

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON TRANSPORTATION

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
April 7, 1981

The Senate Committee on Transportation was called to order by Chairman Richard E. Blakemore, at 1:22 p.m., on Tuesday, April 7, 1981, in Room 323 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

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

STAFF MEMBER PRESENT:

Kelly R. Torvik, Committee Secretary

SENATE BILL NO. 459 (See Exhibit C)

Senator Faiss moved that Senate Bill No. 459 receive a do pass recommendation.

Senator Hernstadt seconded the motion.

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

SENATE BILL NO. 460 (See Exhibit D)

Senator Hernstadt moved that Senate Bill No. 460 receive an amend and do pass recommendation with an amendment which would delete the words "for this purpose," on line four of page one, and insert "to conduct transportation studies or." The amendment would also insert "conducting transportation studies or" between the words "of" and "matching" on line twenty of page one of the bill.

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Senator Faiss seconded the motion.

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

SENATE BILL NO. 235

Chairman Blakemore explained that the Senate Bill Drafter, Will Crockett, had said that the bill accomplished exactly what was requested.

Senator Faiss asked if the words "maintains an established place of business" were going to be amended to the bill. Mr. Daryl Capurro, Nevada Motor Transport Association, explained that those words were used throughout the statutes.

Senator Bilbray stated that his notes reflected that in section six there should be an amendment to provide that state licenses were issued first, the county licenses second. Mr. Capurro noted that subsection eleven of section five was too broad. Chairman Blakemore stated that the bill would be considered as soon as some proposed amendments were available.

SENATE BILL NO. 160 (See Exhibit E)

Chairman Blakemore read an amendment to the bill which was proposed by the Nevada Motor Transport Association and the Public Service Commission (P.S.C.). (See Exhibit F.)

Mr. Capurro explained another proposed amendment to the bill. (See Exhibit G.) He stated that currently the motor carriers have a problem with the ability to pass along fuel costs in their rates. Current law requires 30 days notice and then there is the possibility of a hearing if a formal protest is filed. The P.S.C. has no flexibility to act in less than 30 days to adjust rates because of rising fuel costs. He noted that the Interstate Commerce Commission adjusts the fuel surcharge weekly. The amendment would allow the P.S.C. to work out a system of adjusting rates on a monthly basis.

Senator Hernstadt felt that because the subject matter of the second proposed amendment was not relative to the summary of the bill that a new bill should be drafted in accordance with the second proposed amendment. He felt that 30 days would be adequate time for a motor carrier to apply for an increase. Mr. Capurro stated that the bill also addressed increases other than

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fuel tax increases. The amendment would only give the P.S.C. the authority to consider the increases. A method would be developed so the motor carrier could apply for increases in less than 30 days.

Senator Bilbray agreed that the second amendment should be a separate bill. Senator Hernstadt stated that the constitution prohibits two different subject matters in the same bill. Mr. Capurro noted that Senate Bill No. 160 was the only bill in which the committee addressed N.R.S. Chapter 706. He did not object to another bill being drafted, however, he felt that there was a need for legislation during the sixty-first session of the legislature.

Senator Hernstadt moved that the committee order a bill be drafted in accordance with the second amendment.

Senator Faiss seconded the motion.

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

Senator Jacobsen asked if the first amendment would remedy the situation which occurs with seasonal permits. Mr. Capurro stated that any unusual circumstances would be considered.

Senator Bilbray moved that Senate Bill No. 160 receive an amend and do pass recommendation with the first amendment.

Senator Faiss seconded the motion.

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

SENATE BILL NO. 363 (See Exhibit H)

Chairman Blakemore pointed out that the committee had received two suggested amendments to the bill. (See Exhibits I and J.) He stated that if the committee voted to give the bill an amend and do pass recommendation he would have the amendments drafted and brought back to the committee for approval.

Senator McCorkle stated that he would prefer that the county name was embossed on the license plate rather than printed on a decal which would be applied to the license plate. Senator Hernstadt noted that the decal would be available for voluntary use. Senator Jacobsen noted that the decal would be self-supportive and interchangeable.

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Senator McCorkle asked what the extra costs would be of embossing the county name onto the license plates. Chairman Blakemore stated that the space available for the county name was too small for embossing. The dye was not prohibitively expensive. Senator Jacobsen pointed out that the principle advantage of not embossing the license plates was that the license plates could be stockpiled.

Senator Bilbray moved that the bill receive an amend and do pass recommendation with the two suggested amendments.

Senator Jacobsen seconded the motion.

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

SENATE BILL NO. 228 (See Exhibit K)

Chairman Blakemore noted that the new lights which the Nevada Highway Patrol is proposing are not visable from all directions. Senator Hernstadt pointed out that the patrol had stated that if the bill was processed it would cost \$700 per unit for new brackets. Also, the use of overhead lights increases fuel consumption by ten percent and lowers the top speed of the car.

Senator Jacobsen moved that the bill be indefinitely postponed.

Senator McCorkle seconded the motion.

The motion did not pass. (Chairman Blakemore, Senator Hernstadt, Senator Neal, Senator Faiss and Senator Bilbray voted "no".)

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

Senator Hernstadt amended Senator Neal's motion with an amendment to rerefer the bill to the Senate Committee on Finance.

Senator Hernstadt noted that testimony indicated that, although there was no fiscal note, there would be a fiscal impact. Senator McCorkle stated that the fiscal impact would be \$140,000. Chairman Blakemore stated that he had measured the brackets and that the new lights would fit onto the brackets.

Senator McCorkle seconded Senator Hernstadt's motion.

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The motion did not pass. (Chairman Blakemore, Senator Neal, Senator Jacobsen, Senator Faiss and Senator Bilbray voted "no".)

Senator Bilbray seconded Senator Neal's motion to give the bill a do pass recommendation.

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

SENATE BILL NO. 369 (See Exhibit L)

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

Senator Jacobsen seconded the motion.

The motion passed unanimously.

TAXICAB LEGISLATION

Senator Bilbray stated that he would like to amend section two of Senate Bill No. 399 to prohibit the agency which has authority over the taxicabs from restricting the taxicab's franchise area within the county. This was because the North Las Vegas Cab Company is not allowed to service the "strip". Equal distribution would not be logical to that company because of its limited area. Chairman Blakemore asked if taxicabs had been allotted to the North Las Vegas Cab Company before. Mr. Zel Lowman, North Las Vegas Cab Company, noted that the question was how many taxicabs the one company could use in that franchised area. They would have taxicabs they could not use or they would have to find other areas to service. Chairman Blakemore stated that Mr. Lowman had not noted that in his previous testimony in regard to taxicabs. Mr. Lowman believed that such testimony had been given by other witnesses. The committee stated that it had not heard any testimony to that effect.

Senator Hernstadt felt that section two, which was transitory language, would not be good legislation because it would provide that the smaller taxicab companies receive all taxicab allocations until they were equal in total allocations with the larger companies. He stated that the intent of the bill was to allocate all future taxicabs on an equal basis among the taxicab companies, not what was provided in section two of the bill.

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Chairman Blakemore felt that since the committee was receiving testimony that it had not previously heard and the bill should be rescheduled Senator Bilbray suggested that Senate Bill No. 396, which deals with the same subject as Senate Bill No. 399, be held for testimony also.

Senator Hernstadt presented the committee with a newspaper article in regard to Senate Bill No. 319. (See Exhibit M.)

Senator Bilbray moved that the bill be indefinitely postponed.

Senator Bilbray noted that Mr. Jim Avance had commented that the Taxicab Authority (T.A.) could not control the situation which would be created if the bill were approved.

Senator Jacobsen seconded the motion.

Senator Hernstadt felt that passage of the bill would provide free enterprise, cleaner taxicabs and individual initiative. He did not feel that passage of the bill would create chaos since the individual owner would only own one taxicab. He felt that the bill was a beneficial alternative.

Chairman Blakemore stated that he believed if the bill were passed the individual owners would only service the areas where they could find a great deal of business, while the driver who was employed by a company would be required to service the areas where there was not a great deal of business.

Senator McCorkle stated that under the theory of competition if there is business to be found in an area which is vacated there will be service in that area. Not every driver is going to service the areas where there is the most business if there is business to be found in other areas. He stated that since every taxicab has to be licensed and inspected the supervising agency would not be overworked. There would be no difference in the amount of taxicabs in the area. The quantity of paperwork and supervision would not be any greater.

Senator Bilbray stated that the P.S.C. had claimed that if a company is not providing service or is committing other violations the T.A. can confront the owner of the fleet of numerous taxicabs. If the cabs are individually owned the T.A. would have to confront the owner of each taxicab when there is a violation. The supervising agency would not have the time to supervise every cab individually.

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Senator McCorkle asked if the taxicabs are required to have a monthly inspection. Mr. Lowman explained that each taxicab has a regular inspection. Senator McCorkle felt that contact could be made with the individual owners when the inspections are held at a given location.

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

Senator McCorkle stated that all arguments against Senate Bill No. 319 should apply to Senate Bill No. 398.

Senator Neal moved that Senate Bill No. 398 receive a do pass recommendation.

Senator Hernstadt seconded the motion.

Senator Bilbray stated that North Las Vegas Cab Company representative felt that the bill was discriminatory against him because no driver would lease a cab which could only be operated in a limited area. Senator Neal noted that the bill only allows leasing, it does not require it. Senator Hernstadt did not feel that the North Las Vegas problem was relevant to the point that it would justify holding up the bill.

