

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON TRANSPORTATION

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
May 19, 1981

The Senate Committee on Transportation was called to order by Chairman Richard E. Blakemore, at 2:35 p.m., on Tuesday, May 19, 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

GUEST LEGISLATOR:

Assemblyman Robert Price

STAFF MEMBER PRESENT:

Kelly R. