

A quorum being present, Chairman Price called the meeting of the Assembly Taxation Committee to order at 5:10 p.m. on Monday, May 11, 1981 in Room 214 of the Legislative Building.

Members Present:

Assemblyman Price, Chairman  
Assemblyman Polish, Vice Chairman  
Assemblyman Beyer  
Assemblyman DuBois  
Assemblyman Glover  
Assemblyman Mello  
Assemblyman Prengaman  
Assemblyman Schofield

Members Absent:

Assemblyman Westall

Guests Present:

Senator Lawrence Jacobsen  
Lody Smith, Nevada Division of Forestry  
Hale B. Bennett, Department of Motor Vehicles  
Daryl Capurro, Motor Transport Association  
Virgil Anderson, AAA  
Elizabeth Warren, Allied Arts Council/Cultural Focus

SB 363, Changes system of designation on license plates for passenger cars.

Senator Jacobsen, sponsor of the bill, spoke in support of it by stating that each previous session the legislature has had to increase the designations of letters and numbers on license plates for the larger counties. This bill would eliminate this necessity for changing anything. It would use combinations of three numbers and three letters and would allow 12 million combinations that would be usable. It would allow for retentions of county designation by allowing a decal with the county name to be placed on the bottom of the license. This would save money and create some efficiency at the prison. It would also allow for the stockpiling of license plates in any county. And finally it would also cut down on storage and create better efficiency in record keeping.

Senator Jacobsen stated the use of the county name would not be required but would be allowed if the person desired. This will not interfere with personalized license plates or existing license plates. The decal would be available for 50¢ and would hopefully be self-supporting.

In answer to Mr. Beyer's question, the Senator replied that the colors would remain the same and would not be reversed as his sample showed. He also pointed out that it would not apply to old plates and would not require anyone to purchase a new one but when a new one was issued it would be in this manner.

In answer to Mr. Mello's question regarding trucks, Senator Jacobsen stated that they would follow the same procedure and would perhaps end with the letter T.

Mr. DuBois inquired why they have reversed the numbers and letters from the present system. Mr. Hale Bennett, Department of Motor Vehicles stated that there would be great number of combinations with this method which have not been used already. There would be no problem of duplication and if they started with three letters they would have to perhaps make a plate then skip the next one in order etc. to compensate for ones already used. This could create a real manufacturing problem.

Mr. Bennett reiterated Senator Jacobsen's statement that it would not affect existing plates until the legislature orders the department to issue all new plates. If someone has a plate and loses it they can get a replacement plate of the same number if they wish. The first number to be issued would be 001AAA. Mr. Bennett stated that there are 26 million combinations but because of the fact that they don't use some of the letters it comes down somewhat to the 12 million figure used by Senator Jacobsen. This would allow for an estimated 20 year supply of license places before they would run out of combinations.

Mr. Price inquired if it would be possible to amend this bill to allow for the issuance of press plates. Senator Jacobsen stated that he would have no objections to this. Mr. Bennett stated that he also would have no objections if they were talking about plates similar to handicapped etc. plates. He stated that perhaps it would be better in another bill rather than hold this bill up. Mr. Price stated that he did not feel that it would hold this bill up at all since amendments get drafted quickly, while a new bill could take some time.

Mr. Polish moved to adopt the proposed amendment allowing for press plates. Mr. Mello seconded the motion. The motion carried with Mrs. Westall, Mr. Glover and Mr. Schofield absent.

Mr. Mello moved to "do pass as amended" and Mr. Beyer seconded the motion. The motion carried with the same three absent.

SB 369, Authorizes certain foresters and firewardens to halt motor vehicles.

Senator Jacobsen, sponsor of this bill, spoke in support of the bill. He stated that this came from the Division of State Forestry and that it was their observation that the Division of Forestry should have the authority to stop people or apprehend them as well. He called upon Lody Smith, State Forester, to speak on the bill. 5:26

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Lody Smith stated that this bill was brought to the legislature because they went through the authority that the division has and found that almost everyone else that does approximately the same thing they do were already vested with this authority except foresters and fire wardens. He explained that they are empowered to enforce the laws on forestry and fire. They found that they had been excluded from this particular section regarding stops. This bill merely adds them to this by NRS 472.040. It gives him the power to put foresters or fire wardens on as law enforcement people. Parks, motor vehicles, wildlife, brand inspectors, public services, taxicab authority, highway patrol are included already.

Mr. Price inquired for what reason they would stop someone. Mr. Smith used the example of flipping a lit cigarette from the car and that this would usually just require a warning. They can issue citations. Most of the their law enforcement is for fire prevention measures. They are also heavily involved in the mountain areas such as the Marlette Watershed and they are required to stop people for various reasons in this area for protection of the watershed and for law enforcement.

