

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON TRANSPORTATION

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
March 31, 1981

The Senate Committee on Transportation was called to order by Chairman Richard E. Blakemore, at 2:05 p.m., Tuesday, April 1, 1981, in Room 323 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Richard E. Blakemore, Chairman
Senator William Hernstadt, Vice Chairman
Senator Joe Neal
Senator Lawrence E. Jacobsen
Senator Wilbur Faiss
Senator Clifford E. McCorkle
Senator James H. Bilbray

STAFF MEMBER PRESENT:

Kelly R. Torvik, Committee Secretary -

SENATE BILL NO. 159

Ms. Sharon Alcamo, Chief, Driver's License Division, Department of Motor Vehicles, presented the committee with proposed changes to the bill. She felt that the changes would ensure that due process was being served. (See Exhibit C.)

Senator Hernstadt asked how many citations were issued which were not paid and the violator did not appear in court. Ms. Alcamo stated that currently there are approximately 4,000 citations issued per month on which the violators fail to appear. She felt that the 4,000 per month figure was high and estimated 1,000 "failures to appear," per month, among Nevada residents.

Senator Hernstadt asked what the procedure would be if an out-of-state driver failed to appear in court. Ms. Alcamo stated that Senate Bill No. 159 would not deal with non-resident drivers. She said that in order to deal with non-resident drivers the state must enter into the Non-Resident Violator Compact. She felt that the state should see if the bill is effective in forcing resident violators to appear in court before the state entered into the Non-Resident Violator Compact.

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Senator Hernstadt asked if it is documented into the department's computer system that a non-resident violator failed to appear in court. Ms. Alcamo stated that it is not documented. Senator Hernstadt felt that the state was being very generous to non-resident violators. Ms. Alcamo believed that the courts issued warrants for the non-resident violators who failed to appear, however, there is a lack of manpower to serve the warrants. She pointed out that both resident and non-resident violators who fail to appear in court are not presently reported to the department. Senator Bilbray noted that in Clark County if a warrant is issued by the court it is documented into the county computer and, therefore, there is some record of the violator not appearing.

Ms. Alcamo noted that the bill requires the courts to notify the department that a resident violator has failed to appear and there will be a record, available to all 17 counties, that the violator failed to appear in court.

Chairman Blakemore asked if the department computer was capable of handling the documentation of the violators who fail to appear. Ms. Alcamo stated that the computer was capable of handling such documentation.

SENATE BILL NO: 297 (See Exhibit E)

Mr. George Deissroth, merchandise coordinator and small business owner, in Reno, stated that he was in favor of passage of a bill giving voluntary use of motorcycle helmets to adults over 18 years of age. He stated that as a member of the PTA, he objected to Mr. Moore's comment, at the March 26, 1981 meeting, that he represented all members of the PTA in Nevada. Mr. Deissroth stated that he had not been polled on the matter and that he was not properly represented. Senator McCorkle stated that the PTA, like other associations in the state, had taken a general consensus from members of the PTA in regard to the use of motorcycle helmets. Mr. Deissroth did not feel that the repeal of the helmet law for adults should be a concern of the PTA.

Mr. Deissroth stated that if it is extremely hot or there is excessive noise he would prefer not to wear his helmet. He said that requiring that a helmet be worn in those circumstances is endangering his safety. He felt that if Senate Bill No. 297 were passed a majority of the motorcycle riders would continue to wear a helmet. He felt that if the monies which are presently used to fight the helmet law were used for education and public awareness the entire public would benefit.

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Mr. Deissroth noted that 75 percent of the accidents involving motorcycles are caused by an automobile driver not being aware of the motorcyclists's presence or right to the road. He felt that insurance should give the motorcyclists benefits as they do automobile drivers for no accidents or citations. He referred to an article of a Mayo Clinic study which was Exhibit F of the March 26, 1981 minutes. He felt that helmet laws are discriminatory because they do not give him the right to protect himself and ride safely at all times. He did not feel that it was a governmental duty to pass legislation which requires self protection.

Senator Bilbray pointed out that according to Mr. Harrell's testimony, at the March 26, 1981 meeting, wearing a helmet does not impair hearing; it does, however, screen all sounds to the same degree. A rider with a helmet can hear just as well as a rider without a helmet. This is not true at high speeds where the rider with the helmet hears better. Mr. Deissroth agreed. He noted that within city limits there can be situations where there is excessive noise from a motorcycle which can impair the ability to hear other sounds. He felt that he should be able to choose when it is safe to wear a helmet.

Mt. Joe Todaro, machinist, stated that he resents the stereotyping that motorcyclists are irresponsible burdens to the state and taxpayers. He stated that there is a great need for education of the motorcyclists. He felt that he should have the same choice as others in regard to self protection, such as wearing a seatbelt or smoking cigarettes. He stated that he does not think it is safe to wear a helmet in city traffic. He noted that because the only concern is that the motorcyclist is wearing a helmet, there is no concern if that helmet is safely built and, therefore, the helmet law is ineffective. He cited a case where a rider recieved whiplash from a helmet that was too large. Mr. Todaro noted that a motorcycle cannot do as much damage as an automobile, however, his motorcycle insurance is as much as the insurance on his two trucks. He felt that he had carried more than his burden in regard to the tax rolls and insurance.

Senator Jacobsen asked if education should be mandatory. Mr. Todaro felt that education should be mandatory for a rider to qualify for a motorcycle operator's license.

Mr. Todaro noted that the reason that the helmet law was instituted was that there was a threat from the federal government that they would discontinue highway funds if the helmet law were not instituted. He also stated that helmets are stolen easily by cutting of the strap.

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Senator Jacobsen asked Mr. Todaro, as a father, if he ever required that his son wear a helmet. Mr. Todaro stated that he left that decision up to his son.

