

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON TRANSPORTATION

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
April 14, 1981

The Senate Committee on Transportation was called to order by Chairman Richard E. Blakemore, at 1:43 p.m., Tuesday, April 14, 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 MEMBERS PRESENT:

Fred W. Welden, Senior Research Analyst  
Kelly R. Torvik, Committee Secretary

SENATE BILL NO. 444 (See Exhibit C)

Senator Hernstadt explained that Mr. Heber Hardy, Mr. Virgil Anderson, Mr. Daryl Capurro and himself had developed Amendment No. 524 to solve the problem of the non-profit organizations being considered brokers and, therefore, being unable to find transportation for tours. The amendment would; exempt valid motor clubs from the brokers provision; exempt a bonafide charitable organization, such as a non-profit corporation, society, organization, association for education, religious or charitable purpose, and; require the commission to issue a broker's license to those persons who hold a valid broker's license from a city or a county. He urged adoption of the bill and amendment. He explained that the amendment also reinstates the broker law which was invalidated by a federal court case.

Senator Faiss moved that the bill receive an amend and do pass recommendation.

Senator Bilbray seconded the motion.

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The motion passed. (Senator Neal, Senator Jacobsen and Senator McCorkle were absent for the vote.)

SENATE BILL NO. 477 (See Exhibit D)

Chairman Blakemore explained the bill and noted the suggested amendments. (See Exhibit C of the April 9, 1981 minutes.) He noted that it was also suggested that the \$3 fee which is for the support of the Public Service Commission (P.S.C.) Transportation Inspectors be lowered to \$2 since the number of inspectors had been decreased by the Senate Committee on Finance.

Mr. Wink Richards, Chief, Motor Carrier Division, Department of Motor Vehicles, agreed with the amendments.

Chairman Blakemore felt that \$2 would be more than sufficient to support the remaining inspectors at the P.S.C. Mr. Daryl Capurro, Nevada Motor Transport Association, stated that every \$1 generates \$143,000.

Senator Bilbray questioned why the bill asked for an increase in the P.S.C. inspectors fee. Mr. Capurro explained that the bill had been written prior to the approval of the transfer of inspectors from the P.S.C. to the Department of Motor Vehicles.

Senator Bilbray moved that the bill receive and an amend and do pass recommendation with the amendments which were mentioned by Chairman Blakemore.

Senator Hernstadt seconded the motion.

The motion passed. (Senator Neal and Senator McCorkle were absent for the vote.)

SENATE BILL NO. 319

Senator Hernstadt pointed that this bill did not contradict with Senate Bill No. 398.

Senator Bilbray noted that leasing allows the Taxicab Authority (T.A.) to consult the owner of the company when there is a problem regarding violations by a driver. With independent drivers the T.A. would have to contact every driver if there is a problem regarding violations.

Senator Hernstadt felt that since a driver has to win a lottery to get a medallion and the resale value of his franchise is high that the driver would be careful about jeopardizing the

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the validity of the medallion. He noted that if a driver does not provide service that the passenger can file a complaint against the driver. Senator Bilbray stated that not very many people would file a complaint.

Senator Bilbray moved that Senate Bill No. 319 be indefinitely postponed.

Senator Jacobsen seconded the motion.

The motion passed. (Senator Hernstadt and Senator McCorkle voted "no".)

SENATE BILL NO. 398 (See Exhibit E)

Senator Bilbray suggested an amendment to the bill. (See Exhibit F.)

Senator Hernstadt suggested that the bill be amended to provide that the drivers have the opportunity to enter into a company health plan and a Nevada Industrial Insurance plan through the company from which they are leasing. Senator Hernstadt felt that if a company were going to lease taxicabs it would only lease taxicabs and not have any employee drivers.

Senator McCorkle stated that the lessor should have the option of administering a health and medical program.

Senator Bilbray agreed that if the employees of the company were receiving benefits that the lessee drivers should be receiving the same benefits.

Mr. Jim Joyce, Southern Nevada Taxicab Owners Association, stated that, according to those he spoke with, if a company were going to convert to leasing it would convert slowly and cautiously. He stated that he was advised that if the lessee wished that the company administer industrial insurance, social security, health or medical insurance the lessee would pay into a fund which would be administered by the lessor. This would be an option within the lease agreement. He stated that such a procedure was used in other cities. He explained that there already is a statute which states that the independent contractor is responsible for carrying the industrial insurance. The members of the association which he had contacted had stated that they had no problem with Senator Bilbray's amendment.

Senator Hernstadt moved that the bill receive an amend and do pass recommendation.

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Senator McCorkle seconded the motion.

The motion passed. (Senator Jacobsen voted "no". Senator Neal was absent for the vote.)

SENATE BILL NO. 399

Senator Hernstadt was concerned that the transitory language within the bill would require that eventually all taxicab companies would be equal in allocations. He did not believe that was the intent of the bill. He felt that the bill was intended to allow the T.A. to continue to allocate taxicabs equally among the 12 companies in Las Vegas.

Senator Bilbray had a proposed amendment for the bill. (See Exhibit F.)

Mr. Jim Avance, Taxicab Authority, agreed with Senator Hernstadt's belief in regard to the intention of the bill.

Senator Jacobsen suggested that the committee review the amendments before it takes action on the bill.

Senator McCorkle asked how the taxicabs are presently being allocated. Mr. Avance explained that the T.A. determines a need for additional taxicabs and divides the additional taxicabs among the existing companies.

Senator McCorkle asked how the larger companies became so large. Mr. Avance explained that when the original allocation was made in 1969 the allocation was based on the taxicabs that the companies had at that time.

The committee agreed with Senator Jacobsen's suggestion that the committee review the amendments before taking action.

SENATE BILL NO. 397 (See Exhibit G)

Senator Bilbray moved that the bill receive a do pass recommendation.

Senator Hernstadt seconded the motion.

The motion passed. (Chairman Blakemore, Senator Neal, and Senator Faiss voted "no".)

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SENATE BILL NO. 396

Senator Hernstadt moved that the bill be indefinitely postponed.

Senator Bilbray seconded the motion.

The motion passed unanimously.

SENATE BILL NO. 297

Chairman Blakemore explained that there was a constitutional question as to the manner in which the committee proposed to raise funds for motorcycle education and the amendments would have to be redrafted and brought back to the committee for review. He stated that state funds for training will run out in September.

The committee agreed to a committee introduction of B.D.R. 40-1894.

There being no further business, the meeting adjourned at 2:15 p.m.

Respectfully submitted by:

  
Kelly R. Torvik

APPROVED:

  
Senator Richard E. Blakemore  
Chairman

Dated: 4/15, 1981

\*(S.B. 546)

SENATE AGENDA

COMMITTEE MEETINGS

EXHIBIT A

Committee on Transportation, Room 323.

Day Tuesday, Date April 14, 1981, Time 2:00

Work Session.



**S. B. 444**

**SENATE BILL NO. 444—SENATOR HERNSTADT**

**MARCH 25, 1981**

**Referred to Committee on Transportation**

**SUMMARY—Removes brokers from regulations pertaining to motor carriers. (BDR 58-1356)**

**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 motor carriers; removing brokers from the provisions regulating motor carriers; 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 706.151 is hereby amended to read as follows:**  
2     **706.151 1. It is hereby declared to be the purpose and policy of the**  
3 **legislature in enacting this chapter:**  
4     **(a) Except to the extent otherwise provided in NRS 706.881 to 706.-**  
5 **885, inclusive, to confer upon the commission the power and authority**  
6 **and to make it the duty of the commission to supervise and regulate**  
7 **common and contract motor carriers, [and brokers,] and to regulate for**  
8 **licensing purposes private motor carriers of property when used for**  
9 **private commercial enterprises on the highways of this state, and to**  
10 **confer upon the department the power and authority to license all motor**  
11 **carriers, so as to relieve [the existing and all future] undue burdens on**  
12 **[such] *the* highways arising [by reason of] *from* the use of [such] *the***  
13 **highways by vehicles in a gainful occupation thereon;**  
14     **(b) To provide for reasonable compensation for the use of [such] *the***  
15 **highways in [such] gainful occupations, and enable the State of Nevada,**  
16 **by a utilization of the license fees, to provide more fully for the proper**  
17 **construction, maintenance and repair thereof, and thereby protect the**  
18 **safety and welfare of the traveling and shipping public in their use of the**  
19 **highways; and**  
20     **(c) To provide for fair and impartial regulation, to promote safe, ade-**  
21 **quate, economical and efficient service and foster sound economic con-**  
22 **ditions in motor transportation, and to encourage the establishment and**  
23 **maintenance of reasonable charges for such transportation services, with-**  
24 **out unjust discriminations, undue preferences or advantages, or unfair**  
25 **or destructive competitive practices.**



1 2. All of the provisions of this chapter [shall] *must* be administered  
2 and enforced with a view to carrying out the declaration of policy con-  
3 tained in subsection 1.

4 SEC. 2. NRS 706.156 is hereby amended to read as follows:

5 706.156 All common and contract motor carriers [and brokers]  
6 are hereby declared to be:

- 7 1. Affected with a public interest.
- 8 2. Subject to NRS 706.011 to 706.791, inclusive; and
- 9 3. Subject to the laws of this state, including the regulation of all  
10 rates, charges and services by the commission.

11 SEC. 3. NRS 706.166 is hereby amended to read as follows:

12 706.166 The commission shall:

13 1. Supervise and regulate every common and contract motor carrier  
14 [and broker] in this state in all matters affecting the relationship  
15 between [such carriers and brokers] *the carriers* and the traveling and  
16 shipping public over and along the highways.

17 2. Regulate for licensing purposes private motor carriers of property  
18 when used for private commercial enterprises on the highways.

19 3. To implement the policies and objectives expressed in paragraph  
20 (c) of subsection 1 of NRS 706.151, adopt regulations providing for  
21 agreements between two or more motor carriers relating to:

- 22 (a) Fares;
- 23 (b) Rates;
- 24 (c) Classifications;
- 25 (d) Divisions;
- 26 (e) Allowances; and
- 27 (f) Charges, including charges between carriers and compensation  
28 paid or received for the use of facilities and equipment.

29 Such regulations may not provide for collective agreements which pre-  
30 clude the unrestrained right of any party to take free and independent  
31 action.

32 SEC. 4. NRS 706.226 is hereby amended to read as follows:

33 706.226 No common, contract or private motor carrier shall operate  
34 on any highway [nor any broker engage in business] in this state except  
35 in accordance with the provisions of this chapter.

36 SEC. 5. NRS 706.386 is hereby amended to read as follows:

37 706.386 1. It is unlawful [

38 (a) Except] , *except* as provided in subsection 2, for any common  
39 motor carrier to operate as a carrier of intrastate commerce within this  
40 state without first [having obtained] *obtaining* a certificate of public  
41 convenience and necessity from the commission.

42 [(b) For a broker to act as such on or off the highways of this state  
43 without having obtained a certificate of public convenience and necessity  
44 from the commission.]

45 2. A nonprofit carrier of elderly or physically or mentally handi-  
46 capped persons is not required to obtain a certificate of public conven-  
47 ience and necessity to operate as a common motor carrier of such  
48 passengers only, but such a carrier is not exempt from inspection by the  
49 commission to determine whether its vehicles and their operation are  
50 safe.

1 SEC. 6. NRS 706.391 is hereby amended to read as follows:

2 706.391 1. Upon the filing of an application for a certificate of  
3 public convenience and necessity, the commission shall fix a time and  
4 place for hearing thereon, and shall proceed according to the provisions  
5 of the laws of this state made applicable thereto.

6 2. Before granting a certificate of public convenience and necessity  
7 to an applicant, the commission shall take into consideration:

8 (a) Other authorized transportation facilities in the territory for which  
9 a certificate is sought;

10 (b) The public necessity and convenience to be accorded by the  
11 service offered by [such] the applicant; and

12 (c) Whether the applicant is fit, willing and able to perform the serv-  
13 ices of a common motor carrier [or broker] and whether the proposed  
14 operation will be consistent with the legislative policy set forth in NRS  
15 706.151.

16 3. The commission may issue a certificate of public convenience and  
17 necessity to operate as a common motor carrier, [or broker,] or issue  
18 it for:

19 (a) The exercise of the privilege sought.

20 (b) The partial exercise only of the privilege sought.

21 4. The commission may attach to the exercise of the rights granted  
22 by [such] the certificate such terms and conditions as, in its judgment,  
23 the public interest may require.

24 5. The commission may dispense with the hearing on the application  
25 if, upon the expiration of the time fixed in the notice thereof, no protest  
26 against the granting of the certificate has been filed by or in behalf of  
27 any interested person.

28 SEC. 7. NRS 706.761 is hereby amended to read as follows:

29 706.761 1. Any agent or person in charge of the books, accounts,  
30 records, minutes or papers of any private, common or contract motor  
31 carrier [or broker] who refuses or fails for a period of 30 days to fur-  
32 nish the commission or department with any report required by either or  
33 who fails or refuses to permit any person authorized by the commission  
34 or department to inspect [such] those books, accounts, records, minutes  
35 or papers on behalf of the commission or department is liable to a penalty  
36 in a sum of not less than \$300 nor more than \$500. The penalty may  
37 be recovered in a civil action upon the complaint of the commission or  
38 department in any court of competent jurisdiction.

39 2. Each day's refusal or failure is a separate offense, and is subject  
40 to the penalty prescribed in this section.

41 SEC. 8. NRS 706.766 is hereby amended to read as follows:

42 706.766 1. It is unlawful for any common or contract motor carrier  
43 [or broker] to charge, demand, collect or receive a greater or less  
44 compensation for any service performed by it within the state or for any  
45 service in connection therewith than is specified in its fare, rates, joint  
46 rates, charges or [rules and] regulations on file with the commission,  
47 or to demand, collect or receive any fare, rate or charge not specified.  
48 The rates, tolls, and charges named therein [shall be] are the lawful  
49 rates, tolls and charges until they are changed as provided in this chapter.

50 2. It is unlawful for any common or contract motor carrier [or

1 broker] to grant any rebate, concession or special privilege to any per-  
2 son which, directly or indirectly, has or may have the effect of changing  
3 the rates, tolls, charges or payments.

4 3. Any violation of the provisions of this section [shall subject]  
5 subjects the violator to the penalty prescribed in NRS 706.761.

6 SEC. 9. NRS 706.771 is hereby amended to read as follows:

7 706.771 1. Any common or contract motor carrier, [or broker,] or  
8 any agent or employee thereof, who violates any provision of this chap-  
9 ter, any regulation of the commission or any lawful tariff on file with  
10 the commission or who fails, neglects or refuses to obey any commission  
11 order or any court order for whose violation a civil penalty is not other-  
12 wise prescribed is liable to a penalty of not more than \$500 per day,  
13 but not more than \$10,000 for any related series of offenses. The penalty  
14 [shall] may be recovered in a civil action upon the complaint of the  
15 commission in any court of competent jurisdiction.

16 2. A penalty recovered pursuant to this section is not a cost of  
17 service for purposes of ratemaking.

18 SEC. 10. NRS 706.021 is hereby repealed.

S. B. 477

## SENATE BILL NO. 477—SENATOR JACOBSEN

MARCH 27, 1981

Referred to Committee on Transportation

SUMMARY—Revises provisions for licensing of motor carriers and certain other motor vehicles. (BDR 58-790)

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 motor vehicles; revising the provisions for the licensing of motor carriers and certain other motor vehicles; 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 706 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 *The provisions of NRS 706.011 to 706.861, inclusive, do not apply*  
4 *to vehicles leased to or owned by:*  
5 1. *The Federal Government or any instrumentality thereof.*  
6 2. *Any state or a political subdivision thereof.*  
7 SEC. 2. NRS 706.266 is hereby amended to read as follows:  
8 706.266 1. [Except as provided in NRS 706.521 and 706.526, it]  
9 *It is unlawful for any common, contract or private motor carrier to*  
10 *operate as a motor carrier of intrastate, or interstate or foreign commerce*  
11 *within or through this state without having furnished the commission*  
12 *the following:*  
13 (a) In the case of interstate or foreign commerce:  
14 (1) Good and sufficient evidence satisfactory to the commission  
15 that it has complied with all of the provisions of the Federal Motor Car-  
16 rier Act of 1935, as amended, and the motor carrier safety rules and  
17 regulations of the Department of Transportation as amended.  
18 (2) A current copy of its certificate, permits or exemptions which  
19 have been issued by the Interstate Commerce Commission.  
20 (3) Such other information as the commission may request.  
21 (b) In the case of intrastate commerce:  
22 (1) Where a person does not hold a certificate of convenience and  
23 necessity or a permit to operate as a common or contract motor carrier  
24 in the State of Nevada an affidavit certifying that the person intends to  
25 operate as a private carrier.

1 (2) Such other information as the commission may request.

2 2. The commission may waive any or all of such requirements.

3 [3. Upon being notified by the commission that all requirements  
4 have been complied with and upon receipt of an application and the pay-  
5 ment of a license fee, or upon being satisfied that such fee is secured, the  
6 department shall issue such intrastate or interstate or foreign motor car-  
7 rier identifying devices indicating the type of carriage such motor carrier  
8 may perform in this state.]

9 SEC. 3. NRS 706.491 is hereby amended to read as follows:

10 706.491 [1.] Except as provided in NRS by 706.521 and 706.526,  
11 every person operating as a common contract or private motor carrier  
12 shall [prior to] before commencing operation in this state in any cal-  
13 endar year, secure from the department a license and make payments  
14 therefor as provided in NRS 706.011 to 706.791, inclusive.

15 [2. The license herein provided for shall be secured on or before  
16 January 1 of each year and shall become delinquent on January 1 of  
17 each year.]

18 SEC. 4. NRS 706.506 is hereby amended to read as follows:

19 706.506 1. Except as otherwise provided in NRS 482.480 and 706.-  
20 011 to 706.791, inclusive, the license fees for motor vehicles are as  
21 follows:

22	Unladen weight	Fee
23	5,001 pounds to and including 6,000 pounds.....	[ \$45 ] \$59
24	6,001 pounds to and including 7,000 pounds.....	[ 72 ] 95
25	7,001 pounds to and including 8,000 pounds.....	[ 99 ] 131
26	8,001 pounds to and including 9,000 pounds.....	[ 126 ] 166
27	9,001 pounds to and including 10,000 pounds.....	[ 153 ] 202
28	10,001 pounds to and including 11,000 pounds.....	[ 180 ] 238
29	11,001 pounds to and including 12,000 pounds.....	[ 207 ] 273
30	12,001 pounds to and including 13,000 pounds.....	[ 234 ] 309
31	13,001 pounds to and including 14,000 pounds.....	[ 261 ] 345
32	14,001 pounds to and including 15,000 pounds.....	[ 288 ] 380
33	15,001 pounds to and including 16,000 pounds.....	[ 315 ] 416
34	16,001 pounds to and including 17,000 pounds.....	[ 342 ] 451
35	17,001 pounds to and including 18,000 pounds.....	[ 369 ] 487
36	18,001 pounds to and including 19,000 pounds.....	[ 396 ] 523
37	19,001 pounds to and including 20,000 pounds.....	[ 423 ] 558
38	20,001 pounds and over.....	[ 450 ] 595

39 2. [For the purposes of this section each vehicle, including a trailer  
40 and semitrailer, must be considered a separate vehicle, but no license is  
41 required for converter gear dollies. Notwithstanding any other provisions  
42 of NRS 706.011 to 706.791, inclusive, the number of trailers to be  
43 licensed in conjunction with a motor vehicle is the maximum number  
44 to be towed by that motor vehicle.

45 3. The unladen weight fee of vehicles carrying permanently  
46 mounted equipment, including but not limited to ready-mix concrete  
47 vehicles, well-drilling vehicles and similar classes of vehicles specifically  
48 designated by the department, must be determined by using a weight  
49 equivalent to 70 percent of the total weight of such vehicles, fully  
50 equipped but exclusive of load.

1 4.] Except for the license fee provided for in subsection [6.] 4, the  
 2 license fee imposed by this section must be reduced one-twelfth, rounded  
 3 to the nearest dollar, for each month which has elapsed since the begin-  
 4 ning of the calendar year.

5 [5.] 3. Should any motor vehicle within the terms of this chapter be  
 6 changed in any respect after it is weighed, which change increases its  
 7 unladen weight, the department may require another weighing of the  
 8 vehicle and additional fees paid on it.

9 [6. Except as otherwise provided in NRS 706.496 the]

10 7. The operator of any motor vehicle weighing 5,000 pounds or less,  
 11 including station wagons, which vehicle is used primarily for the trans-  
 12 portation of property, may pay a fee of \$15 for an identifying device,  
 13 and the department shall issue an identifying device of the same type  
 14 as is issued to vehicles which are required to pay the fees under this  
 15 section.

16 SEC. 5. NRS 706.519 is hereby amended to read as follows:

17 706.519 1. On or before the last day of January, April, July and  
 18 October of each year, each mileage fee licensee shall file a quarterly  
 19 return for the preceding quarter with the department. The return [shall]  
 20 must be filed on a form prescribed by the department, together with  
 21 supporting schedules, and [shall] must be filed regardless of the amount  
 22 of mileage fee due.

23 2. The return [shall] must include the information reasonably  
 24 required by the department for the administration and enforcement of  
 25 this chapter.

26 3. Where a mileage fee is due, remittance [shall] must accompany  
 27 the return in the amount due. [ less any advance deposit.]

28 SEC. 6. NRS 706.521 is hereby amended to read as follows:

29 706.521 1. Except as provided in subsection [6.] 5, any person  
 30 [ including but not limited to operators of taxicabs and of tow cars  
 31 with an unladen weight of 9,000 pounds or more,] has the option, in  
 32 lieu of causing a motor vehicle to be licensed under NRS 706.011 to  
 33 706.791, inclusive, of applying for a 48-hour temporary license to be  
 34 issued forthwith upon payment of a fee equal to [5] 10 percent of the  
 35 license fee provided in NRS 706.506, rounded off to the nearest dollar.  
 36 The [minimum] fee for the 48-hour temporary license may not be less  
 37 than \$6 per motor vehicle nor more than [\$30 per combination of  
 38 vehicles.] \$60.

39 2. A 48-hour temporary license authorizes operation over the high-  
 40 ways of this state for a period of not more than 48 consecutive hours.

41 3. Any person who has elected to pay license fees exclusively under  
 42 this section and who has complied with the provisions of NRS 706.266  
 43 shall, upon application to the department in such form and detail as the  
 44 department may require, be issued a proper identifying device. The fee  
 45 for each device is [\$2.] \$4.

46 4. Upon request, the department [shall] may allow credit for the  
 47 period for which the licenses were purchased if the applicant is licensed  
 48 under the provisions of NRS [706.496] 706.506 to 706.516, inclusive.  
 49 [ within 60 days after the purchase of the first license within a licensing  
 50 year.]

1 5. [No person may operate under the provisions of this section for  
2 more than 10 days after the first issuance of a 48-hour temporary license  
3 during a calendar year unless that person has received permission to  
4 operate in this state pursuant to the provisions of NRS 706.266.

5 6.] The provisions of this section do not apply to operators of  
6 driveaway-towaway convoy vehicles.

7 SEC. 7. NRS 706.526 is hereby amended to read as follows:

8 706.526 1. Except as provided in [subsection 5,] NRS 482.480,  
9 every motor convoy carrier, before commencing operations in this state,  
10 shall apply to the department for a motor convoy carrier license.

11 2. The applicant may elect to be licensed on an annual basis or on  
12 a 48-hour temporary convoy license basis.

13 3. If the applicant elects to be licensed on an annual basis the license  
14 fee is \$500, and the fee for each identifying device issued thereunder  
15 is \$30. The license and each identifying device expires on December 31  
16 of each year and may not be transferred to or used by any other person.

17 4. If the applicant elects to be licensed exclusively on a 48-hour  
18 temporary convoy license basis, the department shall issue appropriate  
19 identifying devices. The fee for each device is [\$2.] \$4. An original  
20 identifying device must be carried in each vehicle when operating in  
21 this state. It is unlawful to duplicate any device.

22 5. [No person may operate under the provisions of this section for  
23 more than 10 days after the first issuance of a 48-hour temporary convoy  
24 license unless the person has received permission to operate in this state  
25 pursuant to the provisions of NRS 706.266.

26 6.] For each vehicle driven [, towed or carried] or towed by any  
27 motor convoy carrier, or driven singly, which does not have an identifying  
28 device issued pursuant to subsection 3, a 48-hour temporary convoy  
29 license must be secured upon payment of a fee of [\$8.25.] \$10. No  
30 license may be transferred to or used by any other person or for any  
31 other vehicle.

32 [7.] 6. No license fee required under NRS 706.506 may be assessed  
33 on any vehicle driven [, towed or carried] or towed under the provisions  
34 of this section.

35 [8.] 7. The provisions of this section do not apply to vehicles:

36 (a) Transported by motor vehicles regularly licensed under the pro-  
37 visions of NRS [706.496,] 706.506, 706.516 or 706.521; or

38 (b) Weighing 5,000 pounds or less unladen weight.

39 SEC. 8. NRS 706.528 is hereby amended to read as follows:

40 706.528 Notwithstanding any other provisions of NRS 706.011 to  
41 706.791, inclusive, ambulances [, hearses and tow cars of less than  
42 9,000 pounds unladen weight] and hearses are exempt from the license  
43 fee requirements of NRS 706.506, [706.516,] 706.521 and 706.526.

44 SEC. 9. NRS 706.531 is hereby amended to read as follows:

45 706.531 1. After the department of transportation has approved a  
46 application for a permit under the provisions of subsection 4 of NRS  
47 484.739, and [prior to] before issuance, the department shall issue  
48 special identifying devices for vehicle combinations to be operated under  
49 the permit, which must be [carried and] displayed on any vehicle

1 combination operating under the permit in such manner as the depart-  
2 ment determines. The devices issued may be transferred from one vehicle  
3 combination to another, under such conditions as the department may  
4 by regulation prescribe, but must not be transferred from one person [or  
5 operator] to another without prior approval of the department of trans-  
6 portation. Such devices may be used only on motor vehicles regularly  
7 licensed under the provisions of NRS 482.480, 706.506 or 706.516.

8 2. The annual fee for each vehicle combination identifying device or  
9 devices is \$20 for each 1,000 pounds or fraction thereof of gross vehicle  
10 combination weight in excess of [77,000] 80,000 pounds, which fee  
11 must be reduced one-twelfth for each month that has elapsed since the  
12 beginning of [each] the calendar year, rounded to the nearest dollar,  
13 but must not be less than \$50. The fee must be paid in addition to all  
14 other fees required under the provisions of this chapter.

15 3. Any person operating a vehicle combination licensed pursuant to  
16 the provisions of subsection 2, who is apprehended operating a vehicle  
17 combination in excess of the gross vehicle load for which the fee in sub-  
18 section 2 has been paid is, in addition to all other penalties provided by  
19 law, liable for the difference between the fee for the load being carried  
20 and the fee paid, for the full licensing period.

21 4. Any person apprehended operating a vehicle combination without  
22 having complied with the provisions of NRS 484.739 and this section  
23 is, in addition to all other penalties provided by law, liable for the pay-  
24 ment of the fee which would be due under the provisions of subsection 2  
25 for the balance of the calendar year for the gross load being carried at  
26 the time of apprehension.

27 SEC. 10. NRS 706.536 is hereby amended to read as follows:

28 706.536 1. In addition to the fees provided in NRS [706.496]  
29 706.506 to 706.526, inclusive, the department shall collect the additional  
30 sum of [3] \$4 for:

31 (a) Each original identifying device issued on an annual basis for  
32 motor vehicles under the provisions of NRS [706.496] 706.506 to 706.-  
33 526, inclusive;

34 (b) Each original identifying device issued on an annual basis under  
35 the provisions of NRS 706.521 and 706.526.

36 2. All [moneys] money collected pursuant to this section [shall]  
37 must be deposited with the state treasurer to the credit of the motor  
38 vehicle fund, to be used to defray the costs incurred pursuant to NRS  
39 706.176.

40 SEC. 11. NRS 706.551 is hereby amended to read as follows:

41 706.551 1. Any person electing to pay license fees under the pro-  
42 visions of NRS 706.516 to 706.526, inclusive, shall, in addition to any  
43 other penalties prescribed by this chapter, pay a \$10 penalty for every  
44 delinquent tax return or quarterly report.

45 2. A tax return or quarterly report is considered delinquent when it  
46 has not been received by the department by the due date of the tax  
47 return, or quarterly report, as prescribed by this chapter. [, or by rules or  
48 regulations of the department. Such] A tax return or quarterly report  
49 shall be deemed received on the date shown on the post office cancella-  
50 tion mark stamped on an envelope containing [such] the tax return or



1 quarterly report, properly addressed to the department, if [such] that  
2 date is earlier than the date of actual receipt.

