

Date: May 5, 1981

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Chairman Price called the meeting of the Assembly Committee on Transportation to order at 5:00 p.m. on Tuesday, May 5, 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:

None

GUESTS PRESENT:

See attached Guest List

AB 583, Exempts towable tools or equipment from certain requirements for equipment of vehicles.

Kevin J. Woods, CC Rentals, spoke in favor of the bill. He stated he was representing a number of companies involved with this legislation. This bill would exempt towable tools and equipment from certain requirements of the vehicle code or more specifically the requirements of stop lights, tail lights, turn signals which will not be required. Mr. Woods stated that they believe this bill protects construction companies, rental yards as well as city and county departments, state departments, mining, hotels, etc. He stated that the problem as it stands now is that these small towable tools and equipment have been receiving tickets for traffic violations from Motor Carrier Division and the Highway Patrol. The basic problem with the law as it stands is that it would appear that these tools would be trailers. Mr. Woods quoted the definitions of trailer and vehicle to demonstrate that he feels these tools and equipment do not fall into that category because no person or property is transported on or in these tools or equipment.

Mr. Woods continued by stating these tools are self contained and do fit these definitions. At the present time each ticket given will probably be litigated in the courts. The bill if passed will eliminate individual and arbitrary determinations on the part of Motor Carrier Division personnel or Highway Patrol personnel as to whether a ticket should be given or not.

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John T. Ross, representing Savage Construction, spoke in favor of the bill next. He stated that it is their feeling based upon past experience that what this bill proposes to do is not really change the law as much as codify the status quo. Historically the items addressed were not considered a vehicle and these tools have never been built with the lighting requirements that the Department is seeking nor are they easily adaptable to it. In the past there was no problem or citation, however there was a recent directive that has gone out to Motor Carrier Division and Highway Patrol which has resulted in the present citations.

If this directive is allowed to stand it would have tremendous impact on equipment rental, contractors and any user of the equipment. The equipment that is being sought to be required on these tools is not readily available nor is it easily adapted to these tools and equipment. If they were equipped they would be easily destroyed through normal use and in some cases would even be a safety hazard to the use of the equipment.

Mr. Ross explained that it is only the Highway Patrol and Motor Carrier Division that are giving tickets. County and City law enforcement agencies are giving citations. There would be no problem of them being exempt at night in that this is covered in another chapter of NRS, 484.545, which requires lights on everything at night.

In answer to Mrs. Westall's questions regarding the 80 in figures used on page 3, lines 8-15, Mr. Ross stated that this figure is used as it is average dimension between tail lights of a standard pickup truck.

Jerry Edlefsen, CC Rentals, also spoke in favor of the bill by stating that without this legislation there would be a great deal of cost and inconvenience to the consumer who rents these tools and equipment. He stated that they have estimated rather conservatively that this would cost approximately \$100 per unit to install lights. This estimate does not include maintenance which would probably be the more expensive aspect of the whole thing. Mr. Edlefsen stated that they feel it would be a one way item in that the lights would either come back broken or not at all. This would require maintenance on every trip and would result in additional costs to the consumer. Another aspect would be the time it would consume to keep this up especially with regard to construction companies where time is so very valuable.

In response to comments about night travel, Mr. Edlefsen stated that almost all of this equipment is used only during daylight hours and most companies will not allow them to be transported or used at night. Mr. Edlefsen stated that in investigating the situation they could find no accidents that have been caused to the towing of this equipment without the lights being sought. Therefore they do not feel it is a safety problem. He concluded his statement by stating there is no uniform equipment that could be obtained in order to be placed on these towable tools and equipment.

In answer to Mr. Mello's question regarding safety, Mr. Edlefsen stated that the lights of the pickup doing the towing might be obstructed momentarily in the event of a tight turn but that one of the tail lights would still be seen. Mr. Mello then questioned whether some smaller trailers might possibly qualify for this. Mr. Edlefsen stated that they feel the definition would preclude everything except the towable tools and equipment from being exempt.

Mr. Polish questioned why they could not use the portable lights that are available. Mr. Edlefsen explained that when they hook these light up they have to splice into existing wiring system. This opens this system up to rust and corrosion and can create a potential problem.

In response to Mr. Price's question regarding whether height should also be considered, Mr. Edlefsen stated that the only time it would become a problem would be example previously used of a very tight corner where one tail light would be obscured.

Hale Bennett, Department of Motor Vehicles, stated that he had no feelings about the bill either for or against but that he would suggest that if the bill is considered it might be well to also exempt these towable tools and equipment from registration as well. He stated that this could easily be accomplished and presented a suggested amendment to chapter of statute that addresses this. A copy of this suggested amendment is attached to these minutes as Exhibit A.

Mr. Glover moved to "amend and do pass" AB 583 and Mr. DuBois seconded the motion. Under discussion, Mrs. Westall stated that she felt the situation of the height should be addressed.

