator Keith Ashworth who stated he got the idea for this bill from a visit to Montana when the driver of his car was speeding and was fined \$5.00 for wanton waste of energy and there were no points directed to the driver of the vehicle. After further consideration and investigation on this prac-. tice, he has found that Montana has not been denied any federal funds even though they have been doing this for some time. This bill approaches the two things that he feels the people in Nevada are more concerned about and that is traveling the broad distances in the length of the state at 55 mph. That is a ridiculous speed and no one does it. Additionally, the bad part of it is that the insurance carriers want to have information on people that are exceeding the speed limits and that information can then be used by them. He submits, however, that this bill does not change the speed limit but if someone is traveling between 55 and 70 mph that prohibits the points going on your record and it puts the fine at \$5.00. Now if the arresting officer arrests you for some other reason - drunk driving or if you are going over 70 mph then the law that is on the books now prevails and he can cite you for whatever has occured. But if it is a simple traveling of 65 or 70 mph then this bill puts the fine at \$5.00 and no points on the record.

In response to a question by Mr. DuBois on how long Montana has been doing this, Senator Ashworth replied two years and yet they have never lost any revenue from the federal government because of it. Senator Ashworth stated he feels the insurance industry has made an undue edge on the drivers in Nevada and especially the younger people by taking the insurance premiums up as a result of this 55 mph speed limit.

Taking a middle of the road position was Ms. Sharon Alcamo, Driver's License Division who stated that the demerit system is administered out of the driver's license division. In terms of any fiscal impact if this bill is enacted, it would be very minimal; they would have to make some minor programming changes, some minor procedural changes etc. Her only concern is that it would be mandatory that law enforcement officers indicate the exact speed; 10 to 20% of the time they simply list "excessive speed" or "speed in excessive of 55 mph" so they would have to be specific. That would be the only problems that she can see if it were enacted.



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Mr. DuBois asked how the fine is paid in Montana and was advised by several persons present that they understand the person simply pays the officer right there on the road.

Mr. Beyer asked if there would be any fiscal impact on the small counties as far as reduction in revenues and was advised that this would not affect them.

Testifying next was Mr. A. J. Horner, Division Administrator with the Federal Highway Administration of Nevada, who stated he has reviewed the bill and testified before the Senate Transportation Com-In his opinion, the elimination of the demerits and reducing the fine to \$5.00 will remove a deterrant to the violations of the national speed limit that are needed. That law requires that each state maintain a specific percent of compliance with the speed limit. Last year it was 60% of the people who drove had to comply with the 55 mph; it is a declining rate and is specified in the law. year it will drop to 50%, that is, no more than 50% of the people can exceed the 55 mph speed limit. Next year it will drop to 40% then 30% and that is where it stays; that is the lowest level in the If a state does not meet the percent of compliance specified by law then the representative of the Federal Highway Administration has to impose a 5% penalty on federal aid to the State of Nevada. Mr. Price asked if there would be someone that would be monitoring this program and was advised that his office would be monitoring this program and was advised that his office would be monitoring Nevada and the Secretary of Transportation would then have the responsibility of imposing the penalty.

He reminded the committee members that if compliance is not achieved a penalty could be imposed. This year the Nevada percent of compliance was about 56%.

In a question from Mrs. Westall as to why the Federal government requires a certain amount of speeding teckets be written for exceeding the speed limit, Mr. Horner stated they do not require a specified amount of speeding tickets but they do require that the State of Nevada monitor the speeds traveled, which they do in order to determine the percent of compliance with the 55 mph speed limit, at selected locations. They forward that to the Federal government in the form of a certification that the speed limit is being complied with but they have nothing in their regulations that says you have to write any set amount of tickets.

He emphasized that no one is ever stopped by the monitors but the records are kept and forwarded to the Federal Government's Secretary of Transportation.

Mr. Mello asked Mr. Al Stone if we are losing more federal as-

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sistance every year and was advised that under the Reagan administration's proposals we will be losing between \$3 and 4-million every year.