Senator Bilbray pointed out that Mr. Harrell's testimony also stated that whiplash injuries cannot happen to a motorcyclist because his entire body is free to move. Mr. Todaro stated that common sense proved that it is possible for a motorcyclist to receive a whiplash injury if his helmet is too large or too heavy.

Senator Hernstadt stated that it was testified that medical coverage was unobtainable or prohibitively expensive. Mr. Todaro stated that he does carry medical insurance and it is very expensive. He noted that anything can be insured, however, it may not be feasible to do so.

Mr. Chuck King, representing the Nevada Safety Council, felt that if the bill were passed a motorcycle safety course should be mandated. He said that the Nevada Safety Council could be of help in the training courses.

Senator Bilbray asked if there were any funds within the Nevada Safety Council to provide for a motorcycle safety course. Mr. King stated that the student would have to pay for the course and provide proof of completion of the course when he applied for a motorcycle operator's license.

Senator Neal asked how much money was raised in the Dollar to Save a Life campaign. Mr. King stated that \$18,000 to \$20,000 was made in that campaign. Senator Hernstadt noted that it seemed that not too many people were interested in safety.

Chairman Blakemore asked Mr. Frederic Harrell, representing the Motorcycle Dealers Association of Nevada and the Nevada Association of Concerned Motorcyclists, and Mr. Keith Henrikson, representing the United Motorcycle Riders of Nevada, to present the committee with the proposed amendment they had worked out with Mr. Lawson of the Office of Traffic Safety. Mr. Harrell felt that they had developed a workable alternative to a total mandatory education package. He pointed out that in 1971 mandatory education had been enacted. At that time there were no facilities available to address safety education courses and first-time licensees could not be certified. Mr. Harrell went on to explain that mandatory education on a statewide basis would not be feasible at the present time, however, it could be made available within a year. He proposed that there be an amendment to Senate Bill No. 297 which would require that from the ages of 16 to 18

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all motorcycle riders wear a helmet, from the ages of 18 to 21 all motorcycle riders would be required to wear a helmet unless they had successfully completed the Motorcycle Safety Foundation course, the motorcycle riders who are 21 and over would be required to wear a helmet for the first year of operation of the motorcycle unless they had successfully completed the Motorcycle Safety Foundation course.

Senator Bilbray believed that the amendment would require that between the ages of 16 and 21 a helmet would be worn. Mr. Henrikson explained that through discussions with various divisions of the Department of Motor Vehicles it was determined that on a statewide basis a mandatory Motorcycle Safety Foundation course could not be made available to all first-time licensees. Senator Bilbray stated that the people he talked to seemed less hostile about the repeal of the helmet law if riders from the ages of 16 to 21 would be required to wear a helmet.

Mr. Harrell recommended that in order to fund mandatory education a fee of \$2.00 be attached to licenses, which would provide \$20,000 per year, and a \$4.00 or \$5.00 fee be attached to registrations, which would provide \$80,000 to \$100,000 per year. He explained that the Department of Motor Vehicles personnel cannot instruct the courses because the Attorney General had ruled that there would be a conflict of interest. However, the department can monitor the classes to make sure that the Motorcycle Safety Foundation criteria is being adhered to. The additional fees would allow the department to hire two employees to monitor the courses. Mr. Harrell said that motorcyclists would be willing to pay the extra fees if the funds were earmarked for education and training. He noted that motorcycles used for training are being provided free of charge by the Motorcycle Dealer's Association.

Mr. Henrikson stated that the 18 to 21 age requirement was suggested so that there would be an educational incentive within the law. Senator Bilbray pointed out that law enforcement had stated that they could not differentiate between a 17 and a 19 year old. Mr. Henrikson stated that law enforcement which he spoke with stated that it would not be a problem to enforce because generally they would not stop motorcyclists because of their age. They would originally be stopped for a traffic violation and the driver's age would be discovered.

Mr. Harrell stated that the mandatory safety, such as the helmet law, is resented by the motorcyclists, as documented by the National Highway Traffic Safety Administration. He explained

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that safety has to be sold and it will only be resented if it is mandated. Many volunteer safety programs are ignored because of the helmet law.

Chairman Blakemore asked Mr. Harrell if states which have repealed the helmet law have implemented any education programs. Mr. Harrell stated that Ohio and Wisconsin have provisions similar to the amendments previously proposed. Such a program is working in Ohio. He stated that the groundwork had been developed for an extensive safety program in Nevada.

Chairman Blakemore asked what is the closest state to Nevada which still has a helmet law. Mr. Harrell stated that Wyoming and Nevada are the only western states which have a helmet law. He felt that Nevada and Wyoming are bastions of independence and did not understand why they would keep a law which would curtail independence.

Senator Hernstadt asked what percentage of motorcyclists voluntarily use a helmet in Arizona where there is not helmet law. Mr. Harrell stated that nationwide, in the 28 states which have repealed the helmet law, the voluntary use of helmets is at 50 to 60 percent. In Maryland there was a high-impact promotion, which is planned for Nevada, and voluntary use of helmets has been raised to 70 percent. He noted that use of a seatbelt is at 11 percent. He stated that between Phoenix and Tucson, Arizona, he counted 90 percent of the motorcyclists wearing a helmet.

Senator Jacobsen asked Mr. Harrell what he felt caused those 90 percent to wear a helmet. Mr. Harrell felt that personal choice, because of education, had caused them to wear a helmet. He felt that an understanding, through education, that helmets save lives, could be developed in the state if the helmet law were repealed.

Mary Lynne Evans, representing the Office of Traffic Safety, explained the motorcycle statistics as provided by Mr. David Lawson of the Office of Traffic Safety. (See Exhibit D.)