Mr. Leo Henrikson stated that if the legislature was going to allow leasing of the cabs the driver should be granted the certificate as provided in Senate Bill No. 319. If Senate Bill No. 398 were approved the driver would be required to buy gas, oil and repairs from the company and he would therefore be obligated to the lessor. He stated that presently the taxicab companies do not have control of their drivers and would have even less control of them if leasing were permitted. He stated that if leasing were allowed all drivers would gravitate to the points of tourist ingress. The companies would lease all of their taxicabs because leasing is more lucrative for the company.

Chairman Blakemore noted that Mr. Avance had testified that the leasing system had worked in San Francisco. Mr. Henrikson stated that San Francisco has individual leasing and company leasing. He stated that Las Vegas is unique. Allowing the companies to lease would not be a good measure. Mr. Henrikson said that he believed in equal allocation. He stated that it would be very difficult for the citizens of Las Vegas to get taxicab service if leasing were allowed.

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Senator McCorkle asked if the lessee's obligation to the lessor could be removed by the lessee having the ability to choose the lessor. Mr. Henrikson stated that the companies would work together to set the price and conditions of the lease contract. The companies will not work against each other to compete for lessees.

Chairman Blakemore suggested that the committee reschedule Senate Bill No. 398 for more hearings since there was obviously a great deal of testimony which they had not heard.

Senator Neal withdrew his motion to do pass Senate Bill No. 398. Senator Hernstadt withdrew his second of that motion.

Senator Bilbray moved that Senate Bill No. 319 be reconsidered.

Senator Faiss seconded the motion.

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

Chairman Blakemore suggested that Senate Bill No. 397 be rescheduled for hearing along with the other bills relating to taxicabs. He noted that Senate Bill No. 318 had a conflict notice. Senator Hernstadt stated that there were Assembly bills which also dealt with the T.A. He suggested that the committee hold the bill until the committee received the Assembly bills.

In regard to Senate Bill No. 318, Mr. Henrikson stated that the T.A. had done a fine job of solving the problems in the taxicab industry and without that authority the industry would revert to the problems which were created before the T.A. was established.

SENATE BILL NO. 60

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

Senator Faiss seconded the motion.

The motion failed. (Chairman Blakemore, Senator Hernstadt, Senator McCorkle and Senator Bilbray voted "no". Senator Jacobsen was absent for the vote.)

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SENATE BILL NO. 461

Chairman Blakemore noted that there was no support for the bill.

Senator Hernstadt moved that the bill be indefinitely postponed.

Senator Bilbray seconded the motion.

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

SENATE BILL NO. 297


Chairman Blakemore asked the committee if there were any objections to amending the bill as suggested by the United Motorcycle Riders of Nevada. (See Exhibit N.) There were no objections.

There being no further business, the meeting was adjourned at 2:25 p.m.

Respectfully submitted by:


Kelly R. Torvik

APPROVED:


Senator Richard E. Blakemore
Chairman

Dated: 4/10, 1981

SENATE AGENDA

EXHIBIT A

COMMITTEE MEETINGS

Committee on Transportation, Room 323.

Day Tuesday, Date April 7, 1981, Time 2:00

Work Session.

S. B. 459

SENATE BILL NO. 459—COMMITTEE
ON TRANSPORTATION

MARCH 26, 1981

Referred to Committee on Transportation

SUMMARY—Allows fee for inspection of encroachments and devices used for outdoor advertising. (BDR 35-953)

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 highways; authorizing the collection of fees to cover the costs of inspecting proposed encroachments and signs, displays or devices used for outdoor advertising; 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 408.423 is hereby amended to read as follows:
2 408.423 1. No state highway or right of way may be disturbed, dug
3 up, crossed, encroached upon or otherwise used for the laying or re-laying
4 of pipelines, ditches, flumes, sewers, poles, wires, approach roads, drive-
5 ways, railways or for any other purpose, without the written permit of the
6 director, and then only in accordance with the conditions and regulations
7 prescribed by the director. All such work must be done under the supervi-
8 sion and to the satisfaction of the director. All costs of replacing the high-
9 way in as good condition as previous to its being disturbed must be paid
10 by the persons to whom or on whose behalf such permit was given or by
11 the person by whom the work was done.
12 2. In case of immediate necessity therefor, a city or town may dig up
13 [such] a state highway without a permit from the director, but in such
14 cases the director [shall] *must* be first notified and the highway must be
15 replaced forthwith in as good condition as before at the expense of such
16 city or town.
17 3. *The department shall charge each applicant a reasonable fee for*
18 *all administrative costs incurred by the department in acting upon an*
19 *application for a permit, including costs for the preparation and inspec-*
20 *tion of a proposed encroachment.*
21 SEC. 2. NRS 410.400 is hereby amended to read as follows:
22 410.400 1. The board shall prescribe:
23 (a) Regulations governing the issuance of permits for advertising signs,

1 displays or devices and [the collection of fees therefor reasonably related
2 to defraying the administrative costs of processing and issuing such per-
3 mits;] for the inspection and surveillance of advertising signs, displays or
4 devices; and

5 (b) Such other regulations as it deems necessary to implement the
6 provisions of NRS 410.220 to 410.410, inclusive.