In response to a question by Mr. DuBois, Mr. Horner advised the committee that to date, no state had lost any money due to non-compliance although there were several that came very close.

Mr. Mello suggested to give this a try for two years and if it causes a great deal of problems or federal money loss, we can take a look at it again next legislative session.

Mrs. Westall then moved a "DO PASS", seconded by Mr. Mello and the motion passed with a unanimous vote.

Mr. Schofield pointed out a question he had on page 3, line 25 (section 3) where it specifies "Section 9 of A.B. 142 of the 61st Session". He does not understand what that means in the bill. Being that no one else present could answer the question, Mr. Price volunteered to research that and report back to the committee.

Mr. Price advised the committee that he had several BDR's for approval for introduction and referral back to this committee; they were:

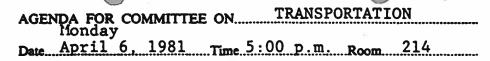
BDR 43-1383 (AB 449)	Motion for introduction and referral to Transportation was made by Mr. Mello, seconded by Mr. Schofield
·	and carried unanimously.
BDR 43-1485	Motion for introduction and referral to Transporta-
(AB 448)	tion was made by Mr. Mello, seconded by Mr. Schofield and carried unanimously
BDR 42-736	Motion for introduction by Mr. Schofield with refer-
(<u>AB 450</u>)	ral to Transportation, seconded by Mr. Mello and carried unanimously.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Nykki Kinsley, Acting Committee Secretary

ASSEMBLY



Bills or Resolutions to be considered	Subject	Counsel requested*
SB 53	Increases allowable limits on size of vehicles.	
SB 54	Provides alternative weight limits for certain vehicles.	

GUEST LIST

Date: (Bril 6, 198 I WISH TO SPEAK PLEASE PRINT PLEASE PRINT WIIO YOU REPRESENT FOR **AGAINST** BILL NO. YOUR NAME 58196

Wider buses are justified

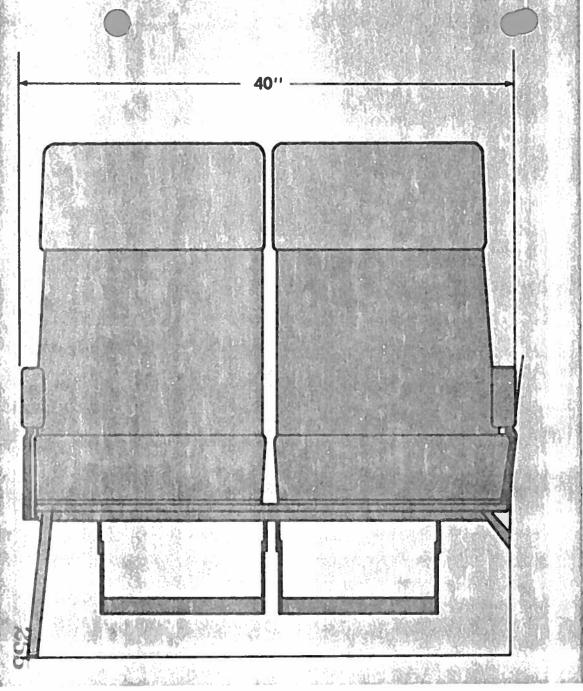
The city transit industry today is moving in the direction of standardizing at 102 inches for improved passenger comfort. Greyhound would like to move the intercity bus in the same direction and hopes to be able to do so in the near future. The six-inch increase in maximum bus width passed by Congress in 1975 is completely permissive, that is, each State can adopt the higher limit but no State is required to do so. To date, 44 States have authorized the 102-inch bus width.

The intercity bus industry in the United States provides the best bus service in the world, the most economical form of transportation in the United States, and is working diligently to improve its service to the public. It is also the most energy efficient form of passenger transportation and the most flexible.

In recent years, the industry has invested millions of its own dollars in the development of a safer, more comfortable bus for the public. Wider buses have been acclaimed for their safety features, and have been well received in Canada and in those areas of the United States where their operation is permitted. We urge the action to permit the use of wider, safer, and more comfortable buses over the entire Interstate Highway System and on such of the State's highway system as meets specific requirements.

