

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON TRANSPORTATION

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
April 23, 1981

The Senate Committee on Transportation was called to order by Chairman Richard E. Blakemore, at 2:44 p.m., Thursday, April 23, 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 Clifford E. McCorkle  
Senator James H. Bilbray

COMMITTEE MEMBER ABSENT:

Senator Wilbur Faiss

STAFF MEMBER PRESENT:

Kelly R. Torvik, Committee Secretary

Chairman Blakemore asked that it be noted that there was a quorum present.

SENATE BILL NO. 528

Mr. Fred Harrell, representing the Motorcycle Dealers Association, explained that the bill would revise the definition of a moped. He stated that the amended definition would provide the essential performance related requirements. The reason for the revision is that there are some lower priced, quality mopeds which cannot be sold in the state because they do not have pedals. Pedals are on mopeds to start the motor. They are not used to propel the moped forward.

Chairman Blakemore asked if the department has worked on the bill and approved the language. Mr. Harrell stated that the department had.

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Senator Bilbray suggested that mopeds be subject to the same safety rules and requirements as motorcycles. Chairman Blakemore noted that the mopeds are not licensed. Senator Hernstadt felt that such a requirement could be applied to mopeds.

Chairman Blakemore asked if a bicycle with a small motor attached to the front of the bicycle is considered a moped. Mr. Harrell stated that would be considered a moped and has to meet the criteria of a moped. He said that mopeds are in a gray area in regard to enforcement. He felt that allowing pedalless mopeds to be sold in the state would be a benefit to consumers. He stated that mopeds with pedals have an average cost of \$700 to \$1,000, while mopeds without pedals have an average cost of \$500. Mr. Harrell supplied the committee with information regarding mopeds with and without pedals. (See Exhibit C.)

Senator Bilbray asked if a moped could carry more than one person. Mr. Harrell stated that a moped would not go very far with more than one person because it would become overloaded.

Mr. Harrell stated that 33 other states have deleted the pedal requirement. The definition revision would not bring mopeds into a motorcycle category.

Senator Hernstadt asked how fast a moped will travel. Mr. Harrell stated that they are not supposed to exceed 30 miles per hour on a one percent grade. He noted that mopeds can be cited just as a bicycle can be cited for traffic violations. The speed of 30 miles per hour was set so that the mopeds could fit into the perimeter of the main flow of traffic.

Chairman Blakemore stated that there is a gray area in the fact that motors attached to bicycles are considered mopeds. The motors can be purchased through the mail. This could be a problem if helmets were required on driver's less than 21 years of age.

Mr. Harrell stated that this bill would give the consumer a larger range of mopeds to choose from. More senior citizens are riding mopeds because of the parking and economic advantages. He stated that pedals can be dangerous if they strike a curb. Fixed footrests are higher than the curb and would not cause the same problem.

Senator Bilbray asked how the engine in the pedalless moped is started. Mr. Harrell stated that some have electric starters while others have starters on the side of the moped.

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Chairman Blakemore asked what was the gas mileage rating of a moped. Mr. Harrell stated that mopeds range between 140 and 175 miles per gallon.

Mr. Hale Bannett, Chief, Registration Division, Department of Motor Vehicles, stated that he would answer any questions that the committee may have.

Senator Bilbray asked what requirements must be met for a driver to get a class six license. Mr. Bennett explained that a class six license is a moped driver's license. There are very minimal examination requirements for the class six license. They have to take a written test. However, they do not have to take the motorcycle test.

Senator Bilbray asked if it would be very difficult to require that the applicants for a class six license take more sophisticated tests. Mr. Bennett stated that would not be difficult.

Senator Bilbray asked the age requirement for a class six license. Mr. Bennett stated that in order to obtain a learning permit the driver must be 15.5 years old. To obtain a driver's license the driver must be 16 years old.

Senator Bilbray noted that with a learning permit the learning driver must drive with an experienced driver. He questioned how this could be done on a moped. Mr. Harrell explained that motorcycle learning permits only require that the learning driver be within the sight of an experienced driver.

Senator Bilbray stated that Mr. Barton Jacka, Director, Department of Motor Vehicles, had stated that if fuel allocation came into effect the allocation system would be administered through registrations. If this happened mopeds would have to be registered. He asked if it would be reasonable to require that mopeds be registered. Mr. Bennett stated that at the federal level it was proposed to exclude motorcycles from gas rationing programs because they use so little fuel.

Mr. Bennett explained that presently the mopeds without pedals are being put into the same categories with motorcycles. This is an injustice because of the tremendous difference in speed, horsepower and usability. He noted that some pedalled bicycles travel as fast as a moped.

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SENATE BILL NO. 545

Mr. Al Stone, Director, Department of Transportation, explained that the bill was developed by the Governor's Management Task Force. The bill would allow the department to charge three cents per ton-mile for vehicles which are permitted to exceed the legal maximum gross weight. An additional fee could be charged to cover administrative costs. He said that presently for a non-divisible overload, one that cannot be taken apart, such as a heavy piece of equipment, a permit is required. The present fee for the permit is \$7.50.

Senator McCorkle asked if the state could charge the Federal Government this fee for transporting missiles to the test site. Mr. Stone stated that the environmental impact statement for the MX Missile System had stated that the Federal Government would abide by all state laws.

Mr. Stone stated that the bill would have an impact on the contracting industry. He did not feel that the three-cent-per-ton-mile fee would be excessive. However, it would give the contractor who is based closest to the project an advantage.

Senator Hernstadt asked how much revenue the fee would generate. Mr. Stone stated that according to the task force the fee would generate over \$2 million annually.

Senator Hernstadt asked if the money would be used for the repair of roads. Mr. Stone stated that it would because overweight vehicles damage the roads.

Senator Jacobsen noted that the fee would be passed on to the consumer. Mr. Stone stated that it would.

Senator Jacobsen asked if the department would charge itself an additional fee for moving overweight vehicles. Mr. Stone stated that it would not. He explained that to charge the fee to contractors who are building state highways would not be realistic. However, contractors who build structures would be charged the fee and that revenue would be contributed to the State Highway Fund.