7 2. The department shall assess a reasonable annual fee for each per-
8 mit issued to recover administrative costs incurred by the department in
9 the issuance of the permits, and the inspection and surveillance of adver-
10 tising signs, displays or devices.

11 3. No fee may be collected for any authorized directional sign, dis-
12 play or device, or for authorized signs, displays or devices erected by
13 chambers of commerce, civic organizations or local governments, adver-
14 tising exclusively any city, town or geographic area.

15 [3.] 4. No fee may be collected for any temporary sign, display or
16 device advertising for or against a candidate, political party or ballot
17 question in an election if the sign, display or device is:

18 (a) Erected not more than 60 days before a primary election and
19 concerns a candidate, party or question for that primary or the ensuing
20 general election; and

21 (b) Removed within 30 days after:

22 (1) The primary election if the candidate, party or question is not
23 to be voted on at the ensuing general election.

24 (2) The general election in any other case.

25 The department may summarily remove any temporary political sign for
26 which no fee has been paid if the sign is erected before or remains after
27 the times prescribed.

28 [4.] 5. All [permit] fees collected pursuant to this section must be
29 deposited with the state treasurer for credit to the state highway fund.

S. B. 460**SENATE BILL NO. 460—COMMITTEE
ON TRANSPORTATION**

MARCH 26, 1981

Referred to Committee on Transportation**SUMMARY**—Authorizes department of transportation to use appropriations from state general fund to match federal money for certain projects. (BDR 35-1072)**FISCAL NOTE:** Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Contains Appropriation.**EXPLANATION**—Matter in *italics* is new; matter in brackets [] is material to be omitted.**AN ACT** relating to transportation; authorizing the department of transportation to use money appropriated from the state general fund to match federal money for certain projects; making an appropriation; 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 408 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:

3 *The department may use any money appropriated from the state gen-*
4 *eral fund for this purpose to match, in the proportion designated in the*
5 *following acts, the sums of money apportioned by the Federal Govern-*
6 *ment to any of the political subdivisions of the state or any private cor-*
7 *poration or association in the state under these acts:*

8 1. *The Urban Mass Transportation Act (49 U.S.C. §§ 1601 et seq.),*
9 *which includes the Urban Mass Transportation Act of 1964 (P.L. 88-*
10 *365) and amendments made by the Federal-Aid Highway Act of 1973*
11 *(P.L. 93-87, August 13, 1973), the Surface Transportation Assistance*
12 *Act of 1978 (P.L. 95-599, November 6, 1978) and any amendments*
13 *thereto made after July 1, 1981.*

14 2. *The Department of Transportation Act (49 U.S.C. §§ 1651 et*
15 *seq.), which includes the Department of Transportation Act (P.L. 89-*
16 *670) and amendments made by the Local Rail Service Assistance Act*
17 *of 1978 (P.L. 95-607, November 8, 1978) and any amendments thereto*
18 *made after July 1, 1981.*

19 **SEC. 2.** 1. There is hereby appropriated from the state general fund
20 to the department of transportation the sum of \$1,441,800 for the pur-
21 pose of matching the money apportioned by the Federal Government to
22 any of the political subdivisions of the state or any private corporation or
23 association in the state under the federal acts listed in section 1 of this act.

1 2. Any remaining balance of the appropriation made by subsection 1
2 must not be committed for expenditure after June 30, 1983, and reverts
3 on that date to the state general fund.

S. B. 160

**SENATE BILL NO. 160—SENATORS BLAKEMORE, WAGNER,
RAGGIO, NEAL, McCORKLE, GETTO, KOSINSKI AND
DON ASHWORTH**

JANUARY 30, 1981

Referred to Committee on Transportation

**SUMMARY—Provides for revocation of certificate of public convenience and
necessity for nonuse by motor carrier. (BDR 58-391)**

**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; providing for automatic revocation of a certifi-
cate of public convenience and necessity for nonuse; and providing other mat-
ters 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 *If not used during any 6 consecutive months, a certificate of public***
- 4 *convenience and necessity is revoked by operation of law.***
- 5 SEC. 2. This act shall become effective July 1, 1982.**

STRIKE OUT LINES 3, 4+5 AND SUBSTITUTE THE FOLLOWING:

Unless permission is obtained from the commission, a
certificated motor carrier which fails to file required
annual reports with the commission within 60 days after
such reports are due, or when the annual report shows that
the motor carrier has not performed any intrastate transportation
service under the terms and conditions of its certificate
for the preceding calendar year, the certificate of public
convenience and necessity must be revoked in accordance
with the provisions of NRS 706.701.