Senator Bilbray asked if there was a determination if the motorcyclists involved in accidents were on motorcycles for dirt riding or motorcycles for street riding. Ms. Evans stated that all figures reflect highway accidents.

Chairman Blakemore asked if the statistics reflected if the fatalities were from head injuries. Mr. Evans stated that she could not obtain that information. Chairman Blakemore stated that the lack of information regarding fatalities due to head injuries could make the statistics questionable.

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Ms. Evans stated that the figures for Hawaii could be high because the military personnel are required to wear helmets on the military bases. She also explained that voluntary use rates were based on either the voluntary use by the total motorcycling population or the amount of motorcyclists in fatal accidents who wore helmets. This was because the voluntary use rates by the entire motorcycling populations were not available in every state.

Mr. Harrell pointed out that when education is mandated there is the possibility that there will be motorcyclists in the course who do not want to learn and will disrupt the class. Senator Hernstadt pointed out that the motorcyclists will not only be required to take the course but also they must successfully complete the course.

Senator Bilbray suggested that before a motorcyclists's operators license could be renewed that the motorcyclist be required to take another course geared for the experienced rider. Mr. Henrikson stated that the Department of Motor Vehicles, Licensing Division, had told him that such a requirement would not be feasible, particularly in the next year, because of the large amount of licenses they would be issuing and the additional personnel such a mandate would require. Senator Bilbray stated that it would not require any additional testing be given by the Department of Motor Vehicles. Mr. Henrikson stated that he would not be opposed to such a mandate. Mr. Harrell explained that the Motorcycle Operators Skills Test is designed to test the motorcyclist's ability to ride a motorcycle, in a controlled situation. He explained that this test provides the same information as the Better Biking course for experienced riders and the 20 hour novice course. He noted that the department has a 40 percent failure rate of the Motorcycle Operators Skills Test. He felt that requiring experienced motorcyclists to attend a course would be unnecessary.

Mr. King stated that the Nevada Safety Council does not presently have a motorcycle safety course. He stated that the council would take the responsibility of offering a motorcycle safety course. Ms. Evans noted that the Clark County Community College and the Western Nevada Community College are currently providing the motorcycle safety course.

Mr. Harrell stated that statistics are more accurate if the number of fatalities is compared to the number of accidents rather than comparing the number of fatalities to the number of registrations. Senator Neal noted that with more motorcycles

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on the road, more accidents are likely to happen. Mr. Harrell explained that the statistics are more accurate when accidents are used as the basis because the registrations figures do not account for the number of tourists who are motorcyclists.

Senator Jacobsen asked if the fees which would be charged for education would be in addition to the increases in license and registration fees which are currently being considered in the legislature. Senator Hernstadt explained that the fees would be in addition to the proposed increases and they would be for education only.

Senator Hernstadt moved that Senate Bill No. 297 receive an amend and do pass recommendation with an amendment which would require that motorcycle riders between 16 and 18 years of age wear a helmet, motorcycle riders between the ages of 18 and 21 wear a helmet unless they had successfully completed the Motorcycle Safety Foundation course, and motorcycle riders who are 21 years of age or older would be required to wear a helmet during their first year of operating a motorcycle unless they had successfully completed the Motorcycle Safety Foundation course. These courses would be funded by an increase of \$2.00 in the license fee for motorcyclists and a \$5.00 increase in the registrations fee for motorcycles.

Senator Neal seconded the motion.

The motion passed. (Senator Jacobsen and Senator Bilbray voted "no".)

SENATE BILL NO. 159 (See Exhibit F)

Senator Jacobsen was concerned that the provisions for violators who fail to appear before the court should be enacted sooner than July 1, 1982. Chairman Blakemore explained that the delay was necessary for the Department of Motor Vehicles to coordinate with the courts. Senator Hernstadt stated that without the delay there would have to be an appropriation to enact it sooner.

Senator Hernstadt moved that Senate Bill No. 159 receive an amend and do pass recommendation with an amendment which would solve the conflict and coordinate with Ms. Alcamo's recommendations.

Senator Bilbray seconded the motion.

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The motion passed. (Senator Neal was absent for the vote.)

There being no further business, the meeting adjourned at
3:30 p.m.

Respectfully submitted by:


Kelly R. Torvik

APPROVED:


Senator Richard F. Blakemore
Chairman

Dated: 4/2, 1981

SENATE AGENDA

COMMITTEE MEETINGS

EXHIBIT A

Committee on Transportation, Room 323.

Day Tuesday, Date March 31, 1981, Time 2:00 p.m.

S. B. No. 159--Changes certain provisions of law relating to Drivers' licenses.

S. B. No. 297--Abolishes requirement that drivers of motorcycles and their passengers wear protective headgear.

SENATE COMMITTEE ON TRANSPORTATION

DATE: 3/31/81

EXHIBIT B

PLEASE PRINT NAME	PLEASE PRINT ORGANIZATION & ADDRESS	PLEASE PRINT TELEPHONE
<i>Joseph Adams</i>	<i>Dr. Adams' Visual</i>	<i>55360</i>
<i>Joe Taylor</i>		<i>973840</i>
<i>RAY HOBBS-Meyer</i>		<i>755-1121</i>
<i>GEORGE DEISSROTH</i>	<i>SELF, PTA, UMIRON</i>	<i>972 1414</i>
<i>Ray Oster</i>	<i>Westend Nevada Community Ctr</i>	<i>985-4902</i>
<i>Bruce Glover</i>	<i>DMV</i>	<i>793-2222</i>
<i>MARYLYNNE EVANS</i>	<i>DMV TRAFFIC SAFETY</i>	<i>985-5720</i>
<i>William King</i>	<i>Retired - CAPSA</i>	<i>882-2222</i>
<i>RANDY NICKSON</i>	<i>STUDENT</i>	<i>-</i>
<i>CHUCK KING</i>	<i>NEV. SAFETY COUNCIL</i>	<i>383-5501</i>
<i>Zeith Hemiker</i>	<i>UMRON</i>	
<i>Mr. [unclear]</i>	<i>[unclear]</i>	<i>885-5720</i>
<i>Fredric W Harrell</i>	<i>MC Dealers Ass of NV Las Vegas</i>	<i>871-1659</i>