Senator Jacobsen asked the basis of the task force's opinion. Mr. Stone stated that several states are charging for permitted overloads. The task force felt that the current fee charged for permitted overloads, which do deteriorate the highways, was insignificant compared to other states. Many other states charge a flat fee which ranges from \$7.50 to as much as

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\$60.00 or higher. He did not feel that a flat fee was fair because it does not take into account the distance the load is to be moved and the amount of damage that the vehicle is doing.

Senator Jacobsen asked how the fee would be enforced. Mr. Stone stated that it would be enforced on the honor system because there was no enforcement division within his department.

Senator Hernstadt asked if the additional fee would encourage overweight vehicles not to obtain a permit for the overweight load. Mr. Stone noted that any vehicle that travels on the highway is subject to inspection by the Motor Carrier Division, Department of Motor Vehicles. If an overloaded vehicle were stopped and did not have a permit it would be subject to a fine. If the contractor is building a roadway the Department of Transportation could police the overweight vehicles.

Mr. Stone noted that overweight pertains to the weight over permitted axle weight. A truck could still weigh up to 129,000 pounds under the bridge formula. A fee would be charged for the weight over the permitted axle weight.

Senator Neal asked how many pounds a truck could legally weigh. Chairman Blakemore explained that the limits were 20,000 pounds for a single axle, 34,000 pounds for a tandem with a maximum legal weight of 129,000 pounds, which requires a permit.

Senator Hernstadt asked if the revenues which would be collected were included in the executive budget. Mr. Stone stated that they were not. However, the executive budget had been cut. He said that the department would be \$2 million dollars per year ahead on their backlog if the bill were passed.

Senator Bilbray asked if the penalty for an unpermitted overweight is higher than the proposed fees for a permitted overweight. Mr. Stone said that it was.

Chairman Blakemore asked how the weight of a house is judged. Mr. Stone stated that the weight of the load is also on the honor system. The department is knowledgeable of the weight of certain pieces of equipment. However, houses have different weights.

Senator Jacobsen noted that the transportation segment is being bombarded with additional costs which would be passed onto the consumer. He questioned when the public would revolt to the bombardment and approve a Question Six type proposal.

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Mr. Stone stated that part of the problem was the lack of funds. He stated that presently, because the department has fallen behind in funds, the roads are not maintained in a cost effective manner.

Senator Jacobsen felt that even though the loads are overweight, they move slowly and may not be that detrimental. Mr. Stone explained that the fast traffic damages the edges of the pavement. Overweight traffic effects the pavement as a whole.

Mr. Daryl Capurro, representing the Nevada Motor Transport Association, stated that he opposed the bill. He questioned the expertise used for the recommendations for a ton-mile fee by the task force, if the fee was reasonable and if the fee would raise the amount of revenue the proponents of the bill stated it would. He did not feel that it would raise \$2.3 million. There has been no evidence to show that amount could be raised. He stated that most of the vehicles which would be charged the fee are used in conjunction with public projects, which would cost the public. He stated that the fee is touted to be equivalent to the Wyoming fee. However, it is not identical to the Wyoming fee because the Wyoming fee has a \$15 fee with an additional three cents per excess ton-mile with a maximum of \$100. He did not know of a maximum is Senate Bill No. 545. He believed that the way the bill was written the three cent fee would begin at the first pound because the bill did not state that the fee would begin at the first pound over maximum weight.

Senator Hernstadt noted that on line 18 of the bill, after the words "ton-mile" the words "of the excess" would have to be inserted to clarify that the ton-mile fee began at the first pound over the maximum.

Chairman Blakemore felt that the bill would give the contractors the opportunity to use a small vehicle to move a piece of equipment rather than the appropriate vehicle for transportation of that equipment. This was because a contractor would rather purchase a cheaper vehicle and pay the fee than to buy the more expensive, appropriate vehicle to avoid being overweight. This would cause excess damage to the highways.

Mr. Capurro gave the committee examples of what other states charge for the overweight permits. Four states charge nothing for overweight permits. Twenty four states charge a nominal fee under \$15. Seven states charge fees not exceeding \$100. He also gave the committee examples of what other western states charge.

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Arizona	\$10.00
California	3.00
Colorado	5.00
Nevada	7.50
New Mexico	5.00
Oregon	3.00
Montana	Under 100 miles, \$11; 101-201 miles, \$21; and over 200 miles, \$31.
Utah	Maximum of \$25 if gross weight exceeds 125 percent of statutory limits and distance is over 50 miles.

Mr. Capurro noted that a vehicle cannot go over 80,000 pounds without another permit which does not work in conjunction with the overweight permit for non-divisible loads.

Senator Neal felt that the intent of the legislation was to prevent further destruction of the highways. Mr. Capurro stated that the task force had intended to raise additional money for the Highway Fund. This has already been done in Senate Bills 477, 262 and 154. He noted that the additional revenues which would be raised in Senate Bill 477 were in addition to what was proposed at the beginning of the session. He felt that the industry and the public were paying about as much as they could. He pointed out that most states have a nominal fee similiar to that which Nevada presently charges. Also, the Board of Directors of the Highway Board may by resolution establish a fee which does not exceed the estimated costs of administering the permit system. Senator Neal noted that the state needs some means of keeping the roads in good condition.

Senator Bilbray asked if the committee should amend the bill to conform to the program used in Wyoming with a maximum of \$100. Mr. Capurro stated that he would object to that amendment because the state already has a system of flat fees and mileage fees. This would be another system of fees. He stated that the ton-mile fees do not relate to the productivity or any other measure that is reasonable and there are very few states that have a ton-mile fee. He stated that he has already committed himself to study the possibility of switching from an unladen weight status to a gross weight status. He noted that the fee would be very hard to enforce. Independent studies which were done in Wyoming revealed that the cost of enforcing the ton-mile fee was 25 to 30 percent of the revenues collected.

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Senator Bilbray suggested that the fee be raised from \$7.50 to \$35.00 per permit. Mr. Capurro stated that he had been told that the \$7.50 did not cover the administrative costs of the department. He said that it was the intent of the program for it to be self-supporting. He had been told that it cost the department \$18.00 to issue the permit. However, the Board of Directors has the authority to raise that fee. Mr. Capurro saw no reason why Nevada should charge a fee different from the fee charged by other western states, excluding Wyoming.