706.321 Schedules of rates, fares and charges. EXHIBIT G

1. Every common or contract motor carrier shall file with the Commission:

(a) Within a time to be fixed by the commission, schedules and tariffs which shall be open to public inspection, showing all rates, fares and charges which such carrier has established and which are in force at the time for any service performed in connection therewith by any such carrier controlled and operated by it.

(b) In connection with and as part of such schedule, all rules and regulations that in any manner affect the rates or fares charged or to be charged for any service.

2. No changes shall be made in any schedule, including schedules of joint rates, or in the rules and regulations affecting any and all rates or charges, except upon 30 days' notice to the commission, and all such changes shall be plainly indicated on any new schedules filed in lieu thereof 30 days prior to the time the same are to take effect. The commission, upon application of any [such] carrier, may prescribe a shorter time within which [a] such changes [~~other-than-a-rate increase~~] may be made. The 30 days' notice is not applicable when any [such] carrier gives written notice to the commission 10 days prior to the effective date of its participation in a tariff bureau's rates and tariffs, provided such rates and tariffs have been previously filed with and approved by the commission.

3. The commission may at any time, upon its own motion, investigate any of the rates, fares, charges, rules, regulations, practices and services, and, after hearing, by order, make such changes as may be just and reasonable[,]. ~~[the-same-as-if-a formal-complaint-had-been-made.]~~

4. The commission, in its discretion, may dispense with the hearing on any change requested in rates, fares, charges, rules, regulations, practices or service[,]. ~~[if-upon-the-expiration of-the-time-fixed-in-the-notice-thereof-no-protest-against-the change-requested-in-rates-fares-charges-rules-regulations-practices-or-service-has-been-filed-by-or-on-behalf-of-any interested-person.]~~

5. All rates, fares, charges, classifications and joint rates, rules, regulations, practices and services fixed by the commission shall be in force, and shall be prima facie lawful, from the date of the order until changed or modified by the commission, or in pursuance of NRS 706.706 to 706.726, inclusive.

6. All regulations, practices and service prescribed by the commission shall be enforced and shall be prima facie reasonable unless suspended or found otherwise in an action brought for the purpose, pursuant to the provisions of NRS 706.706 to 706.726, inclusive, or until changed or modified by the commission itself upon satisfactory showing made.

706.326 Hearing by commission concerning propriety of new rate, fare, charge or service; suspension of operation of new schedule; order of commission.

1. Whenever there is filed with the commission any schedule or tariff stating a new or revised individual or joint rate, fare or charge, or any new or revised individual or joint regulation or practice affecting any rate, fare, or charge, or any schedule or tariff resulting in a discontinuance, modification or restriction of service, the commission shall have [~~and-it-is-hereby-given~~] authority [~~either-upon-complaint or~~] upon its own motion [~~without-complaint-at-once-and-if-it-so-orders-without-answer-or-formal-pleading-by-the-interested-common-or-contract-motor-carrier~~] to enter upon an investigation or, upon reasonable notice, to enter upon a hearing concerning the propriety of such rate, fare, charge, classification, regulation, discontinuance, modification, restriction or practice.

2. Pending such investigation or hearing and the decision thereon, the commission, upon delivering to the common or contract motor carrier affected thereby a statement in writing of its reasons for such suspension, may suspend the operation of such schedule or tariff and defer the use of such rate, fare, charge, classification, regulation, discontinuance, modification, restriction or practice, but not for a longer period than 150 days beyond the time when such rate, fare, charge, classification, regulation, discontinuance, modification, restriction or practice would otherwise go into effect.

3. After full investigation or hearing, whether completed before or after the date upon which the rate, fare, charge, classification, regulation, discontinuance, modification, restriction or practice is to go into effect, the commission may make such order in reference to such rate, fare, charge, classification, regulation, discontinuance, modification, restriction or practice as would be proper in a proceeding initiated after the rate, fare, charge, classification, regulation, discontinuance, modification, restriction or practice has become effective.

4. The commission shall determine whether a hearing shall be held to consider [when] the proposed change in any schedule stating a new or revised individual or joint rate, fare or charge, or any new or revised individual or joint regulation or practice affecting any rate, fare or charge[,]. ~~[will-result-in-an-increase-in-annual-gross-revenue-as-certified-by-the-applicant-of-\$27,500-or-less.]~~ In making such determination the commission shall [first] consider all timely written protests, any presentation the staff of the commission may desire to present, the application and any other matters deemed relevant by the commission.

706.331 Commission may order substitution of just and reasonable rates, regulations and practices after investigation and hearing.

1. If, [~~upon-any-hearing-and~~] after due investigation and hearing, [~~the~~] any authorized rates, tolls, fares, charges, schedules, tariffs, joint rates, or any regulation, measurement, practice, act or service complained of, is found to be unjust, unreasonable, insufficient, preferential, unjustly discriminatory or otherwise in violation of the provisions of this chapter, or if it is found that the service is inadequate, or that any reasonable service cannot be obtained, the commission may substitute therefor such other rates, tolls, fares, charges, tariffs, schedules or regulations, measurements, practices, service or acts and make such order relating thereto as may be just and reasonable.