3 SEC. 12. NRS 706.561 is hereby amended to read as follows:

4 706.561 The department may [

5 1. Upon application, relieve any nonresident motor carrier from the  
6 payment of any fee, or a portion thereof, required by NRS 706.011 to  
7 706.861, inclusive, to the extent, and only to the extent, that similar  
8 benefits are extended or available to residents of this state.

9 2. Temporarily] temporarily waive any fee imposed upon a motor  
10 carrier when an emergency exists requiring expeditious transportation. As  
11 used in this [subsection] section, "emergency" means a condition requir-  
12 ing action to prevent, minimize or repair injury and damage resulting  
13 from disasters caused by enemy attack, sabotage or other hostile action,  
14 or by fire, flood, earthquake or other natural causes.

15 SEC. 13. NRS 706.571 is hereby amended to read as follows:

16 706.571 1. If illegally or through error the department collects or  
17 receives any fee, penalty or interest imposed under NRS 706.011 to  
18 706.861, inclusive, the fee, penalty or interest [shall] must be refunded  
19 or credited to the person paying it. [Written application for refund,]  
20 Notification stating the specific grounds therefor [, shall] must be made  
21 within 28 months after the date of payment, whether or not the fee,  
22 penalty or interest was paid voluntarily or under protest.

23 2. Refunds [shall] must be made to a successor, assignee, estate or  
24 heir of such person if written application is made within the time limit.

25 3. Any amount determined to be refundable by the department  
26 [shall] must be refunded or credited to any amounts then due [and  
27 payable] from the person to whom the refund is due.

28 4. All amounts refunded under the provisions of this chapter [shall]  
29 must be paid from the motor vehicle fund on claims presented by the  
30 department, approved by the state board of examiners, and [allowed  
31 and] paid as other claims against the state are [allowed and] paid.

32 SEC. 14. NRS 706.736 is hereby amended to read as follows:

33 706.736 1. Except the provisions of subsection 4 of NRS 706.171,  
34 of NRS 706.281, and of NRS 706.457 and 706.458, none of the pro-  
35 visions of NRS 706.011 to 706.791, inclusive, apply to:

36 (a) [Any vehicle operated wholly within the corporate limits of a  
37 city, except vehicles operated as common or contract motor carriers, to  
38 which all such provisions except NRS 706.491 to 706.536, inclusive,  
39 shall apply, but if the corporate limits of any such city are extended or  
40 changed to include within such corporate limits any route, area, highway  
41 or terminus lawfully serviced, used or employed at the time of such  
42 extension or change of such corporate limits by any such carrier, to which  
43 a certificate of public convenience and necessity, permit or license has  
44 been issued, the provisions of this chapter shall apply, while any such  
45 carrier servicing, using or employing such route, area, highway or ter-  
46 minus in accordance with such certificate, permit or license shall have  
47 and continue to have such certificate, permit or license or any renewal  
48 thereof, and shall not be in default of any payment for any license, or of  
49 any liability insurance policy, or certificate of insurance or bond pro-  
50 vided by this chapter.

- 1 (b) United States mail carriers operating star routes when not engaged  
2 in other business as a common or contract carrier.  
3 (c) Private motor carriers of property operating within a 5-mile radius  
4 of the limits of a city.  
5 (d) Farm vehicles.  
6 (e) The transportation of children to and from school.  
7 (f) The transportation by a contractor licensed by the state con-  
8 tractor's board of his own equipment in his own vehicles from job to job.  
9 [(g) The transportation of livestock by the owner thereof in his own  
10 motor vehicle of 10,000 pounds or less unladen weight.  
11 (h) (b) Any person engaged in transporting his own personal  
12 effects in his own vehicle, but the provisions of this subsection do not  
13 apply to any person engaged in transportation by vehicle of property  
14 sold or to be sold, or used by him in the furtherance of any commercial  
15 enterprise, or to the carriage of any property for compensation.  
16 [(i) (c) Special mobile equipment.  
17 [(j) (d) The vehicles of a contractor licensed by the state con-  
18 tractor's board when used in actually constructing or reconstructing a  
19 highway or road or in transporting necessary materials between the site  
20 of that work and the sources of material approved by the department of  
21 transportation for that particular work.
- 22 2. Any person who operates under a claim of an exemption pro-  
23 vided by this section but who is found to be operating in a manner not  
24 covered by any of those exemptions immediately becomes liable, in  
25 addition to any other penalties provided in this chapter, for the fee  
26 appropriate to his actual operation as prescribed in this chapter, com-  
27 puted from the date when that operation began.
- 28 SEC. 15. NRS 706.806 is hereby amended to read as follows:  
29 706.806 As used in NRS 706.801 to 706.861, inclusive:  
30 1. "Department" means each agency of this state, or of any political  
31 subdivision of this state, administering the fee involved.  
32 2. "Fee" means each registration fee and tax imposed by this state,  
33 except motor vehicle fuel taxes, motor carrier regulation and licensing  
34 fees, and the additional fee imposed by subsection 9 of NRS 482.480.  
35 3. "Mileage" includes mileage in this state and in all other states.  
36 4. "Motor vehicle" includes every motor vehicle of a type required  
37 to be registered under the laws of this state.  
38 5. "Operator" includes the owner or operator of any motor vehicle.  
39 [5. "Person" includes any individual, firm, copartnership, joint  
40 venture, association, corporation, estate trust, business trust, receiver,  
41 syndicate or any other group or combination acting as a unit.]  
42 6. "Plan" means a plan adopted by any state or states for the prora-  
43 tion of fees on a basis to effectuate the principles set forth in NRS 706.-  
44 826.  
45 7. "Reciprocity" means that this state and another state, as to motor  
46 vehicles registered in each other, extent substantial or complete freedom  
47 from payment of fees with respect to motor vehicles registered in the  
48 other state.  
49 8. "State" includes the states of the United States, the District of

1 Columbia, the territories of the United States, the states, territories and  
 2 federal district of Mexico, and the provinces of Canada.

3 9. "Vehicle" includes every vehicle of a type required to be regis-  
 4 tered under the laws of this state.

5 SEC. 16. NRS 706.841 is hereby amended to read as follows:

6 706.841 1. Each operator shall qualify to operate under NRS 706.-  
 7 801 to 706.861, inclusive, by filing an application for that purpose with  
 8 the department of motor vehicles [prior to] before the time any fee  
 9 becomes delinquent.

10 2. The application [shall:] must:

11 (a) Show the total mileage of motor vehicles operated by [such] the  
 12 person in all states and in this state during the preceding statutory licens-  
 13 ing period and describe and identify each vehicle to be operated during  
 14 the registration period in such detail as the department may require.

15 (b) Be accompanied by a fee, unless the department is satisfied that  
 16 [such] the fee is secured, to be computed as follows:

17 (1) Divide the number of in-state miles by the total number of fleet  
 18 miles;

19 (2) Determine the total amount of money necessary, whether for  
 20 fees or taxes, to register all vehicles in the fleet for which registration is  
 21 requested;

22 (3) Multiply the amount determined under subparagraph (2) by  
 23 the fraction obtained under subparagraph (1); [and]

24 (4) To the product obtained under subparagraph (3), add a service  
 25 charge of [\$2] \$4 for each motor vehicle listed in the application [.]  
 26 ; and

27 (5) To the sum obtained in subparagraph (4), add a minimum  
 28 charge of \$3 for the privilege tax for each motor vehicle listed in the  
 29 application pursuant to NRS 371.030.

30 SEC. 17. NRS 706.856 is hereby amended to read as follows:

31 706.856 1. The owner or operator of a motor vehicle coming within  
 32 the provisions of [the Interstate Highway User Fee Apportionment Act]  
 33 NRS 706.801 to 706.861, inclusive, may, in lieu of registering it pur-  
 34 suant to the provisions of NRS 706.836 to 706.851, inclusive, apply for  
 35 and obtain a 48-hour temporary registration upon payment of a fee of  
 36 [\$2.50,] \$6, which fee is in lieu of all other fees and service charges due  
 37 pursuant to the provisions of NRS 706.801 to 706.861, inclusive.

38 2. A 48-hour temporary registration authorizes operation over the  
 39 highways of this state for a period of not more than 48 consecutive hours.

40 3. Any person exercising this option shall purchase the license at the  
 41 first available vendor in the State of Nevada. The operator of a motor  
 42 vehicle obtaining a 48-hour temporary registration from a vendor elects  
 43 this option [for this vehicle] by virtue of the purchase. Any 48-hour  
 44 period of time for which a 48-hour temporary registration was not pur-  
 45 chased [shall] must be billed for 48-hour temporary registration on an  
 46 audit until the vehicle is licensed under NRS 706.836 to 706.851,  
 47 inclusive.

48 4. Every person electing to pay fees on a 48-hour temporary regis-  
 49 tration basis shall keep a written record of every trip made into or  
 50 through this state and each 48-hour temporary registration so purchased,

1 which record [shall] *must* be open to inspection by any agent or  
2 employee of the commission or the department. The commission and the  
3 department may require any person to submit such periodic reports and  
4 supporting data as they may deem necessary with respect to trips made  
5 into or through this state.

6 5. Upon request, the department [shall] *may* allow credit for the  
7 period for which temporary registrations were purchased if the applicant  
8 applies and prorates his vehicle registration. [within 60 days after the  
9 purchase of the first temporary registration within a licensing year.]

10 6. As a condition for exercising the privilege of reciprocity under  
11 the provisions of NRS 482.390, the department may:

12 (a) Require the operator of *motor* vehicles eligible for reciprocity to  
13 file annually an application listing the *motor* vehicles to be operated in  
14 this state;

15 (b) Issue identification devices for *motor* vehicles so listed;

16 (c) Collect an administrative fee of [\$2 per] \$4 per *motor* vehicle  
17 identified; and

18 (d) Collect the 48-hour temporary registration fee from the owner  
19 or operator of *motor* vehicles not so identified.

20 [7. The provisions of this section do not apply to interchange  
21 trailers if they are entitled to operate without payment of additional fees  
22 according to the regulations of the department.]

23 SEC. 18. NRS 706.861 is hereby amended to read as follows:

24 706.861 Mileage proportions for a fleet not registered in this state  
25 as a fleet during the preceding year [will] *must* be determined by the  
26 department with which the vehicle is registered upon the application of  
27 the applicant on forms to be supplied by the department, which [will]  
28 *must* show the operations of the fleet during the preceding year in such  
29 detail as the department may require and the estimated operation in  
30 this state in the current year [;] or, if no operations were conducted  
31 during the preceding year, [a full statement shall be made of the pro-  
32 posed method of operation.] *the estimated operation in this state for*  
33 *the current year.*

34 SEC. 19. NRS 366.220 is hereby amended to read as follows:

35 366.220 1. Except as otherwise provided in this chapter, it is  
36 unlawful for any special fuel dealer or special fuel user to sell or  
37 use special fuel within this state unless [such] *the* special fuel dealer  
38 or special fuel user is the holder of a special fuel dealer's or special  
39 fuel user's license issued to him by the department.

40 2. Any owner or operator of a motor vehicle coming within the pro-  
41 visions of this chapter may apply for a temporary special fuel license  
42 which [shall] *must* be purchased from the first available vendor. The fee  
43 for such license [shall be \$10] *is* \$20 for each motor vehicle. Such  
44 license [shall satisfy] *satisfies* the requirements of this chapter and  
45 [authorize] *authorizes* the operation of [such] *the* motor vehicle or  
46 combination of vehicles upon the highways of this state for a period of  
47 48 consecutive hours. Such license [shall allow] *allows* purchase of  
48 special fuel tax free from a licensed special fuel dealer. Upon request, the  
49 department [shall] *may* allow credit for such licenses purchased, [pro-  
50 vided] *if* the applicant [applies to the department and] *is* licensed as

1 a special fuel user. [within 60 days after the purchase of the first such  
2 license within a licensing year. Such application shall be considered  
3 received on the date shown by the post office cancellation mark stamped  
4 on the envelope containing such application properly addressed to the  
5 department. Such license shall be evidenced by a sticker displayed on  
6 each self-propelled vehicle in a manner specified by the department.]

7 3. The department may adopt [, amend and repeal] regulations  
8 relating to the issuance of any special fuel dealer's or special fuel user's  
9 license and the collection of fees therefor.

10 SEC. 20. NRS 366.221 is hereby amended to read as follows:

11 366.221 1. No special fuel user's license [shall] *may* be required of  
12 the following classes of special fuel users:

13 (a) Operators of motor vehicles who make occasional trips into this  
14 state for the purpose of service or repair.

15 (b) Operators of house coaches as defined in NRS 484.067.

16 (c) Operators of motor vehicles having an unladen weight of not  
17 more than 6,000 pounds.

18 (d) Operators of unladen motor vehicles purchased in this state for  
19 the trip from the point of delivery to the state boundary.

20 (e) Operators of motor vehicles who make occasional trips into or  
21 across this state for nonprofit or eleemosynary purposes.

22 2. Any special fuel purchased in this state by any person exempt  
23 from licensing under subsection 1 [shall] *must* be purchased from a  
24 licensed special fuel dealer, who shall collect the tax on any special  
25 fuel delivered into the vehicle's fuel supply tank.

26 3. The department [shall adopt rules and] *may adopt* regulations  
27 concerning the application and administration of this section.

28 SEC. 21. NRS 481.051 is hereby amended to read as follows:

29 481.051 1. As executive head of the department, the director shall  
30 direct and supervise all administrative and technical activities of the  
31 department. He shall devote his entire time to the duties of his office,  
32 and shall follow no other gainful employment or occupation.

33 2. The director may [, within such limitations as may be provided  
34 by law,] organize the department into various divisions and [, from time  
35 to time, alter such] *alter the* organization and reassign responsibilities  
36 and duties as he may deem appropriate.

37 3. The director shall:

38 (a) Formulate the policy of the department and the various divisions  
39 thereof.

40 (b) Coordinate the activities of the various divisions of the depart-  
41 ment.

42 (c) From time to time adopt [, amend and rescind such rules and]  
43 regulations consistent with law as he may deem necessary for the opera-  
44 tion of the department and the enforcement of all laws administered by  
45 the department.

46 4. The director may appoint vendors to serve as department agents  
47 for the purpose of selling [licenses and of collecting other fees and bonds  
48 where fixed ports of entry do not adequately serve a respective highway  
49 entering the state.] *temporary licenses*. The vendor [shall] *must* be  
50 remunerated at [the rate of] *a rate not to exceed 75 cents per [license*

1 or bond sold.] *temporary license*. The vendor shall collect the tax, fees  
2 and *temporary* licenses provided for in chapters 366 and 706 of NRS,  
3 and pay them to the department. [The vendor shall collect any bonds  
4 as required and pay them to the department.] The vendor shall guarantee  
5 such payment by giving a bond to the state in such sum as may be fixed  
6 by the director. The premium on such bond [shall] *may* be paid by the  
7 department. The director may appoint inspectors of the public service  
8 commission of Nevada and Nevada highway patrolmen to serve without  
9 remuneration as vendors for the purposes of this subsection.

10 SEC. 22. NRS 482.480 is hereby amended to read as follows:

11 482.480 There must be paid to the department for the registration  
12 or transfer of registration of motor vehicles, trailers and semitrailers, fees  
13 according to the following schedule:

14 1. For each stock passenger car, bus and each reconstructed or  
15 specially constructed passenger car, regardless of weight or number of  
16 passenger capacity, a registration fee of \$5.50.

17 2. For every motorcycle, the sum of \$3.50.

18 3. For every motortruck having an unladen weight of 3,500  
19 pounds or less, as shown by a public weighmaster's certificate, a registra-  
20 tion fee of \$9.

21 4. For every trailer or semitrailer having an unladen weight of  
22 1,000 pounds or less, a flat registration fee of \$2.50. For every trailer  
23 having an unladen weight of more than 1,000 pounds, but not more  
24 than 3,500 pounds, a flat registration fee of \$5.50. For every trailer or  
25 semitrailer having an unladen weight of more than 3,500 pounds and  
26 less than 4,000 pounds, fees according to the following schedule:

27	3,501 to and including 3,549 pounds.....	\$8
28	3,550 to and including 3,649 pounds.....	10
29	3,650 to and including 3,749 pounds.....	12
30	3,750 to and including 3,849 pounds.....	14
31	3,850 to and including 3,949 pounds.....	16
32	3,950 to and including 3,999 pounds.....	18

33 5. For every motortruck having an unladen weight of more than  
34 3,500 pounds and less than 5,050 pounds, fees according to the following  
35 schedule:

36	3,501 to and including 3,549 pounds.....	\$10
37	3,550 to and including 3,649 pounds.....	12
38	3,650 to and including 3,749 pounds.....	14
39	3,750 to and including 3,849 pounds.....	16
40	3,850 to and including 3,949 pounds.....	18
41	3,950 to and including 3,999 pounds.....	20
42	4,000 to and including 5,049 pounds.....	25

43 6. For every trailer or semitrailer having an unladen weight of  
44 4,000 pounds or more, except mobile homes, and for every motortruck  
45 having an unladen weight of 5,050 pounds or more, [50] 60 cents per  
46 100 pounds, or major fraction thereof, of unladen weight as shown by  
47 a public weighmaster's certificate. At the time of weighing, each vehicle  
48 must have in place each accessory and appliance belonging to and used  
49 on the vehicle in the transportation of property. Whenever a camper is  
50 attached to a motortruck the camper shall be considered as a load and

1 the fees imposed by this section upon the motortruck must be based on  
2 the unladen weight of the motortruck, exclusive of the camper.

3 7. Except as provided in subsection 8, for each transfer of registra-  
4 tion the fee is \$2.

5 8. The fee for transfer of a registration to any motor vehicle enu-  
6 merated in subsection 6 is \$2 plus the excess, if any, of the fee which  
7 would have been payable for an original registration of the vehicle over  
8 the fee paid for registration of the vehicle from which the registration is  
9 transferred.

10 9. For every motor vehicle there is an additional fee of \$3 for each  
11 registration, which must be accounted for in the highway patrol special  
12 fund which is hereby created as a special revenue fund and must be used  
13 only for the purposes specified in NRS 481.145.

14 10. For every travel trailer, the registration fee shall be \$5.50.

15 11. *A vehicle which is properly registered under this section is*  
16 *exempt from the provisions of NRS 706.506, 706.521 and 706.526.*

17 SEC. 23. NRS 706.496 and 706.511 are hereby repealed.

18 SEC. 24. This act shall become effective on January 1, 1982.

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**S. B. 398****SENATE BILL NO. 398—COMMITTEE ON TRANSPORTATION**

MARCH 11, 1981

Referred to Committee on Transportation

**SUMMARY**—Allows holder of certificate of public convenience and necessity to lease taxicabs to independent drivers. (BDR 58-1044)

**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 taxicabs; allowing a certificate holder to lease a taxicab to a driver not in his employ; 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 706 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 *A certificate holder may lease any of his vehicles authorized for use as*  
4 *a taxicab by the administrator to a driver not in his employ. Such a driver*  
5 *is subject to all regulations set forth in NRS 706.8841 to 706.885, inclu-*  
6 *sive.*
- 7 SEC. 2. NRS 706.8814 is hereby amended to read as follows:  
8 706.8814 "Driver" means [an individual] *a person* who operates a  
9 taxicab and includes a certificate holder when he operates a taxicab [.]  
10 *and an independent operator to whom a taxicab is leased.*
- 11 SEC. 3. NRS 706.8841 is hereby amended to read as follows:  
12 706.8841 1. The administrator shall issue a driver's permit to quali-  
13 fied persons who wish to be employed by certificate holders as taxicab  
14 drivers [.] *or who wish to lease a taxicab.* Before issuing a driver's per-  
15 mit, the administrator shall:
- 16 (a) Require the applicant to submit a set of his fingerprints, which  
17 must be forwarded to the identification and communications division of  
18 the department of law enforcement assistance and to the Federal Bureau  
19 of Investigation to ascertain whether the applicant has a criminal record  
20 and the nature of any such record, and shall further investigate the appli-  
21 cant's background; and
- 22 (b) Require proof that the applicant:
- 23 (1) Has been a resident of the state for 30 days prior to his applica-  
24 tion for a permit;
- 25 (2) Can read and orally communicate in the English language; and



1 (3) Has a valid license issued under NRS 483.325 which authorizes  
2 him to drive a taxicab in this state.

3 2. The administrator may refuse to issue a driver's permit if the  
4 applicant has been convicted of:

5 (a) A felony, other than a felony for a sexual offense, in the State of  
6 Nevada or any other state, territory or nation within 5 years before the  
7 date of the application, or a felony involving any sexual offense at any  
8 time; or

9 (b) Driving under the influence of intoxicating beverages, dangerous  
10 drugs or controlled substances within 3 years before the date of the appli-  
11 cation.

12 3. The administrator may refuse to issue a driver's permit if the  
13 administrator, after the background investigation of the applicant, deter-  
14 mines that the applicant is morally unfit or if the issuance of the driver's  
15 permit would be detrimental to public health, welfare or safety.

16 4. A taxicab driver shall pay to the administrator, in advance, the  
17 sum of \$5 for an original driver's permit and \$2.50 for a renewal.

18 SEC. 4. NRS 706.8842 is hereby amended to read as follows:

19 706.8842 1. Before applying to a certificate holder for employment  
20 as a driver [.] or before leasing a taxicab from a certificate holder, a  
21 person shall obtain a physician's certificate with two copies thereof from  
22 a physician who is licensed to practice in the State of Nevada.

23 2. A physician shall issue the certificate and copies described in sub-  
24 section 1 if he finds that a prospective driver meets the following health  
25 requirements:

26 (a) He [shall] does not have a mental, nervous, organic or functional  
27 disease which is likely to interfere with safe driving;

28 (b) His eyesight [shall comprise:] comprises:

29 (1) Visual acuity, either without glasses or by correction with  
30 glasses, of at least 20/40 (Snellen) in one eye, and 20/100 (Snellen) in  
31 the other eye;

32 (2) Ability to form a field of not less than 45 degrees in all merid-  
33 ians from the point of fixation; and

34 (3) Ability to distinguish red, green and yellow; and

35 (c) His hearing [shall not be] is not less than 10/20 in the better ear,  
36 for conversational tones, without the use of a hearing aid.

37 3. The certificate described in subsection 1 [shall] must state that  
38 the physician has examined the prospective driver and has found that he  
39 meets the health requirements described in subsection 2. The certificate  
40 [shall] must be signed and dated by the physician.

41 4. The physician's certificate required by this section [shall expire]  
42 expires 3 years after the date of issuance and may be renewed.

43 SEC. 5. NRS 706.8843 is hereby amended to read as follows:

44 706.8843 1. A certificate holder shall not employ a driver or lease a  
45 taxicab to a driver unless the driver has obtained and has on his person:

46 (a) A valid driver's license for the State of Nevada obtained under  
47 the provisions of NRS 483.010 to 483.630, inclusive;

48 (b) A copy of a physician's certificate obtained pursuant to NRS  
49 706.8842; and

1 (c) A driver's permit issued by the administrator pursuant to rules and  
2 regulations of the taxicab authority.

3 2. A certificate holder shall, at the time he employs a driver [.] or  
4 leases a taxicab to a driver, provide the driver with a complete copy of  
5 the rules and regulations described in NRS 706.8844 to 706.8849, inclu-  
6 sive, and such other rules and regulations as may be adopted by the taxi-  
7 cab authority, and require the driver to sign a statement that he has  
8 received a copy of the regulations and has read and familiarized himself  
9 with the contents thereof.

10 SEC. 6. NRS 706.8844 is hereby amended to read as follows:

11 706.8844 1. A certificate holder shall require his drivers or any  
12 driver to whom he leases a taxicab to keep a daily trip sheet in a form to  
13 be prescribed by the taxicab authority.

14 2. At the beginning of each period of [duty] operation the driver  
15 shall record on his trip sheet:

16 (a) His name and the number of his taxicab;

17 (b) The time at which he began operating the taxicab on the streets;

18 (c) The meter readings for total miles, paid miles, trips, units and extra  
19 passengers; and

20 (d) The speedometer reading of the taxicab.

21 3. During his period of [duty] operation the driver shall record on  
22 his trip sheet:

23 (a) The time, place of origin and destination of each trip; and

24 (b) The number of passengers and amount of fare for each trip.

25 4. At the end of each period of [duty] operation the driver shall  
26 record on his trip sheet:

27 (a) The time at which he stopped operating the taxicab on the streets;

28 (b) The meter readings for total miles, paid miles, trips, units and extra  
29 passengers; and

30 (c) The speedometer reading of the taxicab.

31 5. A certificate holder shall furnish a trip sheet form for each taxi-  
32 cab operated by a driver during his period of [duty] operation and shall  
33 require his drivers or any driver to whom he leases a taxicab to return  
34 their completed trip sheets at the end of each period of [duty.] opera-  
35 tion.

36 6. A certificate holder shall retain all trip sheets of all drivers in a  
37 safe place for a period of 3 years immediately succeeding December 31  
38 of the year to which they respectively pertain and shall make such mani-  
39 fests available for inspection by the administrator upon reasonable  
40 demand.

41 7. Any driver who maintains a trip sheet in a form less complete  
42 than that required by subsection 1 is guilty of a misdemeanor.

43 SEC. 7. NRS 706.8847 is hereby amended to read as follows:

44 706.8847 1. A driver shall not refuse or neglect to transport any  
45 orderly person to that person's destination if:

46 (a) That person requests the driver to transport him; and

47 (b) The requested destination is within the area allocated to the cer-  
48 tificate holder who employs or leases a taxicab to the driver.

49 2. Subsection 1 does not apply if the driver can show beyond a rea-  
50 sonable doubt that:

- 1 (a) He has good reason to fear for his personal safety;
- 2 (b) The taxicab has been previously engaged by another person; or
- 3 (c) He is forbidden by law or regulation to carry the person requesting
- 4 transportation.

5 SEC. 8. NRS 706.885 is hereby amended to read as follows:

6 706.885 1. Any person who knowingly makes or causes to be made,  
7 either directly or indirectly, a false statement on an application, account  
8 or other statement required by the taxicab authority or the administrator  
9 or who violates any of the provisions of NRS 706.881 to 706.885, inclu-  
10 sive, is guilty of a misdemeanor.

11 2. The taxicab authority or administrator may at any time, for good  
12 cause shown, and upon at least 5 days' notice to the grantee of any cer-  
13 tificate, permit or license, and after a hearing had therefor, penalize such  
14 grantee to a maximum amount of \$500 or suspend or revoke such certifi-  
15 cate, permit or license granted by it or him, respectively, for:

16 (a) Any violation of any provision of NRS 706.881 to 706.885, inclu-  
17 sive, or any rule or regulation of the taxicab authority or administrator.

18 (b) Knowingly permitting or requiring any employee or lessee to vio-  
19 late any provision of NRS 706.881 to 706.885, inclusive, or any rule or  
20 regulation of the taxicab authority or administrator.

21 3. Any person who operates or permits a taxicab to be operated in  
22 passenger service without a certificate of public convenience and necessity  
23 issued pursuant to NRS 706.8827, is guilty of a gross misdemeanor.

24 4. The conviction of a person pursuant to subsection 1 does not bar  
25 the taxicab authority or administrator from suspending or revoking any  
26 certificate, permit or license of the person convicted. The imposition of a  
27 fine or suspension or revocation of any certificate, permit or license by  
28 the taxicab authority or administrator does not operate as a defense in  
29 any proceeding brought under subsection 1.

S.B. 399

Amend Section 2 as follows:

In determining the total number of taxicabs to be allocated in the county, the Taxicab Authority shall not limit the geographical distribution within the county but shall consider

S.B. 398

After Section 2 add the following new section: Amend NRS 706.8827, Section 4 as follows:

~~xxxxxx~~  
ec. 3.

The Taxicab Authority may attach to the exercise of the rights granted by such certificate any terms and conditions as in its judgment the public interest may require, except that it may not limit in any manner the right of the certificate holder to operate his taxicabs anywhere he so desires in the county in which he is franchised.

**S. B. 397**

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SENATE BILL NO. 397—COMMITTEE ON TRANSPORTATION

MARCH 11, 1981

Referred to Committee on Transportation

SUMMARY—Limits use of taxicabs by standards of safety instead of by age. (BDR 58-1045)

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 taxicabs; limiting their use by standards of safety instead of by age; 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 706.8834 is hereby amended to read as follows:  
2 706.8834 1. A certificate holder shall not permit a vehicle to be  
3 used as a taxicab if [its age exceeds 4 years.] *at its annual safety inspection the vehicle is declared to be in an unsafe mechanical condition by*  
4 *a qualified safety inspector of the department of motor vehicles.*  
5 2. Any replacement or supplement vehicle which a certificate holder  
6 acquires for use as a taxicab [shall:] *must:*  
7 (a) Be new; or  
8 (b) Register not more than 10,000 miles on the odometer.  
9