Senator Neal stated that he did not think that anyone should be damaging the highways and not paying for it. Mr. Capurro explained that his studies show that trucks pay 57 percent of everything that goes into the Highway Fund. Trucks account for 24 to 25 percent of the vehicles and are responsible for less than 40 percent of the costs. He felt that the trucking industry was paying its fair share.

Senator Hersntadt asked what portion of the non-divisible overweight loads are used in connection with highway construction. Mr. John Madole, Associated General Contractors, felt that over 50 percent of the loads are used in connection with highway construction.

Chairman Blakemore noted that under the bridge formula a vehicle could be overweight. However, he would not be doing any more damage to the highway than a truck that was within the weight limits. Mr. Capurro noted that the formula was developed to limit the damage to short bridges.

Chairman Blakemore stated that as he read the bill he believed the fee would begin at weight over 129,000 pounds. Mr. Capurro stated that it was unclear and because a permit is required for weights over 80,000 pounds it could be construed to begin after 80,000 pounds.

Chairman Blakemore asked Mr. Capurro to get information from Casazza Trucking Company regarding its mileage. Mr. Capurro stated that he would get that information.

Mr. Capurro noted that the forest service requires that equipment be moved into fire zones. The people who move this equipment would be burdened with the costs of additional permits.

Senator Blakemore stated that he needed the information to determine what an average move of a non-divisible load would cost a contractor. Mr. Capurro did not feel that there was



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enough time left in the session to determine that. Senator Jacobsen asked how the task force came up with its figures. Mr. Stone explained that the application for non-divisible load permits requests the amount of miles that the vehicle would be traveling and the task force could have estimated a total figure from the permits. Senator Jacobsen questioned if the \$2 million figure was realistic. Mr. Capurro stated that the task force had very little expertise in the area of transportation.

Mr. Madole stated that he also had a question as to the clarity of the bill regarding the weight at which the fee begins. He stated the bookkeeping required of the contractor could be very cumbersome, especially if the equipment is being moved several times in one day. He felt that since the Board of Directors of the Highway Board had the authority to raise the fee to cover administrative costs then there would be no reason to process the bill any further.

SENATE BILL NO. 455

Mr. Larry Ketzenberger, Las Vegas Metropolitan Police Department, explained that the bill was requested by the Traffic Bureau of that department in an effort to reduce the time taken to process a Driver Under the Influence (DUI) who is charged and subsequently admitted into a hospital. He stated that presently when a person is admitted into a hospital after being injured in a DUI accident that person is booked in abstention. The traffic officer has to complete paperwork at the hospital and then proceed to the jail where the officer fills out the booking information as if the person were present for the booking. The person who is charged is either released from the hospital on his own recognizance or he is bailed out. That person never actually enters the jail. The offender eventually goes to court.

Senator Jacobsen asked if a citation was ever issued to a dead person. Mr. Ketzenberger explained that the requested language was "incapacitated." The bill drafter came up with the language "dead, unconscious or otherwise in a condition rendering him incapable of being arrested." Senator Hersntadt believed that a dead person was included so tests could be taken to determine if a dead person, who was the cause of an accident, was in fact a DUI offender. Mr. Ketzenberger noted that the same language was used in subsection three of section one.

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SENATE BILL NO. 546

Senator Neal noted that the bill was under a chapter heading for the Senate Committee on Human Resources and Facilities and should be heard in that committee. Chairman Blakemore pointed out that four members of the Senate Committee on Human Resources and Facilities were also members of the Senate Committee on Transportation. Senator Neal agreed that the bill could be heard by the Senate Committee on Transportation.

Mr. Hale Bennett, Chief, Registration Division, Department of Motor Vehicles, noted that the bill was asked for by the department as a budgetary measure. The increase was needed to compensate for the pay raises which were approved by the money committees which would put the air pollution inspection program in a deficit position. The increase asked for would be \$1 per certification. He stated that the inspection stations are currently inspecting 3,000 vehicles in Washoe County and 6,000 vehicles in Clark County per month. If the bill were approved it would raise \$108,000 the first year and \$110,000 the second year. If the bill were not approved the program would have a \$35,000 deficit and the program would have to be cut back.

Senator Jacobsen stated that the bill originated in the Senate Committee on Finance and the department budget was closed in anticipation of the increase in the air pollution inspection program fees. The bill was sent to the Senate Committee on Transportation because of the subject matter.

Senator Hernstadt asked Mr. Bennett if the department intended to postpone legislation which would require the emission control inspection program to be instituted on a full scale. Mr. Bennett stated that was not the intent of the department. The bill was requested to simply allow the department to maintain the program and the surplus at the same level which they are presently being maintained. The increase is needed to meet inflation and increasing costs.

Senator Hernstadt asked what would happen to revenues and costs if the program were not postponed. Mr. Bennett stated both his revenues and costs would increase. That has not been provided for in the budget. The department would have to go before the Interim Finance Committee to get approval to spend additional revenues.

Senator Hernstadt stated that if the emission control program were expanded to apply to vehicles other than transfer vehicles

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the department would be inspecting many more vehicles. This increase in vehicles could create a more efficient program and the \$2 fee could be sufficient to maintain the program. Mr. Bennett stated that was possible.

Ms. Peggy Twedt, speaking on behalf of the League of Women Voters, stated that the league did not have a position in support or opposition to the bill. The league would support the bill if the increase were justified to make the program self-supporting and the program did not become a revenue making program. Mr. Bennett assured Ms. Twedt that the program would not become a revenue producing program. This was demonstrated in the money committee meetings.

Mr. Bennett noted that the monies which have been collected and spent with relation to the emission control inspection program are in their own separate budget category.

Mr. Virgil Anderson, representing AAA, commented that the program is one of the more cost efficient and effective methods of vehicle inspection which will bring the vehicle population into compliance of emission control standards. He felt that in regard to motorist acceptance the increase of \$1 per certificate would be a good program.