In answer to Mr. Mello's question regarding issuing speeding tickets, Mr. Smith stated that they would only be enacted according to the powers extended by NRS 472.040 which is the authority invested in the State Forester for forestry and fire law enforcement.

Mr. Mello inquired if they would have the power to stop someone being pursued and hold for the proper law enforcement agent to appear. Mr. Smith stated that they have that authority.

Mr. Price stated that in Judiciary they have had some testimony on how game wardens were handling their stops. He stated that they are not everyday practicing police officer and therefore there is a real problem when they go to make stops. He cited an example of a stop that might be made that could unintentionally include drugs and there could be a constitutional problem on the arrest. Mr. Smith stated that the only thing that they would be able to make a stop for would be for a fire law violation. One of his people would actually have to see the violation made.

Mr. Mello inquired what the other NRS sections cited in the bill were. Mr. Smith stated that 407.065 is state parks' authority to make a stop, 481.048 is a motor vehicle law, 481.049 is also a motor vehicle law, 501.349 is the wildlife law, 565.155 is brand inspector, 703.155 is public service authority, 706.8821 is taxicab authority.

Mr. Price inquired if they would have an occasion to arrest someone how would this be handled. Mr. Smith stated that if a bench warrant had been issued it would go through the regular court system and be served by the regular process.

Mr. Price inquired if they ever had occasion to issue citations. Mr. Smith stated that they do issue citations and then it would also go through the regular system. He added that under the peace

officer designation there are two peace officers; a peace officer 1 and peace officer 2. The peace officer 1 is like the fire wardens, foresters, and fireman who issues citations for a door being locked, etc. Peace officer 2, Mr. Smith can designate under this bill arson investigators who are full peace officers.

Mr. DuBois inquired what would happen if they stopped someone for flipping a cigarette out of a vehicle and that cigarette turned out to be pot. Mr. Smith stated that they would stop them and pass the information onto the local sheriff. He stated that they are very careful and make sure that their people have backup before stopping someone.

Mr. Polish moved for a "do pass" and Mr. DuBois seconded the motion. The motion passed with Mrs. Westall, Mr. Glover and Mr. Schofield absent.

SB 160, Provides for revocation of certificate of public convenience and necessity for nonuse of motor carrier.

Daryl Capurro, Motor Transport Association, stated that this bill would provide a mechanism to the Public Service Commission to allow them to cancel out a certificate not being used. These would be certificates that someone may be holding onto in hopes of appreciating value but who are not providing the public convenience and necessity carriage for which they were originally issued the certificate. The language was provided basically by Commissioner Hardy of the PSC to accomplish this purpose of what Senator Blakemore calls "use it or lose it".

Mr. Prengaman inquired why the effective date was July 1, 1982. Mr. Capurro stated that he had no idea why that date but that the date had been in the original bill which had been a skeleton bill of one sentence. Perhaps it was to give people a chance to get the certificates working again before they lost them.

Mr. Beyer inquired if there was a cost to the PSC to maintain these certificates on the record.

Heber Hardy, PSC, stated that there was no particular cost to have the certificate on file but that Senator Blakemore's concern was that there are people who have the obligation of the certificate to provide a service and they are failing to provide it. Under the law there is a right to transfer that authority and there is also the provision that they will not permit the transfer of dormant authority. If there is no service being provided they have to file an original application rather than being able to purchase and transfer an outstanding dormant certificate.

He stated that they have no objections to putting this into the law and to make it known to the industry that they must use it or lose it. This provision does provide for an opportunity to be heard so it is not an arbitrary type thing.

Mr. Beyer moved for a "do pass" and Mr. Polish seconded the motion. The motion carried with Mrs. Westall, Mr. Schofield, Mr. Glover and Mr. DuBois absent at this point.

SB 506, Requires owners of certain hazardous structures in airport zoning areas to pay for warning lights.

Julius Congigliaro, representing the City of Las Vegas, stated that this bill would transfer the cost of installing markers and warning lights on structures erected in an airport zone onto the developer. At the present the local government installs and maintains all markers. This would permit the political subdivision to pass this cost onto the developer. It also permits that if there is a zoning change or expansion that the markers would be installed on existing buildings that were not in compliance and this would be at the owner's expense. It would provide that on written notice the owner would have to maintain them also. This would be any structure above 50 feet in height.

Mr. Beyer moved for a "do pass" and Mr. Schofield seconded the motion. The motion passed with Mrs. Westall and Mr. DuBois absent at this point.

SB 444, Removes brokers from regulations pertaining to motor carriers.