EXHIBIT C

DEPARTMENT OF MOTOR VEHICLES

555 WRIGHT WAY

CARSON CITY, NEVADA 89711

DRIVER'S LICENSE DIVISION
(702) 885-5360

March 24, 1981

TO: CHAIRMAN BLAKEMORE
SENATE TRANSPORTATION COMMITTEE

FROM: *Sharon P. Alcamo*
SHARON P. ALCAMO, CHIEF
DRIVER'S LICENSE DIVISION

SUBJECT: SB 159 - FAILURE TO APPEAR PROGRAM

Based on your concerns about the "Failure to Appear" proposed legislation, the suggested changes are as follows:

1. Amend SB 159 by removing the "Failure to Appear" portion contained on Page 3, Lines 15-20, from the rest of the bill. This is to insure any legislative action taken on the "Failure to Appear" portion will not affect the other sections of the proposed law.
2. Remove the suggested "Failure to Appear" language from 483.470, as was originally proposed, and place it in its own individual section. By doing this, it will allow more flexibility in specifying the conditions of the "Failure to Appear" law and eliminate restrictive provisions already contained in 483.470.
3. Reword the original language to directly address your concerns. The proposed language is as follows:

Section 1. Chapter 483 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The department may suspend the license of a driver who holds a Nevada driver's license if he has violated a written promise to appear pursuant to a citation issued for a violation of a traffic law or ordinance occurring within this state other than one governing standing or parking and notice has been received from the court on a form approved by the department.

2. The driver's license will remain suspended until further notice is received from the court on a form approved by the department that he has appeared or the case has been adjudicated, appealed, or otherwise disposed of as provided by law.
3. Prior to the suspension of the license, the department will notify the person by mail that his privilege to drive is subject to suspension and allow him 30 days after the date of mailing such notice to comply with the conditions for removing the suspension listed in subsection 2 or to make a written request for a hearing in accordance with NRS 233B.

Section 2. Section 1 of this act applies to citations issued for a violation of a traffic law or ordinance issued on or after July 1, 1982.

The suspension of a driver's license for a Failure to Appear in court is consistent with the procedure used nationally through the Non-Resident Violator Compact.



EXHIBIT D

DEPARTMENT OF MOTOR VEHICLES

TRAFFIC SAFETY DIVISION
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710
(702) 885-5720

M E M O R A N D U M

TO: Senate Transportation Committee
FROM: David L. Lawson, Highway Safety Coordinator
DATE: March 30, 1981
RE: MOTORCYCLE STATISTICS

A handwritten signature in black ink, appearing to read "D. Lawson".

The attached compilation shows, by year of repeal, the number of persons killed in motorcycle accidents in the respective states. An approximate figure indicating the percent of persons using helmets in these states-is also shown. In the majority of cases, the figure represents a percent of persons killed who were wearing helmets in 1980 fatal accidents. Some states have done observational studies on the riding population, and, where available, these figures are noted and identified. As you can see in most cases, there was a substantial increase in the number of deaths in the year of or the year following repeal or weakening of helmet law legislation.

Also enclosed is a table showing the number of motorcycle registrations by state through 1979.

Should you have further questions regarding this issue, please call this office.

DLL/tai

Attachments

STATISTICS PREPARED BY THE:

**TRAFFIC SAFETY DIVISION
DEPARTMENT OF MOTOR VEHICLES
DAVID L. LAWSON
HIGHWAY SAFETY COORDINATOR
885-5720**

MOTORCYCLE FATAL STATISTICS

YEAR OF REPEAL - 1976
(PROVISIONS)

	<u>'75</u>	<u>'76</u>	<u>'77</u>	<u>'78</u>	<u>'79</u>	<u>'80</u>	<u>VOLUNTEER HELMET USAGE RATE</u>
<u>ALASKA</u> (MINORS)	10	8	13	18	11	N/A	N/A
<u>ARIZONA</u> (UNDER 18)	63	53	77	87	135	134	49%***
<u>CONNECTICUT</u> (NONE)	39	55	55	75	91	115	19%*
<u>IOWA</u> (NONE)	62	67	69	68	83	76	16%*
<u>KANSAS</u> (NONE)	38	44	51	52	54	56	15%*
<u>LOUISIANA</u> (UNDER 18)	49	65	90	95	80	N/A	N/A
<u>NORTH DAKOTA</u> (UNDER 18)	9	6	14	10	12	17	12%*
<u>OKLAHOMA</u> (UNDER 18)	56	53	71	65	80	N/A	N/A
<u>RHODE ISLAND</u> (ONLY PASSENGERS)	10	18	21	10	13	8	40%***

** 1980 FATALS - PERCENT OF MOTORCYCLISTS WEARING HELMETS

*** PERCENT OF MOTORCYCLISTS WEARING HELMETS ESTABLISHED BY SURVEY COUNTS

MOTORCYCLE FATAL STATISTICS

YEAR OF REPEAL - 1977
(PROVISIONS)