ASSEMBLY BILL NO. 327 (See Exhibit D)

Mr. Bennett explained that the bill was designed to allow 10 day temporary permits for persons who buy an automobile from and individual. Automobiles which are purchased from automobile dealers are allowed a 10 day temporary permit. Senator Hernstadt noted that the bill also included trucks and vehicles over 6,000 pounds.

Mr. Daryl Capurro, Nevada Franchised Auto Dealers Association, stated that he had no problem with the bill in its current form. He noted that there could be a problem with mandatory insurance if a buyer moved an automobile before he received the card from the insurance company which proved that the vehicle was insured, although, the buyer may have arranged for insurance. He felt that there should be an exemption for the requirement to show proof of insurance for vehicles operating under a permit.

Senator Hernstadt asked if it would be appropriate to add language which would provide that when an automobile is bought privately or from a dealer, and the driver is cited for lack of proof of insurance, the citation could be dismissed by production of proof of insurance to the court. Mr. Capurro noted

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that there could be a problem with non-residents buying automobiles in the state and driving them to their state of residence. They would not feel compelled to appear before a court to produce proof of insurance.

Senator Hernstadt stated that non-residents could receive their proof of insurance before they moved the automobile. In order to obtain a 10 day temporary permit they could be required to show proof of insurance. Mr. Capurro doubted if a buyer could have a card for a vehicle which was just purchased. Senator Hernstadt explained that it could be done.

Chairman Blakemore suggested that the buyer be allowed 10 days to produce proof of insurance.

Mr. Bennett noted that the law currently provides that if a driver receives a citation for failure to produce proof of insurance the citation is dismissed if the driver produces proof of insurance to the court.

Mr. Anderson stated that allowing 10 days to produce proof of insurance would be unfair because the driver would be subject to arrest and appearance in court. He suggested that the bill be amended to provide that no arrests for lack of proof of insurance would be issued to a driver of an automobile with a valid temporary permit. He noted that in cases where there is insurance on another vehicle owned by the buyer the newly purchased vehicle is covered for 30 days.

Senator Hernstadt suggested that a citation be dismissed if a copy of the proof of insurance is mailed to the court. He noted that it would be impractical not to pass the bill.

Chairman Blakemore felt that if the bill was amended to provide that there would be no enforcement of the proof of insurance to automobile drivers operating under a valid 10 day temporary permit there would be more protection of the innocent rather than abuse the law.

Senator Hernstadt moved that the bill receive an amend and do pass recommendation with an amendment which would provide that no citations would be issued to a driver for lack of proof of insurance if the automobile is being operated on a valid 10 day temporary permit.

Senator Bilbray seconded the motion.

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

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Chairman Blakemore asked the committee if it would object to a committee introduction of a bill which was requested after the deadline by Washoe County. The committee agreed to a committee introduction of \*Bill Draft Request 43-1919, which is an act relating to motor vehicles, consolidating the reports required by operators of motor vehicles.

SENATE BILL NO. 546 (See Exhibit E)

Senator Hernstadt stated that he would prefer to wait to vote on the bill to see what happened to another bill regarding the inspection maintenance program. He asked for the delay because if the other bill passed the department would have to go back to the Senate Committee on Finance to show its expenses and its budget. Senator McCorkle noted that Senate Bill No. 546 applies to the costs of each certificate. Senator Hernstadt stated that the program could be more efficient if more cars were inspected. Mr. Bennett stated that Senator Hernstadt was correct. However, he did not know the figures.

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

Senator Jacobsen seconded the motion.

The motion passed. (Senator Hernstadt and Senator Bilbray voted "no". Senator Faiss was absent for the vote.)

SENATE BILL NO. 545

Senator McCorkle moved that the bill be indefinitely postponed.

Senator Jacobsen seconded the motion.

The motion failed. (Senator Hernstadt, Senator Neal and Senator Bilbray voted "no". Senator Faiss was absent for the vote.)

SENATE BILL NO. 528 (See Exhibit F)

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

Senator Neal seconded the motion.

The motion passed. (Senator Bilbray voted "no". Senator Faiss was absent for the vote.)

\*(S.B. 603)

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SENATE BILL NO. 455 (See Exhibit G)

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

Senator Neal seconded the motion.

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

SENATE BILL NO. 399 (See Exhibit H)

Senator Hernstadt explained the amendment to the bill. He stated that the requesters of the bill had intended that the bill only apply to new allocations. However, the bill read that it would equalize all of the taxicab companies. The bill would be amended in section one, page one, by deleting lines 6 through 11 completely and inserting the language "apply. If the total number of taxicabs to be allocated is increased, the taxicab authority shall allocate the additional taxicabs among all certificate holders in the county equally. 2. In determining the allocation of taxicabs the taxicab authority shall not limit the geographical distribution within the county, but shall consider:". The bill would be amended as a whole by deleting section two and section three. The title of the bill would be amended by the insertion of the word "additional" before "taxicabs" and adding the language "and prohibiting limitations on geographical distributions."

Chairman Blakemore asked if the amended bill would accomplish exactly what the Taxicab Authority has been doing by regulation. Senator Hernstadt stated that the amended bill would require the equal distribution of future taxicab allocations.

Senator McCorkle moved that the bill receive an amend and do pass recommendation with the amendment that Senator Hernstadt explained.

Senator Neal seconded the motion.

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

SENATE BILL NO. 398

Senator Hernstadt stated that the amendment was too lengthy to read and distributed the amendment to the committee for review. He explained that the amendment would provide that there would be no restriction of area on page one. On the second page the amendment would amend NRS 616 and 617, the Nevada Industrial Commission sections. It defines sole proprietor and includes

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an independent driver who leases a taxicab pursuant to section one of the bill. The duration of the lease, whether one day or longer, is not a factor in determining the eligibility of such driver for coverage as a sole proprietor. The amendment also provided that the lessee of a taxicab, pursuant to section one of the legislation, who elects coverage, may design the lessor as his agent for the purpose of forwarding the premium to the commission. The lessor is not the employer of the lessee solely because of his designation as an agent for that purpose. This would keep separate the lessee/lessor relationship, that is not an employee/employer relationship, and would provide for NIC coverage. The amendment changes the title of the bill by adding "making a provision for the payment of industrial insurance premiums by the lessee and prohibiting restrictions on geographical area for operation for certificate holders in certain counties."