For every intercity bus on the road, there are about eleven fewer cars on the highway. Thus, to the extent that intercity bus travel is maximized, safety is enhanced and pollution is minimized. Fuel savings are enormous.

This "next generation" of buses is already here in city transit use. Greyhound Lines, Inc. has the 102-inch bus in limited use now.



consumer comfort

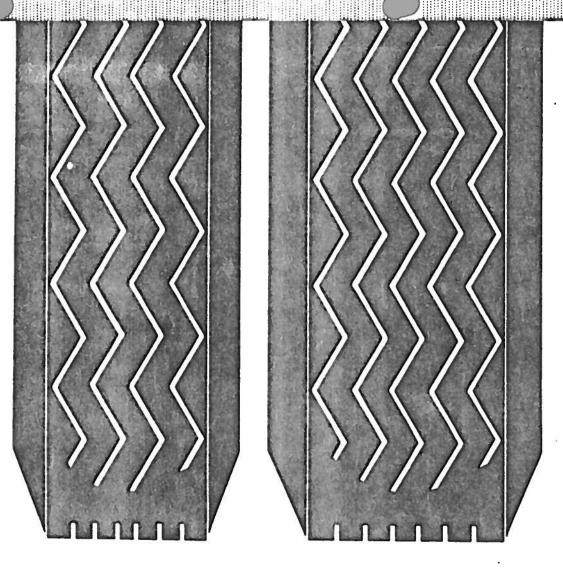
No current statistics are available, but it is generall agreed that the average American male and fema are larger in almost all dimensions than they were to 15 years ago. We bigger Americans must have expanded minimal seating space, plus additional ar and shoulder room in our vehicles. That means wider automobile seats, more spacious seats on the ever-larger jets, spacious seats on high-speed train roomier seats on intercity buses.

As a direct result of widening the bus by 6 inche the overall width of the seats can be widened to 40 from the 38" seat in conventional buses.

Thus, these wider seats will comfortably accommodate the average passenger whose seat bread is estimated to be approximately 14 inches. The increased seat width also comfortably allows for a average shoulder width of 17.2 inches.

IDER MEANS BETTER • WIDER MEANS BETTE





46% more tire area in contact with road

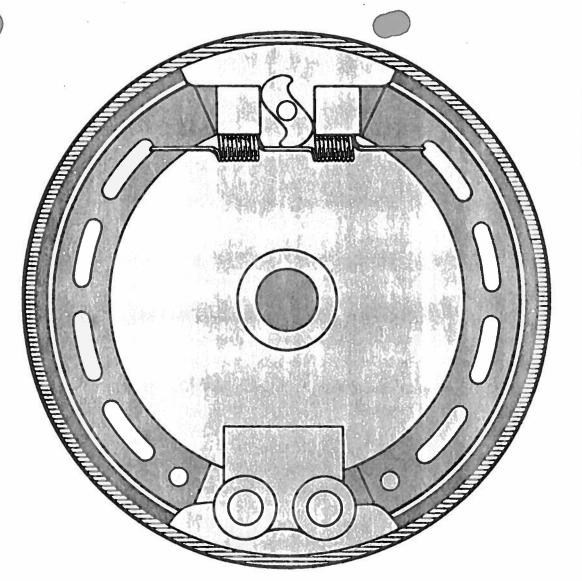
BETTER

tires

Increased bus width can permit the use of wider tires. This will result in better steering control, improved road traction, greater stability and greater skid resistance. The tires on the Supercruiser* are substantially wider than those on conventional buses. The tire "footprint" (the tire surface in contact with the road) is 46 percent greater.

*Numerous references are made in this brochure to the "Supercruiser". The Supercruiser, or Model MC-6, is a 102" wide bus manufactured by a Greyhound subsidiary in the late 1960's. This bus was intended to be the last word in safety, comfort and durability, and is still in limited use today. Unfortunately, because of restrictive state laws, Greyhound was forced to return to the production of standard 96" wide models after building a limited number of these buses.