	'75	'76	'77	'78	'79	'80	<u>VOLUNTEER HELMET USAGE RATE</u>
<u>COLORADO</u> (NONE)	46	33	61	64	78	69	51%**
<u>HAWAII</u> (UNDER 18)	9	6	12	24	21	10	60%*
<u>INDIANA</u> (NONE)	85	81	96	135	161	138	33%*
<u>MAINE</u> (15 AND UNDER)	18	19	25	8	28	32	N/A
<u>MINNESOTA</u> (UNDER 18)	61	59	92	107	97	121	66%*
<u>MONTANA</u> (UNDER 18)	12	20	9	22	20	23	17%*
<u>NEW HAMPSHIRE</u> (UNDER 18)	16	17	27	27	35	35	45%*
<u>NEW MEXICO</u> (UNDER 18)	24	27	29	49	50	67	22%*
<u>OREGON</u> (UNDER 18)	37	42	71	67	66	79	23%*
<u>SOUTH DAKOTA</u> (UNDER 18)	13	10	18	13	22	18	46%*
<u>TEXAS</u> (UNDER 18)	202	182	264	317	358	N/A	N/A
<u>UTAH</u> (UNDER 18)	21	16	24	23	31	44	11%*
<u>WASHINGTON</u> (NONE)	53	61	75	115	119	119	30%*

** 1980 FATALS - PERCENT OF MOTORCYCLISTS WEARING HELMETS
*** PERCENT OF MOTORCYCLISTS WEARING HELMETS ESTABLISHED BY SURVEY COUNTS

MOTORCYCLE FATAL STATISTICS

YEAR OF REPEAL - 1978 (PROVISIONS)

	<u>'75</u>	<u>'76</u>	<u>'77</u>	<u>'78</u>	<u>'79</u>	<u>'80</u>	<u>VOLUNTEER HELMET USAGE RATE</u>
<u>DELAWARE</u> (UNDER 19)	8	9	4	7	12	15	N/A
<u>IDAHO</u> (UNDER 18)	22	19	21	25	35	33	N/A
<u>OHIO</u> (UNDER 18 AND FIRST YEAR NOVICE)	144	149	187	219	215	228	33%*
<u>WISCONSIN</u> (UNDER 18)	63	81	67	109	124	106	41%***

YEAR OF REPEAL - 1979 (PROVISIONS)

<u>MARYLAND</u> (UNDER 18)	53	47	49	72	64	94	66%***
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** 1980 FATALS - PERCENT OF MOTORCYCLISTS WEARING HELMETS

*** PERCENT OF MOTORCYCLISTS WEARING HELMETS ESTABLISHED BY SURVEY COUNTS

TOTAL MOTORCYCLE REGISTRATIONS By STATE

In 1979 motorcycle registrations accounted for 3.1% of all motor vehicles registered for use on public roads in the United States.

Regionally, the greatest number of motorcycle registrations occurred in the Midwest, where 80% of the motorcycle population was registered for use on public roads. The South, which was estimated to have the greatest number of motorcycles in use regionally, had the lowest percentage (57%) of motorcycles registered for street use.

The five leading states, California, Illinois, Michigan, Ohio, and Texas, accounted for one third of the estimated 5.0 million motorcycles registered in 1979.