The committee concurred with the amendments. Senator Jacobsen noted that his vote for the bill would remain "no".

There being no further business, the meeting adjourned at 4:28 p.m.

Respectfully submitted by:

  
Kelly R. Torvik

APPROVED:

  
Senator Richard E. Blakemore  
Chairman

Dated: 4/29, 1981

SENATE AGENDA

COMMITTEE MEETINGS

EXHIBIT A

Committee on Transportation, Room 323.

Day Thursday, Date April 23, 1981, Time 2:00

S. B. No. 528--Revises definition of moped.

S. B. No. 545--Prescribing fee for operation of vehicle of excess weight on highways.

S. B. No. 546--Increases fee for inspection of motor vehicles for air pollution.

A. B. No. 327--Removes limitation on motor vehicles eligible for temporary permits.

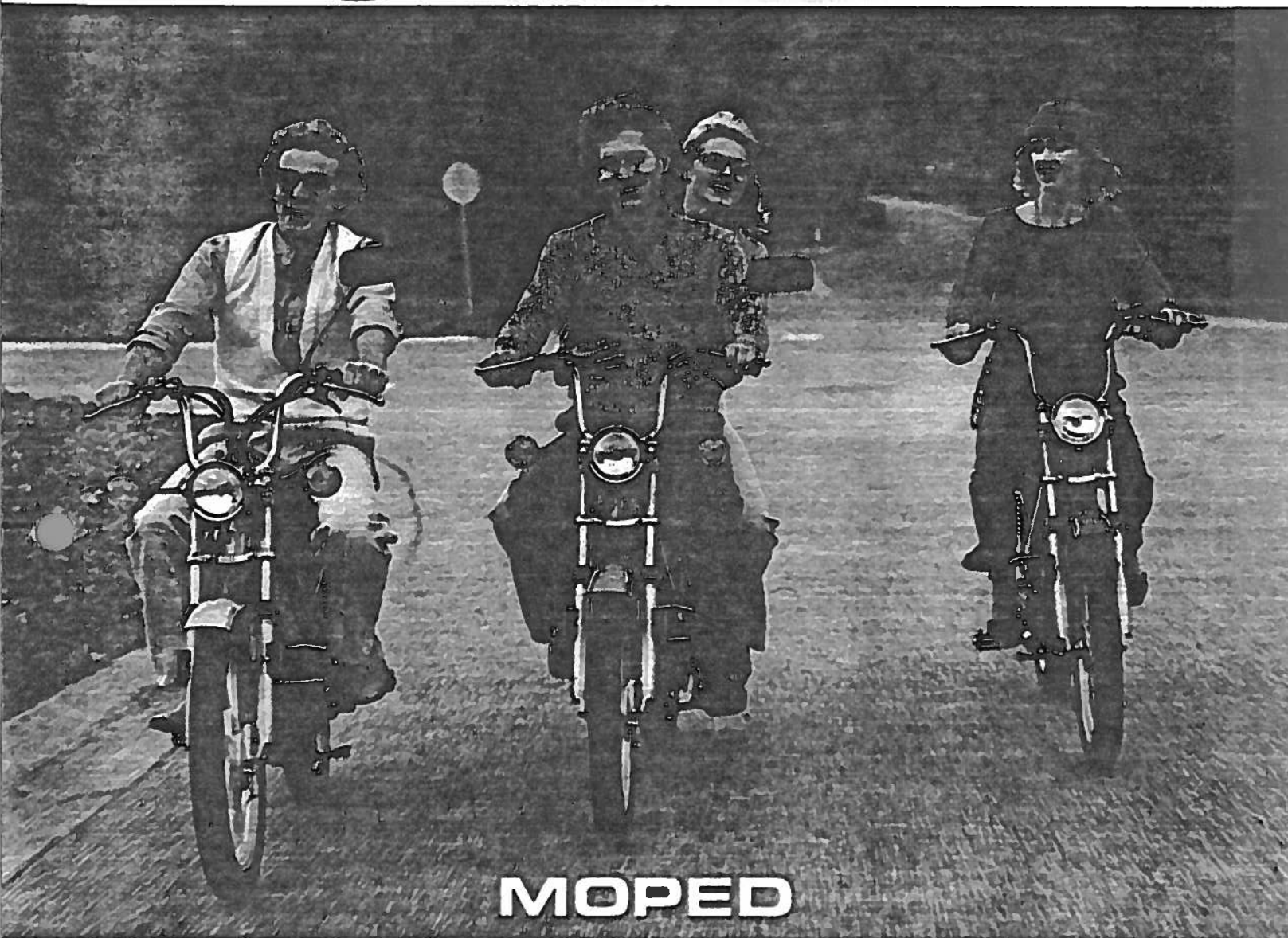




# vespa

## grande

EXHIBIT C



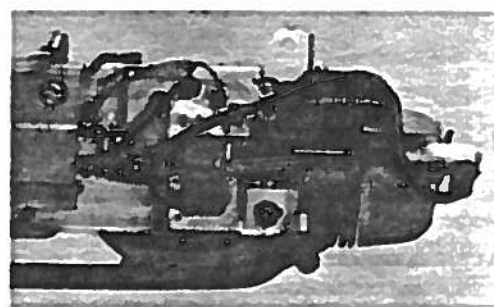
Vespa's unique variable ratio belt drive automatically changes the drive ratio for swifter acceleration, more power on hills.



You can depend on the fine performance the Grande offers, especially with features like the front suspension with telescopic fork and oil dampened helical springs. The rear suspension is equipped with hydraulic shock absorbers and cylindrical springs, controlling the engine wheel unit as it pivots in the frame.



Along with a strengthened frame structure, a single cylinder, two stroke rotary induction engine gives the



Grande all the power needed to carry two people—with ease. And because the engine has forced-air cooling, there's no problem with overheating. Push the button near the rear hub and the engine disengages for pedaling.