IDER MEANS BETTER - WIDER MEANS BETTE



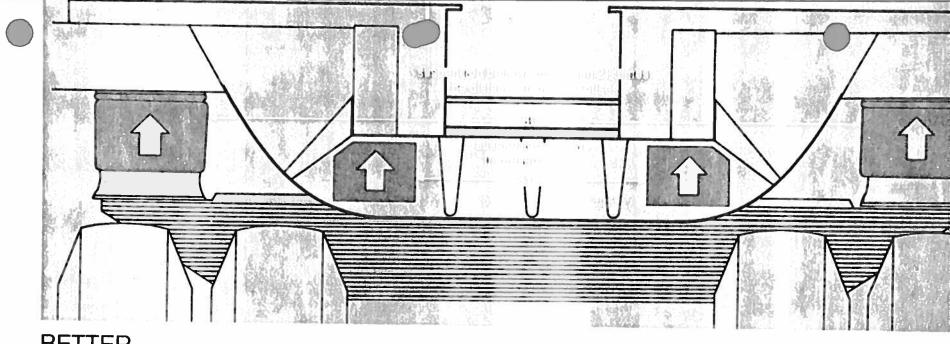
BETTER

brakes

The combination of larger brakes and bigger tires increases substantially the stopping capabilities of the Supercruiser.

20.6% more effective brake area per ton of gross vehicle weight

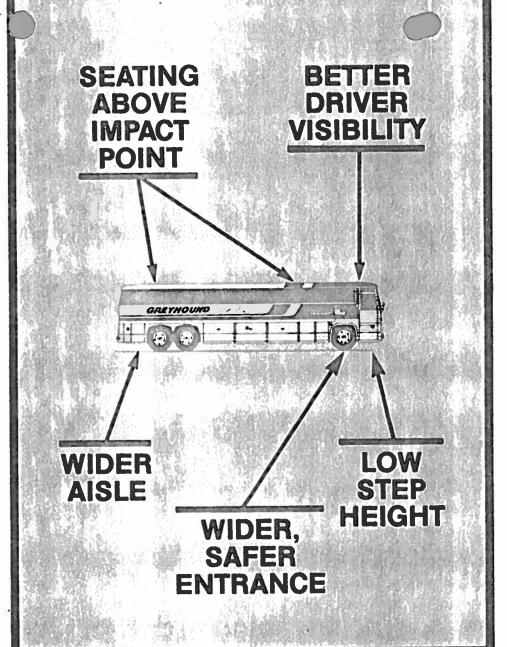
vider means better • wider means bett



SUSPENSION :

The additional width makes it possible to space the suspension air bellows much farther apart for greatly increased vertical stability, improved sidewise stability and improved steering and handling. For example, on the Supercruiser, the air bellows are placed at the far outboard points of the bus — 80 inches apart as opposed to 31½ inches on other coaches.