U.S. TOTAL MOTORCYCLE REGISTRATIONS BY STATE 1970-1979

State	1970	1971	1972	1973	1974*	1975*	1976*	1977*	1978*	1979 Est*
Alabama	43,062	51,934	58,682	75,465	78,059	74,513	63,072	71,710	68,178	70,000
Alaska	8,535	9,639	10,843	11,308	11,760	12,639	13,292	13,290	12,249	11,000
Arizona	34,335	42,886	49,117	56,700	65,018	67,843	60,278	65,143	69,171	31,000
Arkansas	22,030	23,795	29,853	39,235	44,955	38,954	33,098	31,351	31,399	72,000
California	567,840	614,637	625,783	638,776	672,121	668,480	667,383	678,538	562,884	662,000
Colorado	44,744	57,007	68,818	81,740	92,725	95,315	95,787	105,819	118,753	124,000
Conn.	29,540	43,025	49,084	58,272	65,346	65,345	69,966	70,049	73,109	78,000
Delaware	4,861	5,970	5,144	6,053	7,451	7,647	7,153	8,137	8,565	9,000
Florida	98,688	122,020	133,489	151,959	187,540	164,982	180,998	93,337	152,935	153,000
Georgia	52,180	65,988	70,378	90,933	104,600	98,085	93,546	98,188	102,620	107,000
Hawaii	10,834	10,033	10,612	10,225	9,940	5,962	6,214	6,299	6,321	6,000
Idaho	26,876	32,027	35,941	43,295	46,237	44,428	43,134	44,650	46,715	50,000
Illinois	116,947	135,492	142,441	177,834	207,840	218,073	227,391	238,645	247,795	257,000
Indiana	71,205	88,920	92,674	102,284	145,033	142,427	140,741	153,154	154,330	155,000
Iowa	60,835	79,065	97,505	118,715	138,201	149,357	151,829	160,124	174,764	159,000
Kansas	53,847	74,525	88,894	99,399	92,354	90,329	86,789	85,190	84,832	84,000
Kentucky	26,334	29,597	36,721	49,353	58,034	61,027	59,351	61,405	60,989	62,000
Louisiana	30,190	34,035	37,083	44,686	59,722	53,541	57,832	68,986	72,420	76,000
Maine	9,973	12,683	16,146	20,441	25,832	27,095	27,594	32,797	35,356	40,000
Maryland	27,080	34,755	39,154	47,274	65,077	64,707	66,298	69,191	68,325	74,000
Mass.	44,918	52,707	55,887	68,690	82,881	81,249	72,611	86,240	83,854	85,000
Michigan	160,387	193,984	225,591	268,754	299,834	291,722	267,306	231,090	242,400	256,000
Minn.	72,447	89,226	103,764	121,490	139,304	137,995	151,270	149,008	137,220	138,000
Miss.	16,662	20,351	25,487	31,824	34,618	30,911	28,413	27,986	28,989	30,000
Missouri	50,234	67,755	80,736	95,314	108,869	101,968	96,201	95,099	87,053	86,000
Montana	24,765	29,958	34,678	36,856	39,692	39,225	38,580	46,784	54,051	61,000
Nebraska	32,853	38,480	40,149	42,834	49,209	50,130	52,383	50,446	49,960	51,000
Nevada	18,480	19,306	16,095	15,674	17,147	17,750	18,260	19,961	20,667	22,000
N.H.	9,537	12,673	15,672	21,468	27,145	27,121	25,957	27,852	41,370	47,000
New Jersey	47,637	57,352	65,228	70,605	84,621	83,531	86,753	91,087	89,741	90,000
New Mexico	21,839	27,437	29,787	31,217	33,622	35,263	37,699	38,885	42,691	46,000
New York	86,306	77,742	80,405	89,624	107,598	112,885	120,695	132,376	144,438	156,000
N.C.	47,841	60,368	76,171	95,917	117,515	111,551	105,633	104,216	97,256	95,000
N.D.	11,327	13,318	15,782	18,780	22,429	24,782	24,627	26,063	27,075	28,000
Ohio	129,230	152,088	179,835	225,610	238,087	232,390	254,452	253,686	239,490	236,000
Oklahoma	56,249	71,171	84,674	94,304	104,221	107,671	109,621	110,035	114,108	119,000
Oregon	59,035	69,769	73,566	85,563	71,817	73,268	83,821	84,822	74,276	75,000
Penn.	115,356	147,395	176,130	223,156	281,157	339,437	361,918	183,539	183,045	185,000
R.I.	10,903	13,231	15,190	17,939	20,085	20,152	19,919	24,892	24,333	26,000
S.C.	17,303	19,053	26,079	39,888	56,706	40,926	45,801	41,293	35,411	35,000
S.D.	11,995	13,897	16,624	19,758	23,019	24,041	25,127	26,636	27,667	27,000
Tenn.	45,450	57,698	70,283	79,148	98,178	95,723	85,763	86,653	82,888	81,000
Texas	144,624	186,183	218,195	242,966	279,475	273,863	270,099	285,735	218,966	218,000
Utah	29,172	37,782	45,700	46,974	52,065	51,068	50,357	53,168	52,507	56,000
Vermont	7,259	8,991	9,209	10,332	13,435	13,859	14,681	16,862	18,205	20,000
Virginia	32,566	40,984	52,729	70,362	89,978	91,151	72,302	75,688	72,175	73,000
Washington	62,284	74,703	81,315	91,849	110,162	110,211	111,825	115,441	106,978	110,000
West Va.	39,191	46,984	49,972	56,183	60,201	60,404	54,052	56,429	47,130	48,000
Wisconsin	54,415	60,122	70,277	83,631	104,854	115,571	125,161	133,173	143,651	152,000
Wyoming	10,550	12,478	13,887	15,029	16,245	15,732	17,288	16,051	17,867	19,000
D.C.	4,067	3,960	4,112	4,586	4,341	3,781	3,922	3,971	3,525	4,000
TOTAL	2,814,798	3,345,179	3,754,631	4,350,270	4,966,399*	4,964,070*	4,984,164*	4,881,150*	4,859,707*	4,984,000*

*Total U.S. and several state registrations figures for recent years may be inflated due to the implementation of staggered registration renewal systems and off-highway vehicle registration reporting systems, and the reporting of dual registration and titling transactions. No accurate revisions are available at this time.

Source: U.S. Department of Transportation, Federal Highway Administration

S. B. 297

**SENATE BILL NO. 297—SENATORS BLAKEMORE,
McCORKLE AND HERNSTADT**

FEBRUARY 25, 1981

Referred to Committee on Transportation

SUMMARY—Abolishes requirement that drivers of motorcycles and their passengers wear protective headgear. (BDR 43-1036)

**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 motorcycles; abolishing the requirement that drivers and passengers wear protective headgear; 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 486.231 is hereby amended to read as follows:**
2 **486.231 1. The department of motor vehicles shall adopt standards**
3 **for [protective headgear and] protective glasses, goggles or face shields**
4 **to be worn by the drivers and passengers of motorcycles and transparent**
5 **windcreens for motorcycles.**
6 **2. Except as provided in this section, when any motorcycle, [except**
7 **a] trimobile or moped [.] is being driven on a highway, the driver and**
8 **passenger shall wear [protective headgear securely fastened on the head**
9 **and] protective glasses, goggles or face shields meeting those standards.**
10 **[Drivers and passengers of trimobiles shall wear protective glasses, gog-**
11 **gles or face shields which meet those standards.]**
12 **3. When a motorcycle or a trimobile is equipped with a transparent**
13 **windscreen meeting those standards, the driver and passenger are not**
14 **required to wear glasses, goggles or face shields.**
15 **4. When a motorcycle is being driven in a parade authorized by a**
16 **local authority, the driver and passenger are not required to wear the**
17 **protective devices provided for in this section.**
18 **5. When a three-wheel motorcycle, on which the driver and passen-**
19 **gers ride within an enclosed cab, is being driven on a highway, the driver**
20 **and passengers are not required to wear the protective devices required**
21 **by this section.**
22 **SEC. 2. NRS 486.241 is hereby amended to read as follows:**
23 **486.241 1. A person shall not sell, offer for sale or distribute any**

1 protective [headgear,] glasses, goggles or face shields for use by any
2 drivers or passengers of motorcycles or transparent windscreens for
3 motorcycles unless such equipment is of a type and specification meeting
4 the standards therefor adopted by the department of motor vehicles.
5 2. The provisions of this section [shall] do not prohibit the sale of
6 protective [headgear,] glasses, goggles or face shields which comply with
7 the rules and regulations adopted by the United States Department of
8 Transportation.