# vespa THE UNCOMMON CARRIER



GRANDE DELUXE



GRANDE SUPER DELUXE

What's so uncommon about a Vespa? Over 6 million Vespa scooters and 2 million Vespa mopeds have been sold so far in the world. Vespa mopeds do not just offer convenient transportation, ease of parking and great mileage. They are the result of years of technological innovations and refinements in design, which have created unique and unmatched products. They offer comfort and dependability. Their quality is a rarity. In essence they are special vehicles for special people. Test ride a Vespa Grande. You'll see what we mean.

## SPECIFICATIONS\*

MODEL	GRANDE DELUXE	GRANDE SUPER DELUXE
Fuel	Regular Gasoline with 2% oil mixture	
Consumption**	(CUNA Standard) Up to 140 mpg. (225 km/3.8 lt)	
Range	Approximately 105 miles. (170 km)	
Fuel Capacity	¾ gallon (2.8 lt)	
Total Dry Weight	123 pounds (56 kg), not including accessories.	
Wheelbase	44.09" (1120 mm)	
Wheels	Front 17" rim with 2.50" x 17" tire. Rear 16" rim with 2.75" x 16" tire.	
Brakes	Front and rear drum operated by handlebar levers. (Left for rear, right for front)	
Handlebar Width	26.3 (670 mm)	
Length	67.3 (1710 mm)	
Height	40.9 (1040 mm)	
Engine	Single cylinder, two stroke rotary valve induction.	
Bore	1.50" (38.2 mm)	
Stroke	1.69" (43 mm)	
Displacement	49.28 cc	
Compression Ratio	9/1	
Spark Advance	19°	
Transmission	Trapezoidal belt drive from engine to rear wheel, with expanding pulleys and automatic centrifugal clutch.	
Pedal Transmission	Sprocket with crank, roller chain, free wheel sprocket, (ratio 28/18)	
Choke	Engaged by lever above pedals. Disengages automatically when throttle is opened.	
Startup	Automatically starts by pedaling.	
Pedal Operation	Button on rear hub disengages engine.	
Standard Equipment	Front suspension with telescopic fork and oil dampened helical springs. Rear suspension with swinging fork, hydraulic shock absorbers and cylindrical springs. Variable ratio drive for added acceleration and power on hills. Speedometer, steering lock, deluxe double seat, folding rear pegs (where permitted by law), light alloy wheels. Oil measure cup, tool kit, and rear view mirror. Mudguard on front fenders.	
	Turn signals, battery, and side storage compartment. (Engine magnetically recharges battery.)	



PIAGGIO GROUP

vespa of america corporation

355 VALLEY DRIVE • BRISBANE CA 94005

The Vespa Grande moped is available in two models, the difference being turn signals and relevant cosmetic-technical devices. The turn signals are installed at the Piaggio factory in Italy, which guarantees their quality and performance. The Vespa Grande is built for two persons. Two passenger operation not permitted in some states. Check local laws for operation and ownership. Vespa backs all mopeds and scooters with a 12-month, unlimited mileage warranty. There's no charge for parts and labor, however wear items are not covered 10 days after sale. A wide variety of accessories is available for the Vespa Grande. Check with your Vespa dealer.

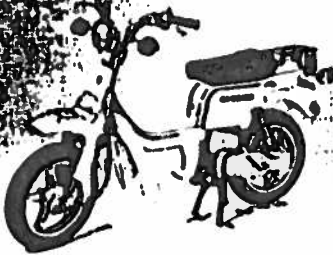
\*Specifications subject to change without notice.

\*\*Mileage may vary according to riding conditions, your weight, and the condition of your moped.

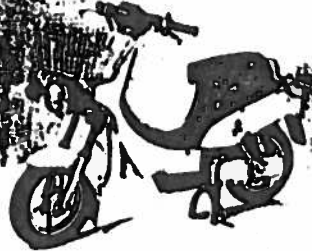
**FA-50M**



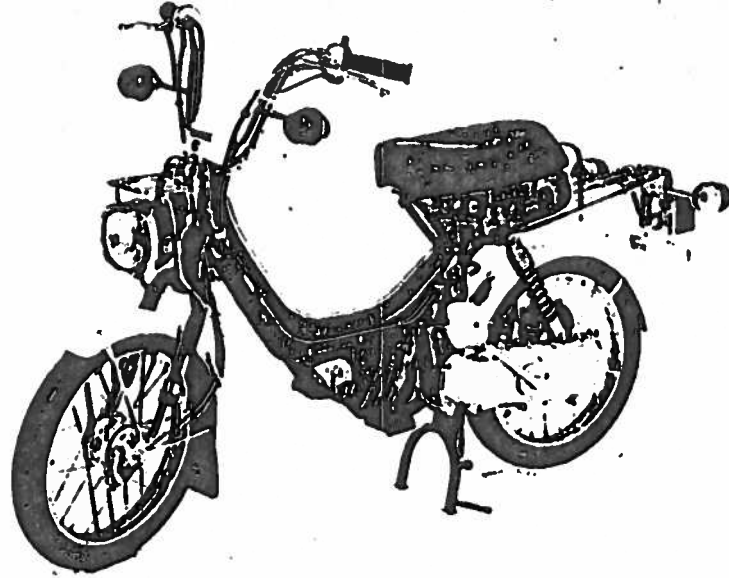
**FZ-50**



**FS-50**



**FA-50**



**Suzuki 1981**  **The Performer.**

ride with care. Always wear an approved helmet and protective gear as they only reduce vulnerability and respect the environment.