Mr. Price added that he felt they should make it clear that this would not allow them to be towed at night without lights. It appeared to several members of the committee as well as several in the audience that the bill as written would exempt the tools from lights at any time. Mr. Bennett suggested that, if they placed the term "during daylight hours" at appropriate places within the bill it would be covered. Mr. Glover amended his motion to included this amendment also and Mr. DuBois seconded the amended motion.

The motion carried 8-1 with Mrs. Westall voting against it.

SB 159, Changes certain provisions of law relating to drivers' licenses.

Sharon Alcamo, Department of Motor Vehicles, stated that this bill incorporates about 5 separate pieces of driver's license legislation.

The first section allows the department to provide lists of licensed drivers to district courts for the purpose of jury lists. Last session, legislation was passed wherein the

Department could provide vehicle registration lists for jury lists. The problem is that the information and names coming off those lists really did not provide the information needed. She stated that if this bill is adopted that they suggest that the previous legislation allowing vehicle registration lists not be abolished so that they can make sure that the new list works before abolishing the old method.

Mr. Schofield inquired why the use of Social Security number inclusion on the driver's license. Mrs. Alcamo stated that at the present time both social security number and a number consisting of the the individual's initials and birth date are being used on the driver's license as the number. There is a section in law that provides the social security numbers will be used as driver's license numbers. At this time they are converting over to a new computer system and will be using only the social security number as the driver's license number. This will be the only number used for this purpose and all of their records will be converted to using the social security number.

In answer to Mr. Price's question regarding what they do when people don't have a social security number, Mrs. Alcamo stated that they assign them a number that has the same number of digits as a social security number but begins with an X.

Another portion of the bill would address the situation of failure to appear. Mrs. Alcamo stated that at the present time there is a currently a considerable problem of people being cited for traffic violation and promising to appear in court but do not do so. As a result of this they are not fined, they are not convicted of anything and are virtually free from everything, but the person who does appear and pays their fine the information goes on their driving record. What is happening is what they term "scoff law" where people are thumbing their nose at the law and getting away with it.

In answer to Mrs. Westall question about what happens to non-residents, Mrs. Alcamo stated that non residents come under a compact wherein states have reciprocal agreements to suspend licenses if the violation occurs in another state. However, Nevada is not at that point yet because they need to handle the problem within the state first.

About two sessions ago a failure to appear bill was adopted and the courts were very reluctant to use it because there were many administrative problems with it. Out of 81 courts only about 23 courts every used it. The program was designed to be self supporting and after nine months it wasn't and so it was abolished. This bill should be acceptable to the courts but will not be difficult or expensive to administer.

In this bill when someone fails to appear, they are notified by the court, the department sends out a notice that indicates

that there has been a failure to appear and that the person has 30 days to either go back to the court and rectify the matter or the department will suspend their driver's license until the matter is rectified.

Mrs. Westall inquired if it would be easier for the Department to go after these people when the courts seem to have the same problem. Mrs. Alcamo stated that they would not go out personally but would send out certified letters and at the present time the court has to send people out and do not have the manpower.

In answer to Mr. Price's question regarding the use of the term ordinance, Mrs. Alcamo stated that in some areas ordinances are used in place of traffic laws. This would allow them to handle both. It would only apply to traffic ordinance violations.

Returning to the matter of Social Security number, Mrs. Alcamo stated that about 50% conviction reports do not include the social security number and as a result the conviction never appears on the record. It requires tremendous manpower to try to determine the social security to try to get it onto the proper record.

The next section of the bill deals with revocation of licenses. They are removing the term "forthwith" and requesting a change in that the present law is nebulous and subject to interpretation in terms of when the effective date of the revocation or suspension really should be. They have been overturned by their hearings officer and by the court. It often goes back to conviction date which has the effect of not revoking a person's license in reality for the one year prescribed by law. She cited an example where at final disposition the person would end up having license revoked for 10 months. The removal of "forthwith" and indicating that it shall become effective on the date specified in the order would give them a specific date that the period would begin and end.

Another problem they have is with those people who are suspended for driving under suspension and those people who are revoked for driving under revocation. Under current wording they are suppose to take the revocation period for and connect to the original revocation. Many times they do not receive the revocation order from the court until X months down the road when the revocation is already terminated and thus they become revoked for perhaps six months rather than one year.

In answer to Mr. Polish's question regarding points on the record of speeding, Mr. Price stated that this was not properly covered in the bill that was passed but that they have some legislation being drafted that will correct that.

Virgil Anderson, AAA, stated that for insurance purposes they check the records on a new applicant but they do not surcharge for traffic violations. They surcharge only for at fault accidents.

and other things like that. He added that they do have a discount for driver's education but not for accident free driving and they do not surcharge for tickets.