2. When complaint is made of more than one matter, the commission may order separate hearings upon the several matters complained of at such times and places as it may prescribe.

3. No complaint may at any time be dismissed because of the absence of direct damage to the complainant.

4. The commission may at any time, upon its own motion, investigate any of the matters listed in subsection 1, and, after a full hearing as above provided, by order, make such changes as may be just and reasonable, the same as if a formal complaint had been made.

S. B. 363

SENATE BILL NO. 363—SENATOR JACOBSEN

MARCH 4, 1981

Referred to Committee on Transportation

SUMMARY—Changes system of designation on license plates for passenger cars. (BDR 43-949)

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 the licensing of motor vehicles; requiring that license plates for passenger cars contain the name of the issuing county; changing the system of designation by letters and numbers; 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 482 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *The director shall order the preparation of vehicle license plates*
4 *for passenger cars in the same manner as is provided for motor vehicles*
5 *generally in NRS 482.270.*
6 2. *Every license plate assigned to a passenger car must have dis-*
7 *played on it:*
8 (a) *The name of the county from which the plate was issued; and*
9 (b) *A designation which consists of a group of three numerals fol-*
10 *lowed by a group of three letters.*
11 3. *Any license plate issued for a passenger car before July 1, 1981,*
12 *bearing a designation which is not in conformance with the system*
13 *described in subsection 2 is valid during the period for which the plate*
14 *was originally issued as well as during any annual extensions by stickers.*
15 SEC. 2. NRS 482.270 is hereby amended to read as follows:
16 482.270 1. The director shall order the preparation of motor vehicle
17 license plates with no other colors than blue and silver. The director may
18 substitute white in place of silver when no suitable material is available.
19 2. The director may determine and vary the size, shape and form and
20 the material of which license plates are made, but each license plate
21 must be of sufficient size to be plainly readable from a distance of 100
22 feet during daylight. All license plates must be treated to reflect light and
23 to be at least 100 times brighter than conventional painted number

1 plates. When properly mounted on a unlighted vehicle, the license plates,
2 when viewed from a vehicle equipped with standard headlights, must be
3 visible for a distance of not less than 1,500 feet and readable for a
4 distance of not less than 110 feet.

5 3. Every license plate must have displayed upon it: [the]
6 (a) The registration number (or combination of letters and numbers)

7 assigned to the vehicle and to the owner thereof; [, and the]

8 (b) The name of the state, which may be abbreviated; [, and:
9 (a)]

10 (c) If issued for a calendar year, [such year.

11 (b)] the year; and

12 (d) If issued for a registration period other than a calendar year, the
13 month and year [such] the registration expires.

14 4. [The registration numbers assigned to passenger cars must be
15 coded for Carson City and the several counties as follows:

16 Carson City, OR or ORA to ORZ, inclusive, and when exhausted
17 OAA to OZZ, inclusive;

18 Churchill, CH or CHA to CHZ, inclusive, and when exhausted
19 FAA to FZZ, inclusive;

20 Clark, C or CA to CZ, inclusive, or CAA to CZZ, inclusive, and
21 when exhausted TAA to TZZ, inclusive;

22 Douglas, DS or DSA to DSZ, inclusive, and when exhausted DAA
23 to DZZ, inclusive;

24 Elko, EL or ELA to ELZ inclusive, and when exhausted EAA to
25 EZZ, inclusive, except the respective series ESA to ESZ and
26 EUA to EUZ;

27 Esmeralda, ES or ESA to ESZ, inclusive;

28 Eureka, EU or EUA to EUZ, inclusive;

29 Humboldt, HU or HUA to HUZ, inclusive;

30 Lander, LA or LAA to LAZ, inclusive;

31 Lincoln, LN or LNA to LNZ, inclusive;

32 Lyon, LY to LYA to LYZ, inclusive, and when exhausted LBB
33 to LZZ, inclusive;

34 Mineral, MN or MNA to MNZ, inclusive, and when exhausted
35 MAA to MZZ, inclusive;

36 Nye, NY or NYA to NYZ, inclusive, and when exhausted NAA
37 to NZZ, inclusive;

38 Pershing, PE or PEA to PEZ, inclusive, and when exhausted PAA
39 to PZZ, inclusive;

40 Storey, ST or STA to STZ, inclusive;

41 Washoe, W or WAA to WZZ, inclusive, except WPA to WPZ,
42 inclusive, and when exhausted KAA to KZZ, inclusive; and

43 White Pine, WP or WPA to WPZ, inclusive, and when exhausted
44 ZAA to ZZZ, inclusive.

45 Prefix letters which do not duplicate nor conflict with the foregoing code
46 letters may be reserved by the department for number plates assignable
47 to dealers, exempt vehicles and motorcycles, as may be determined; but
48 the letters I and Q must not be used for any vehicle. Following the
49 county code, or special prefix letter, a series of five or fewer numerals,