A. B. 327

## ASSEMBLY BILL NO. 327—COMMITTEE ON JUDICIARY

MARCH 12, 1981

Referred to Committee on Transportation

SUMMARY—Removes limitation on motor vehicles eligible for temporary permits. (BDR 43-1247)

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; removing a limitation on the kinds of motor vehicles eligible for a temporary permit; extending the duration of the permit; 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 482.396 is hereby amended to read as follows:  
 2 482.396 1. A Nevada resident who has purchased from a person  
 3 who is not a dealer a *motor vehicle* which is [ :  
 4 (a) A used, unregistered passenger car or truck weighing 6,000  
 5 pounds or less; and  
 6 (b) Not] *not* subject to the provisions of NRS 482.390, 482.395  
 7 and 706.801 to 706.861, inclusive, may apply to the department for a  
 8 permit to move the vehicle within Nevada for the purpose of register-  
 9 ing and licensing it in this state.  
 10 2. The department may issue the permit free of charge. [and only  
 11 after presentation of a certificate of ownership or other document of title  
 12 for the vehicle, properly endorsed, or a statement as provided in para-  
 13 graph (b) of subsection 2 of NRS 482.426.]  
 14 3. Each permit [shall:] *must*:  
 15 (a) Bear the date of [issuance] *expiration* in numerals of sufficient  
 16 size to be plainly readable from a reasonable distance during daylight;  
 17 (b) Expire at 5 p.m. on the [day] *10th day after its date* of issuance;  
 18 (c) Be affixed to the vehicle in the manner prescribed by the depart-  
 19 ment; and  
 20 (d) Be removed and destroyed upon its expiration or the issuance of a  
 21 new permit or a certificate of registration, for the vehicle, whichever  
 22 occurs first.

**S. B. 546**

**SENATE BILL NO. 546—COMMITTEE ON TRANSPORTATION**

**APRIL 15, 1981**

**Referred to Committee on Transportation**

**SUMMARY—Increases fee for inspection of motor vehicles for air pollution. (BDR 40-1894)**

**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; increasing the fee for inspection for air pollution; 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 445.700 is hereby amended to read as follows:**
- 2     **445.700** 1. In areas of the state where and when a program is com-
- 3     **445.700** menced pursuant to NRS 445.630 to 445.670, inclusive, the following
- 4     **445.700** fees must be paid to the department of motor vehicles and accounted for
- 5     **445.700** in the pollution control fund which is hereby created as a special revenue
- 6     **445.700** fund:
- 7     **445.700** (a) For the issuance and annual renewal of license for an
- 8     **445.700**     authorized station or a fleet station..... \$25 [;]
- 9     **445.700** (b) For each set of 25 forms certifying emission control
- 10    **445.700**     compliance..... [50;] 75
- 11    **445.700** (c) For each form issued to a fleet station..... [2.] 3
- 12    **445.700** 2. All fees must be used by that department as needed to carry out
- 13    **445.700** the provisions of NRS 445.610 to 445.710, inclusive.
- 14    **445.700** 3. The department of motor vehicles may prescribe by regulation
- 15    **445.700** routine inspection fees at the prevailing shop labor rate, including max-
- 16    **445.700** imum charges for those fees, and for the posting of those fees in a con-
- 17    **445.700** spicuous place at the authorized station.

**S. B. 528****SENATE BILL NO. 528—SENATORS BLAKEMORE  
AND JACOBSEN****APRIL 10, 1981**

Referred to Committee on Transportation

**SUMMARY—Revises definition of moped. (BDR 43-1718)****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 mopeds; revising their definition; 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 482.069 is hereby amended to read as follows:  
2 482.069 "Moped" means a vehicle which looks and handles essen-  
3 tially like a bicycle and [can be propelled either by pedaling or by a  
4 small engine and:  
5 1.]  
6 1. *Can be propelled by:*  
7 (a) *Pedaling and an engine; or*  
8 (b) *If it has no pedals, solely by an engine,*  
9 *which produces not more than 2 gross brake horsepower or which has a*  
10 *displacement of not more than 50 cubic centimeters;*  
11 2. Is designed to travel on not more than three wheels in contact with  
12 the ground but is not a tractor; and  
13 [2.] 3. Is capable of a maximum speed of not more than 30 miles  
14 per hour on a flat surface with not more than 1 percent grade in any  
15 direction when the motor is engaged.
- 16 SEC. 2. NRS 483.088 is hereby amended to read as follows:  
17 483.088 "Moped" means a vehicle which looks and handles essen-  
18 tially like a bicycle and [can be propelled either by pedaling or by a small  
19 engine and:  
20 1.] 1. *Can be propelled by:*  
21 (a) *Pedaling and an engine; or*  
22 (b) *If it has no pedals, solely by an engine,*  
23 *which produces not more than 2 gross brake horsepower or which has a*  
24 *displacement of not more than 50 cubic centimeters;*



1 2. Is designed to travel on not more than three wheels in contact  
2 with the ground but is not a tractor; and

3 ~~[2.] 3. Is capable of a maximum speed of not more than 30 miles~~  
4 ~~per hour on a flat surface with not more than 1 percent grade in any~~  
5 ~~direction when the motor is engaged.~~

6 Sec. 3. NRS 484.0798 is hereby amended to read as follows:

7 484.0798 "Moped" means a vehicle which looks and handles essen-  
8 tially like a bicycle and [can be propelled either by pedaling or by a  
9 small engine and:

10 1.] :

11 1. Can be propelled by:

12 (a) Pedaling and an engine; or

13 (b) If it has no pedals, solely by an engine,

14 which produces not more than 2 gross brake horsepower or which has a  
15 displacement of not more than 50 cubic centimeters;

16 2. Is designed to travel on not more than three wheels in contact  
17 with the ground but is not a tractor; and

18 ~~[2.] 3. Is capable of a maximum speed of not more than 30 miles~~  
19 ~~per hour on a flat surface with not more than 1 percent grade in any~~  
20 ~~direction when the motor is engaged.~~

21 Sec. 4. NRS 486.038 is hereby amended to read as follows:

22 486.038 "Moped" means a vehicle which looks and handles essen-  
23 tially like a bicycle and [can be propelled either by pedaling or by a small  
24 engine and:

25 1.] :

26 1. Can be propelled by:

27 (a) Pedaling and an engine; or

28 (b) If it has no pedals, solely by an engine,

29 which produces not more than 2 gross brake horsepower or which has a  
30 displacement of not more than 50 cubic centimeters;

31 2. Is designed to travel on not more than three wheels in contact with  
32 the ground but is not a tractor; and

33 ~~[2.] 3. Is capable of a maximum speed of not more than 30 miles~~  
34 ~~per hour on a flat surface with not more than 1 percent grade in any~~  
35 ~~direction when the motor is engaged.~~