IDER MEANS BETTER • WIDER MEANS BETTE



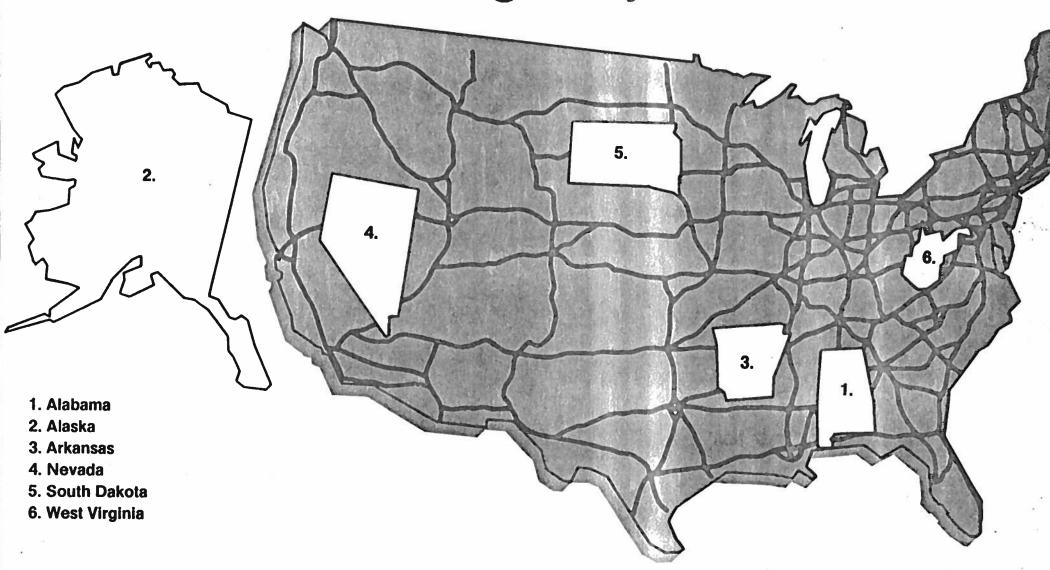
safer inside

Adding six inches to the bus width makes it possible to build it higher. This in turn brings about improvements in safety inside the bus; a wider entrance area at the top of steps to per mit easier and safer entrance to the aisle, a wider aisle and headroom raised to accommodate taller passengers.

Passengers and driver are seated at a higher level above point of any impact. For the driver this also means better visibility and reduced accumulations of road-splash and dirt on the windshield in wet weather.

IDER MEANS BETTER • WIDER MEANS BETTE

The 102" bus is legislatively authorized o state and federal highways in all but 6 states



Nider Means Better - Wider Means Bett

Cities Where 102" Transit Buses Are In Operation

ALABAMA

Birmingham

ARIZONA

Tucson

CALIFORNIA

Alameda

Culver City

Long Beach

Los Angeles

Mentebello

Oakland

San Diego San Francisco

Santa Monica

COLORADO

Denver

CONNECTICUT

New Haven

Hartford

Stamford

DISTRICT OF COLUMBIA

Washington

GEORGIA

Atlanta

Fulton City

Richmond

HAWAII

Honolulu

Oahu

ILLINOIS

Chicago

Chicago Heights

Harvey

Lombard

Mendelein

Oak Lawn

Rockford

Skokie

INDIANA

Gary

Hammond Indianapolis

IOWA

Des Moines

KANSAS

Topeka

KENTUCKY

Covington

Elsmere

Louisville

Newport

LOUISIANA

Gretna

New Orleans

MARYLAND

Baltimore

MASSACHUSETTS

Boston

MICHIGAN

Birmingham

Dearborn

Detroit

Flint

Grand Rapids

Grosse Point

Lansing

Pontiac

MINNESOTA

Duluth

Minneapolis

St. Paul

MISSOURI

Kansas City St. Louis

NEBRASKA

Omaha

NEW JERSEY

Newark

NEW MEXICO

Albuquerque

NEW YORK

New York City

and Metro Area

Buffalo

Flushing

Jackson Heights

Jamaica

Rochester Yonkers

NORTH CAROLINA

Charlotte

OHIO

Akron Bedford

Berea

Brecksville

Broadview Heights

Cincinnati

Cleveland

Columbus

Dayton

Garfield Heights

Independence

Maple Heights

North Olmstead North Royalton

Toledo

OREGON

Portland

PENNSYLVANIA

Philadelphia Pittsburgh

RHODE ISLAND

Providence

SOUTH CAROLINA

Greenville

TENNESSEE

Knoxville Memphis

TEXAS

Dallas

El Paso

Fort Worth Houston

UTAH

Salt Lake City

VIRGINIA

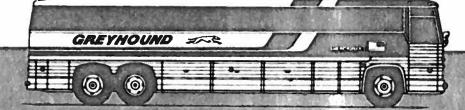
Norfolk

Richmond

WASHINGTON

Seattle

WISCONSIN Milwaukee



MISIER MEANS BETTEROWN ERMEANS BETT