- 1 commencing with 1 to 99,999, must be used for Carson City and each
2 county as the need may be.
- 3 5. The director shall first exhaust the code letters containing the
4 fewest letters before assigning any additional letter.
- 5 6. No number plates may contain more than six letters and numbers
6 in combination.
- 7 7. The department shall determine the position and order of the
8 letters and numbers on the license plates for distribution in the state.
- 9 8.] *The letters I and Q must not be used in the designation.*
- 10 5. All letters and numbers must be of the same size.

Suggested Amendments

March 10, 1981

Section 1, line 4: add after cars and trucks

Section 1, line 6: add after car and truck

Section 1, line 8: add after (a) a space for

Delete after county (from which the plate was issued)

Section 1, line 11: add after car or truck

Replace July 1, 1981 with on or after

January 1, 1982

Page 3, beginning on line 11, add new language:

Section 3, Chapter 482 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The director shall order the preparation of reflectorized decal strips to fit in the space on the license plates described in Section 1. The decal strips shall display the name of a county in prominent block lettering.

2. County name decals shall be available for sale in every office where motor vehicle license plates are available, upon request in person or by mail.

Section 4. NRS 482.500 is hereby amended to read as follows:

482.500

1. Except as provided in subsection 2, whenever any duplicate or substitute certificate of registration or ownership, decal or number plate is issued upon application, the following fees shall be paid:

For a certificate of registration or ownership.....	\$2.00
For every substitute number plate.....	2.00
For every duplicate number plate.....	7.50

For every decal (license plate sticker or tab).....\$1.00
For every county name decal50

2. A fee of \$2 shall be paid for a duplicate plate of a special plate issued pursuant to NRS 482.3667, 482.375, 482.376 or 482.380. A fee shall not be charged for a duplicate plate or plates issued under NRS 482.368, 482.370, 482.373 or 482.374.

3. The fee which is paid for a duplicate number plate and for each county name decal shall be deposited to the state treasurer for credit to the motor vehicle fund and allocated to the department to defray the costs of duplicating the plate and manufacturing the county name decals.

Section 4. NRS 482.273 is hereby repealed.

Section 5. This act shall become effective upon January 1, 1982.

March 12, 1981

SECTION 1. Chapter 482 of NRS is hereby amended by adding thereto a new section which shall read as follows:

If a properly issued registration and license plate is allowed to remain expired for a continuous period in excess of eighteen months, the Department may issue replacement plates bearing the same codes to a new applicant upon payment of the duplicate plate fees specified in 482.500, without notice to the previous registrant.

S. B. 228

SENATE BILL NO. 228—SENATORS NEAL, BILBRAY,
HERNSTADT, KEITH ASHWORTH AND FAISS

FEBRUARY 13, 1981

Referred to Committee on Transportation

SUMMARY—Requires red lights on emergency vehicles to be visible from all directions. (BDR 43-738)

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; requiring the red lights on emergency vehicles to be visible from all directions; 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 484.787 is hereby amended to read as follows:
2 484.787 1. Except as provided in NRS 484.789, authorized emer-
3 gency vehicles are vehicles publicly owned and operated in the perform-
4 ance of the duty of:
5 (a) A police or fire department.
6 (b) A sheriff's office.
7 (c) The Nevada highway patrol.
8 (d) A public ambulance agency.
9 (e) A public lifeguard or lifesaving agency.
10 2. A vehicle publicly maintained in whole or in part by the state, or
11 by a city or county, and privately owned and operated by a regularly
12 salaried member of a police department, sheriff's office or traffic law
13 enforcement department, is an authorized emergency vehicle under the
14 following conditions:
15 (a) When such vehicle has such a permit from the department of
16 motor vehicles;
17 (b) Where such person operates such privately owned vehicle in
18 responding to emergency calls or fire alarms or highway patrol duty or
19 operates such vehicle in the pursuit of actual or suspected violators of
20 the law; and
21 (c) When the state, county or city does not furnish to such officer
22 a publicly owned vehicle for the purposes stated in paragraph (b).

1 3. Every authorized emergency vehicle [shall] *must* be equipped with
2 at least one flashing red warning lamp visible from [the front] *all direc-*
3 *tions* and a siren for use as provided in this chapter, which lamp and
4 siren [shall] *must* be in compliance with standards approved by the
5 department of motor vehicles. In addition, an authorized emergency
6 vehicle may display revolving, flashing or steady red or blue warning
7 lights to the front, sides or rear of the vehicle.

8 4. No person may operate a vehicle with any lamp or device thereon
9 displaying a red light visible from directly in front of the center thereof,
10 except an authorized emergency vehicle, a school bus or an official
11 vehicle of a regulatory agency.

12 5. No person may operate a vehicle with any lamp or device display-
13 ing a blue light, except an authorized emergency vehicle.

14 6. As used in this section, "regulatory agency" means any of the
15 agencies granted police or enforcement powers under the provisions of
16 NRS 407.065, 481.048, 481.049, 501.349, 565.155, 703.155 and 706.-
17 8821.

⊙

S. B. 369

SENATE BILL NO. 369—SENATOR JACOBSEN

MARCH 5, 1981

Referred to Committee on Transportation

SUMMARY—Authorizes certain foresters and firewardens to halt motor vehicles. (BDR 43-794)

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; authorizing foresters and firewardens appointed by the state forester firewarden to halt 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. NRS 484.348 is hereby amended to read as follows:**
- 2 **484.348 1. Any driver of a motor vehicle who willfully fails or**
- 3 **refuses to bring his vehicle to a stop, or who otherwise flees or attempts**
- 4 **to elude a peace officer in a readily identifiable [police] vehicle of any**
- 5 **police department or regulatory agency, [vehicle,] when given a visual**
- 6 **or audible signal to bring [the] his vehicle to a stop is guilty of a mis-**
- 7 **demeanor.**
- 8 **2. The signal by the peace officer described in subsection 1 may be**
- 9 **by flashing red lamp or siren.**
- 10 **3. As used in this section, "regulatory agency" means any [of the**
- 11 **agencies] agency granted police or enforcement powers under [the pro-**
- 12 **visions of] NRS 407.065, 472.040, 481.048, 481.049, 501.349, 565.-**
- 13 **155, 703.155 [and] or 706.8821.**

⊙

Taxi legislation comes in a flood

With his ruling last January that the Taxicab Authority was unconstitutional, District Judge Robert Legakes created a whole passel of problems that the Legislature is still trying to sort out.

In fact, it seems there are as many taxi proposals floating around Carson City as there are plans to reform the tax system. And that's saying something.

For instance, state Sen. Bill Hernstadt has proposed two bills, one of which would transfer control of the taxi authority to the county commissioners. The other would allocate 30 percent of the cab permits in any single county to individual drivers, as opposed to large companies.

We support the second bill, which in effect returns the one-man operation to the taxi industry. Here in Clark County, the 405 cab permits are held by 12 companies, several of which have the same owner. SB319 would open up the industry to new competitors, perhaps forcing the big taxi companies to improve service and maybe — just maybe — inducing them to hold the line on requests for fare hikes.

SB319 also appeals to us on philosophical grounds. Why can't a taxi driver go into business for himself? Why restrict the industry to those with the hundreds of thousands of dollars needed to buy and operate a whole fleet of taxis?

Hernstadt's other taxi proposal, SB318, would create more problems than it would solve. The senator is correct in stating that Legake's ruling means a new regulating body must be found to replace the Taxicab Authority. But giving each county commission the responsibility to name an authority is not the answer. The bill would force each county with taxis to create a new bureaucracy, hire new experts and spend a lot of the taxpayers' money.

And Manny Cortez, chairman of Clark County's commission, has reportedly said he can do without the added duty.

A better solution has been proposed in the Assembly. AB218, sponsored by Las Vegas Assemblymen Bob Robinson and Nick Horn, would simply transfer the structure and personnel of the Taxicab Authority into the Department of Motor Vehicles.

The Taxi Authority has worked well — its only shortcoming is that it is unconstitutional. AB218 would solve that problem, and would allow the authority's board to continue its work.

This taxi issue has an importance that may escape many of us. Since very few of us ever ride taxis in this town, we tend to forget their importance to the tourism industry which supports our economy. But with hopes fading for a mass transit system, a properly run taxi fleet will become more important than ever.

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SB-297 Partial Helmet Repeal Law

- Line 3. Remove brackets. (Leaving them would not allow the MVD to set standards on helmets.)
- Lines 6 & 7. No change. This makes trimobiles and mopeds subject to the same rules and regs as motorcycles. (All motorcyclists agree this should be!!)
- Line 8. Age 16 to 18 - Helmet mandatory. Age 18 to 21 - Helmet mandatory unless driver has successfully completed an approved (by MVD) Motorcycle Safety Foundation training course. Over age 21 - Helmet mandatory for first year unless passed same MSF course as above.
- Line 8. Passengers must wear a helmet if the driver must wear a helmet.
- Line 10. OK. No change. This was stricken because they will conform to the same requirements as motorcycles.
- Line 22. Strike out entire Section 2. (This would then leave the setting of standards on helmets alone - set by MVD.)
- Add at end of Bill. A \$2. fee added to each motorcycle registration and a \$5. fee added to each motorcycle license - to be earmarked for safety education, training & programs for motorcyclists. This to be collected and administered by the Dept. of Motor Vehicles.