S. B. 159

SENATE BILL NO. 159—COMMITTEE ON
TRANSPORTATION

JANUARY 30, 1981

Referred to Committee on Transportation

SUMMARY—Changes certain provisions of law relating to drivers' licenses. (BDR 43-290)

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 drivers' licenses; making a violation of a written promise to appear for a traffic citation an offense for which a driver's license may be suspended; providing for the use of a list of licensed drivers in selecting jurors; changing certain other provisions relating to the suspension or revocation of drivers' licenses; 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 483 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *The department shall provide a list of licensed drivers in any*
4 *county upon the request of a district judge of the judicial district in*
5 *which the county lies for use in selecting jurors.*
6 2. *The court which requests the list shall reimburse the department*
7 *for the reasonable cost of the list.*
8 SEC. 2. NRS 483.450 is hereby amended to read as follows:
9 483.450 1. Whenever any person is convicted of any offense for
10 which NRS 483.010 to 483.630, inclusive, make mandatory the revoca-
11 tion of [the] *his* driver's license [of such person] by the department,
12 the court in which [such] *the* conviction is had shall require the sur-
13 render to it of all [drivers'] *driver's* licenses then held by the person so
14 convicted, and the court shall thereupon, within 5 days, forward [the
15 same,] *these licenses*, together with a record of [such] *the* conviction,
16 to the department.
17 2. [Such] *A* record of conviction [shall] *must* be made upon a
18 form furnished by the department and [shall] include the name and
19 address of the person charged, the number of his driver's license, *his*
20 *social security number if he has one*, the registration number of the
21 vehicle involved, the nature of the offense, the date of hearing, the plea,
22 the judgment or a statement that bail was forfeited, the amount of the

1 fine or forfeiture, and a statement that the license was revoked or sus-
2 pended as the case may be.

3 3. Every court, including a juvenile court, having jurisdiction over
4 offenses committed under NRS 483.010 to 483.630, inclusive, or any
5 other law of this state or municipal ordinance regulating the operation
6 of motor vehicles on highways, shall, within 5 days, forward to the
7 department:

8 (a) If the court is other than a juvenile court, a record of the convic-
9 tion of any person in [such] that court for a violation of any such laws
10 other than regulations governing standing or parking; or

11 (b) If the court is a juvenile court, a record of any finding that a
12 child has violated a traffic law or ordinance other than one governing
13 standing or parking,

14 and may recommend the suspension of the driver's license of the person
15 so convicted or child so found in violation of a traffic law or ordinance.

16 4. For the purposes of NRS 483.010 to 483.630, inclusive, the term
17 "conviction" means a final conviction, and includes a finding by a
18 juvenile court pursuant to NRS 62.083. Also, for the purpose of NRS
19 483.010 to 483.630, inclusive, a forfeiture of bail or collateral deposited
20 to secure a defendant's appearance in court, [which] if the forfeiture
21 has not been vacated, is equivalent to a conviction.

22 5. The necessary expenses of mailing licenses and records of con-
23 viction to the department as required by subsections 1 and 3 [of this
24 section shall] must be paid by the court charged with the duty of for-
25 warding [such] those licenses and records of conviction.

26 SEC. 3. NRS 483.460 is hereby amended to read as follows:

27 483.460 1. Unless otherwise provided by law, the department shall
28 [forthwith] revoke, for [a period of] 1 year, the license of any driver
29 upon receiving a record of [such driver's] his conviction of any of the
30 following offenses, when [such] that conviction has become final:

31 (a) Manslaughter resulting from the driving of a motor vehicle.

32 (b) Any felony in the commission of which a motor vehicle is used,
33 including the unlawful taking of a motor vehicle.

34 (c) Failure to stop and render aid as required under the laws of this
35 state in the event of a motor vehicle accident resulting in the death or
36 personal injury of another.

37 (d) Perjury or the making of a false affidavit or statement under oath
38 to the department under NRS 483.010 to 483.630, inclusive, or under
39 any other law relating to the ownership or driving of motor vehicles.

40 (e) Conviction, or forfeiture of bail not vacated, upon three charges
41 of reckless driving committed within a period of 12 months.

42 (f) A second or subsequent conviction after 3 years but within 7 years
43 of a prior conviction for driving under the influence of intoxicating
44 liquor or any controlled substance.

45 2. The department shall revoke for 2 years the license of any driver
46 convicted of a second or subsequent offense within 3 years of a prior
47 conviction for driving under the influence of intoxicating liquor or any
48 controlled substance.

49 SEC. 4. NRS 483.470 is hereby amended to read as follows:

50 483.470 1. The department [is hereby authorized to] may suspend

1 the license of a driver without preliminary hearing upon a showing by
2 its records or other sufficient evidence that the licensee:

3 (a) Has committed an offense for which mandatory revocation of
4 license is required upon conviction;

5 (b) Has been involved as a driver in any accident resulting in the
6 death or personal injury of another or serious property damage;

7 (c) Is an habitually reckless or negligent driver of a motor vehicle;

8 (d) Is an habitual violator of the traffic laws;

9 (e) Is physically or mentally incompetent to drive a motor vehicle;

10 (f) Has permitted an unlawful or fraudulent use of such license;

11 (g) Has committed an offense in another state which if committed in
12 this state would be grounds for suspension or revocation; [or]

13 (h) Has failed or refused to comply with the terms and conditions of
14 issuance of a restricted license [.] ; or

15 (i) *Has violated a written promise to appear pursuant to a citation*
16 *issued for a violation of a traffic law or ordinance occurring within this*
17 *state other than one governing standing or parking. The driver's license*
18 *remains suspended until further notice is received from the court that he*
19 *has appeared or that the case has been adjudicated, appealed or other-*
20 *wise disposed of as provided by law.*

21 2. As used in this section, "traffic violation" means conviction on a
22 charge involving a moving traffic violation in any municipal court, justice's
23 court or district court in the State of Nevada, and includes a finding by a
24 juvenile court pursuant to NRS 62.083 that a child has violated a traffic
25 law or ordinance other than one governing standing or parking.