Mr. Price stated that although this bill had not been scheduled for this time, there was someone present who had come from Las Vegas to testify on the bill and that they would take her testimony at this time. The bill is scheduled for complete hearing next Monday, May 18.

Elizabeth Warren, Allied Arts Council/Cultural Focus, spoke in support of the bill. She stated that this bill would allow them to operate their Cultural Focus Tour program which is a project in southern Nevada to acquaint tourists to the offstrip community side of life in southern Nevada. She explained that they take visitors who come to southern Nevada as part of a convention or big travel group to the areas away from the strip and away from the gaming to show them that there is a true genuine community there. This assures the visitors that they are dealing with real people in the casinos and to let them know that the population has some of the same concerns that the visitor has.

She explained further that they are focused on the nonprofit community. Allied Arts is the nonprofit arts coordinating agency for southern Nevada and they have about 100 members in their organization. They are trying to make the art community self-supporting. This allows them to tap directly into the tourist market through operating these tours. She presented the community with a folder of tour samples and information. This can be found with the Secretary's minute book but will not be reproduced for all minute books. The problem is that under current statute they should have a certificate of public convenience and necessity and have a brokers license etc. The problem with that is that there

are no regulations for brokers. This would enable them to at least operate their tours and continue to function.

Mr. Price stated that during testimony on AB 419 there had been some brokers that had testified that they would like to get out from under regulations and that Mr. Hardy had indicated that they did not have any desire to regulate brokers. He stated that he had an amendment regarding carpools.

Mr. Capurro stated that they would object to this amendment. He stated that it was highly questionable that this would be germane to the title of the bill. He felt it should be introduced as a separate bill and that it is a very controversial subject.

Mr. Prengaman inquired what the purpose behind having motor clubs excluded as found on line 13.

Virgil Anderson, AAA, stated that they are a licensed motor club under the laws of the State of Nevada. He stated that when the bill was introduced it seemed to create an impression that they would be dually licensed under the law; so this would clarify that their regulation is by the motor club act.

Mr. Beyer inquired if there was a definition of broker and who else would be covered under the title of broker. Mrs. Warren stated that it would be anyone who charters a bus or in anyway rents a public conveyance and then rents individual seats on that carriage. Therefore the University would be in need of a brokers license to run their tours and would include many different groups. Since there are no regulations dealing with brokers, the only brokers who are legally constituted would be the carriers themselves.

Mr. Anderson stated that there has never been an interpretation that motor clubs were considered brokers; because of the new language they asked for the amendment to be excluded. He stated that as far as he knows there is no regulation that travel agencies have to be licensed and that they are probably the only licensed travel agency in the state because of the motor club act.

Mr. Capurro stated that they are not opposed to the bill as it is currently written. That language was ironed out with the PSC, motor clubs and with a subcommittee of Senate Transportation Committee.

This finished the scheduled hearing and Mr. Price stated that he had the amendments as requested for the handicapped parking. They would include a \$25 fine for parking places thus designated. The parking place must be so indicated and include a permit to remove the vehicle illegally parked. In answer to Mr. Schofield's question regarding enforcement, Mr. Price stated that it can be enforced by law officers coming on private parking lots.

Mr. Price stated that he also had received the amendments regarding the towable tools, which would allow them to be only towed between daylight hours.

As there was no further testimony or business to conduct, Mr. Price adjourned the meeting.

Respectfully submitted,

Sandee Gagnier,  
Assembly Attache

ASSEMBLY

AGENDA FOR COMMITTEE ON.....TRANSPORTATION.....

MONDAY

Date.....MAY 11, 1981.....Time 5:00 P.M. Room 214.....

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

THIS AGENDA CANCELS AND SUPERSEDES ALL PREVIOUS AGENDA FOR THIS DATE

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|--------|---|--|
| SB 160 | Provides for revocation of certificate of public convenience and necessity for nonuse by motor carrier. |  |
| SB 363 | Changes system of designation on license plates for passenger cars.                                     |  |
| SB 369 | Authorizes certain foresters and firewardens to halt motor vehicles.                                    |  |
| SB 506 | Requires owners of certain hazardous structures in airport zoning areas to pay for warning lights.      |  |
| SB 546 | Increases fee for inspection of motor vehicles for air pollution.                                       |  |



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to halt motor vehicles.

SB 546

Increases fee for inspection of motor vehicles  
for air pollution.

\*Please do not ask for counsel unless necessary.

ASSEMBLY

AGENDA FOR COMMITTEE ON.....TRANSPORTATION.....

Date MONDAY, MAY 11 Time UPON Room 214  
ADJOURNMENT

Bills or Resolutions  
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Subject

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SB 444

Removes brokers from regulations pertaining  
to motor carriers.

\*Please do not ask for counsel unless necessary.