**S. B. 455****SENATE BILL NO. 455—COMMITTEE ON JUDICIARY****MARCH 25, 1981.****Referred to Committee on Transportation****SUMMARY—Amends provisions of traffic laws relating to persons who have become incapacitated. (BDR 43-839)****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 traffic laws; providing for chemical tests for alcohol or controlled substances on persons who have been incapacitated and not arrested; removing requirement that persons arrested for driving under the influence of alcohol or a controlled substance be taken before a magistrate if he is being treated for injuries; 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 484.383 is hereby amended to read as follows:  
2       484.383 1. Except as provided in subsections 4 and 5, any person  
3       who drives a vehicle upon a highway in this state shall be deemed to  
4       have given his consent to a chemical test of his blood, urine, breath or  
5       other bodily substance for the purpose of determining the alcoholic con-  
6       tent of his blood or the presence of a controlled substance when such a  
7       test is administered at the direction of a police officer having reasonable  
8       grounds to believe that the person to be tested was driving a vehicle  
9       while under the influence of intoxicating liquor or a controlled substance  
10      and [after]:  
11      (a) *After* he was arrested for any offense allegedly committed while he  
12      was driving a vehicle under the influence of intoxicating liquor or a con-  
13      trolled substance [.] ; or  
14      (b) *He is dead, unconscious or otherwise in a condition rendering him*  
15      *incapable of being arrested.*  
16      2. The person arrested must be informed that his failure to submit to  
17      such test will result in the suspension of his privilege to drive a vehicle for  
18      a period of 6 months.  
19      3. Any person who is dead, unconscious, or otherwise in a condition  
20      rendering him incapable of refusal shall be deemed not to have withdrawn  
21      his consent, and any such test may be administered whether or not the  
22      person is informed that his failure to submit to the test will result in the  
23      suspension of his privilege to drive a vehicle for a period of 6 months.

1 4. Any person who is afflicted with hemophilia or with a heart condi-  
2 tion requiring the use of an anticoagulant as determined by a physician is  
3 ~~exempt from any blood test which may be required pursuant to this sec-~~  
4 ~~tion.~~

5 5. Where the alcoholic content of the defendant's blood is in issue, a  
6 person may refuse to submit to a blood test if means are reasonably avail-  
7 able to perform a breath or urine test, and may refuse to submit to a  
8 blood or urine test if means are reasonably available to perform a breath  
9 test. Where the presence of a controlled substance in the blood of the  
10 person arrested is in issue, he may refuse to submit to a blood test if  
11 means are reasonably available to perform a urine test, but he may not  
12 submit to a breath test in lieu of submitting to a blood or urine test.

13 6. If a person under arrest refuses to submit to a required chemical  
14 test as directed by a police officer under this section, the police officer  
15 shall submit to the department of motor vehicles within 10 days a sworn  
16 written statement that he had reasonable grounds to believe the arrested  
17 person had been driving a vehicle upon a highway while under the influ-  
18 ence of intoxicating liquor or a controlled substance and that the person  
19 refused to submit to the test upon the officer's request.

20 Sec. 2. NRS 484.795 is hereby amended to read as follows:

21 484.795 Whenever any person is halted by a peace officer for any  
22 violation of this chapter and is not required to be taken before a magis-  
23 trate, the person [shall] *may*, in the discretion of the peace officer, either  
24 be given a traffic citation, or be taken without unnecessary delay before  
25 the proper magistrate. He [shall] *must* be taken before the magistrate in  
26 any of the following cases:

27 1. When the person does not furnish satisfactory evidence of identity  
28 or when the peace officer has reasonable and probable grounds to believe  
29 the person will disregard a written promise to appear in court;

30 2. When the person is charged with a violation of NRS 484.701,  
31 relating to the refusal of a driver of a vehicle to submit [such] *the* vehicle  
32 to an inspection and test;

33 3. When the person is charged with a violation of NRS 484.755,  
34 relating to the failure or refusal of a driver of a vehicle to submit the  
35 vehicle and load to a weighing or to remove excess weight therefrom; or

36 4. When the person is charged with a violation of NRS 484.379 [.] ,  
37 *unless he is incapacitated and is being treated for injuries at the time the*  
38 *peace officer would otherwise be taking him before the magistrate.*

**S. B. 399**

**SENATE BILL NO. 399—COMMITTEE ON TRANSPORTATION**

**MARCH 11, 1981**

**Referred to Committee on Transportation**

**SUMMARY—Provides for equal allocation of taxicabs among all certificate holders under jurisdiction of taxicab authority. (BDR 58-1272)**

**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 taxicab authorities; providing for an equal allocation of taxicabs among all certificate holders in a county having a taxicab authority; 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 706.8824 is hereby amended to read as follows:**  
2     **706.8824 1. Whenever circumstances require a change in the allo-**  
3     **cations existing on July 1, 1969, or afterward established, the taxicab**  
4     **authority shall allocate the number of taxicabs among the certificate**  
5     **holders in any county to which NRS 706.881 to 706.885, inclusive,**  
6     **apply [.] , in a manner designed to achieve and maintain an equal**  
7     **allocation of taxicabs among all certificate holders in the county.**  
8     **2. In determining the [allocation] total number of taxicabs [as set**  
9     **forth in subsection 1,] to be allocated in the county and the geographical**  
10    **distribution of the allocated taxicabs within the county, the taxicab**  
11    **authority shall consider:**  
12    **(a) The needs of residents of the area served by the certificate holders;**  
13    **(b) The needs of the tourists of the area served by the certificate hold-**  
14    **ers;**  
15    **(c) The interests, welfare, convenience, necessity and well-being of the**  
16    **public at large in the area served by the certificate holders; and**  
17    **(d) Any other factors which the administrator considers necessary and**  
18    **proper for determining the allocation.**  
19    **SEC. 2. In allocating additional numbers of taxicabs among the cer-**  
20    **tificate holders in any county to which NRS 706.881 to 706.885, inclu-**  
21    **sive, apply, the taxicab authority shall allocate first to the certificate**  
22    **holder or holders whose allocation is smallest, with the purpose of achiev-**  
23    **ing, on the earliest possible date after the effective date of this act, an**  
24    **equal allocation of taxicabs among all certificate holders in the county.**

**SEC. 3. Section 2 of this act expires on the date when an equal allocation of taxicabs among certificate holders is achieved.**