26 3. The department shall establish a uniform system of demerit
27 points for various traffic violations occurring within the State of Nevada
28 affecting any holder of a driver's license issued by the department.

29 4. [Such system shall] *The system must* be a running system of
30 demerits covering [a period of] 12 months next preceding any date on
31 which a licensee may be called before the department to show cause as to
32 why his driver's license should not be suspended.

33 5. [Such system shall] *The system must* be uniform in its operation
34 and the department shall set up a system of demerits for each traffic vio-
35 lation coming under this section, depending upon the gravity of such
36 violation, on a scale of one demerit point for a minor violation of any
37 traffic law to eight demerit points for an extremely serious violation of the
38 law governing traffic violations. In the event of conviction of two or
39 more traffic violations committed on a single occasion, points [shall]
40 *must* be assessed for one offense, and if the point values differ, points
41 [shall] *must* be assessed for the offense having the greater point value.
42 Details of the violation [shall] *must* be submitted to the department by
43 the court where the conviction is obtained. The department may provide
44 for a graduated system of demerits within each category of violations
45 according to the extent to which the traffic law was violated.

46 6. When any driver has accumulated three or more demerit points,
47 but less than 12, the department shall notify him of this fact. If, after the
48 department mails such notice, the driver presents proof to the department
49 that he has successfully completed a traffic safety school course, approved
50 by the department, for the number of hours prescribed by the course, with

1 the approval of the department as constituting a course of instruction, the
2 department shall cancel three demerit points from his driving record,
3 pursuant to this subsection; but if [such] the driver accumulates 12 or
4 more demerit points before completing the traffic safety school, he [will
5 not be] is not entitled to have demerit points canceled upon a completion
6 of [such] the course, but [shall] must have his license suspended. A
7 person [shall] may be allowed to attend only once in 12 months for the
8 purpose of reducing his demerit points. The three demerit points can
9 only be canceled from a driver's record during the 12-month period
10 immediately following the driver's successful completion of the traffic
11 safety school.

12 7. Any three-demerit-point reduction [shall apply] applies only to
13 the demerit record of the driver and [shall] does not affect his driving
14 record with the department or insurance record.

15 8. When any licensee has accumulated 12 or more demerit points
16 the department shall suspend [the license of such licensee] his license
17 until the total of his demerits has dropped below 12 demerits in the next
18 preceding 12 months.

19 9. The director of the department of motor vehicles [is hereby
20 empowered to set up] may establish a scale of demerit values for each
21 traffic violation.

22 10. Upon suspending the license of any person as authorized in this
23 section, the department shall immediately notify the licensee in writing,
24 and upon his request shall afford him an opportunity for a hearing as
25 early as practical within [not to exceed] 20 days after receipt of [such]
26 a request in the county wherein the licensee resides unless the department
27 and the licensee agree that [such] the hearing may be held in some
28 other county. Upon [such] the hearing the administrator, or his duly
29 authorized agent, may administer oaths and may issue subpoenas for the
30 attendance of witnesses and the production of relevant books and papers,
31 and may require a reexamination of the licensee. Upon [such] the
32 hearing the department shall either rescind its order of suspension or,
33 good cause appearing therefor, may extend the suspension of [such
34 license] or revoke [such] the license.

35 SEC. 5. NRS 483.490 is hereby amended to read as follows:

36 483.490 1. Unless otherwise provided by law, the department may
37 not suspend a license for a period of more than 1 year.

38 2. The department may, after the expiration of 1 year from the date
39 of revocation of a license and when the period of revocation exceeds 1
40 year, issue a driver's license to an applicant permitting the applicant to
41 drive a motor vehicle for purposes of his employment only, if the depart-
42 ment is satisfied that a severe hardship exists.

43 3. The periods of suspensions and revocations under this chapter
44 and under NRS 484.385 [shall] must run consecutively, except as pro-
45 vided in NRS 483.470, when the suspensions [shall] must run con-
46 currently.

47 4. Whenever the department suspends or revokes a license, the
48 period of suspension or revocation begins upon the effective date of the
49 revocation or suspension as contained in the notice thereof.

50 SEC. 6. NRS 483.560 is hereby amended to read as follows:

- 1 483.560 1. Except as provided in NRS 485.330, any person who
2 drives a motor vehicle on a highway of this state at a time when his
3 driver's license has been canceled, revoked or suspended [shall be] is
4 guilty of a misdemeanor.
- 5 2. Any term of confinement imposed under the provisions of sub-
6 section 1 may be served intermittently at the discretion of the judge or
7 justice of the peace. This discretion [shall] *must* be exercised after con-
8 sidering all the circumstances surrounding the offense, and the family
9 and employment situation of the person convicted. However, the full
10 term of confinement [shall] *must* be served within a 6-month period
11 from the date of conviction, and any segment of time the person is con-
12 fined [shall] *must* not consist of less than a 24-hour period.
- 13 3. Jail sentences simultaneously imposed under this section and NRS
14 484.379 [shall] *must* run consecutively.
- 15 4. The department upon receiving a record of the conviction of any
16 person under this section upon a charge of driving a vehicle while the
17 license of [such] *the* person was suspended shall extend the period of
18 [such] *the* suspension for an additional like period, [from and after the
19 expiration date of the last suspension period;] and if the conviction was
20 upon a charge of driving while a license was revoked the department shall
21 extend the period of revocation for an additional [period of] 1 year.
22 [from and after the date such person would otherwise have been entitled
23 to apply for a new license.] Suspensions and revocations under this sec-
24 tion [shall] *must* run consecutively.

⊕