Mr. Anderson stated that on section 3 he would like to indicate that they support the bill and that they have been working with the department. The bill has notice and due process that will protect the inadvertent failure to appear.

Mr. DuBois inquired if Mrs. Alacamo could tell him what percentage of the adults in the state have driver's licenses. Mrs. Alacamo stated there are about 626,000 records on file, however anywhere from 10% to 20% of these people never show up to renew their license. She did not have percentage of total population but she could find that out.

In answer to Mr. Schofield's question, Mrs. Alacamo stated that she could find out the number of licensed drivers by age group, sex, or class of license.

AB 448, Provides free license plates to disabled veterans.

There was no one present to testify on this bill, however, Hale Bennett, Department of Motor Vehicles, was prepared to answer any questions the committee may have.

Mr. Bennett stated that this bill would affect 232 sets of plates in 1980 for disabled veterans. He added that he was not sure exactly what the bill does without listening to testimony by someone who knew what they wanted to accomplish by it. It could involve the loss of a couple thousand dollars. Mr. Bennett stated that the way the bill was written it would exempt only the plate fee for lost, stolen or mutilated plates, which is a \$2.00 fee. He stated he could see some tremendous problems with it because it would set a precedent. Currently there are no free registrations. Disabled veterans are already entitled to a \$10,000 exemption on their privilege tax.

AB 373, Requires affidavit of disabled veteran or handicapped person for renewal of special plate or special parking permit.

Hale Bennett stated that the bill came as a result of testimony in the Taxation Committee about veterans exemptions and certification. There is a bill in that Committee that would remove the requirement that veterans certify every year that they are still a veteran. Somebody raised the question about the affidavit that is required and that this caused Mr. May to submit this bill.

Mr. Bennett stated that he had some real problems with this bill also in that he felt there was a better way to handle the matter.

ASSEMBLY TRANSPORTATION COMMITTEE

GUEST LIST

Date: May 5, 1981

PLEASE PRINT YOUR NAME	PLEASE PRINT WHO YOU REPRESENT	I WISH TO SPEAK		
		FOR	AGAINST	BILL NO.
Tracy Hinton	C.C. Rentals			
Paul Larsen	Carson Tahoe Rents	✓		
Ralph Truax	HAKKER & HAKKER INC.			
Guy Edlelsen	C.C. Rentals	X		
Cheryl Edlelsen	C.C. Rentals			
Steve Conroy	C.C. Rentals			
Neil Bennett	DMV			
Virgil Anderson	R.A.A.			
Kris Baines	C.C. Rentals	X		
MATT BERRYHILL	U.S. RENTALS	X		
GARY APPS	Clementina Shacks	X		
George Sloane	Capital Rents	X		
KEVIN J. WOODS	CC RENTALS	X		

SUGGESTED AMENDMENT TO AB 583

482.210 Exemption from registration. The provisions of this chapter requiring the registration of certain vehicles do not apply to:

1. Special mobile equipment.
2. Implements of husbandry temporarily drawn, moved or otherwise propelled upon the highways.
3. Any mobile home or commercial coach subject to the provisions of chapter 489 of NRS.
4. Golf carts which are:
 - (a) Traveling from the residence or temporary abode of the owner or operator thereof to a golf course;
 - (b) Traveling upon streets properly designated by the appropriate city or county as permissible for the operation of golf carts; and
 - (c) Operating pursuant to a permit issued in accordance with rules and regulations adopted by the appropriate city or county.
5. Mopeds.

6. Towable Tools or equipment as defined in NRS 484. (section 1 of A.B. 583)

ASSEMBLY

AGENDA FOR COMMITTEE ON TRANSPORTATION
TUESDAY

Date MAY 5, 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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|--------|--|--|
| AB 373 | Requires affidavit of disabled veteran or handicapped person for renewal of special plate or special parking permit. | |
| AB 448 | Provides free license plates to disabled veterans. | |
| AB 583 | Exempts towable tools or equipment from certain requirements for equipment of vehicles. | |
| SB 159 | Changes certain provisions of law relating to drivers' licenses. | |

*Please do not ask for counsel unless necessary.

ASSEMBLY

AGENDA FOR COMMITTEE ON.....TRANSPORTATION
TUESDAY

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

Bills or Resolutions
to be considered

Subject

Counsel
requested*

AB 373

Requires affidavit of disabled veteran or
handicapped person for renewal of special
plate or parking permit.

AB 448

Provides free license plates to disabled
veterans.

*Please do not ask for counsel unless necessary.

ASSEMBLY

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

Date.....TUESDAY, MAY 5.....Time.....UPON.....Room.....214.....
ADJOURNMENT

Bills or Resolutions to be considered	Subject	Counsel requested*
SB 159	Changes certain provisions of law relating to drivers' licenses.	

*Please do not ask for counsel unless necessary.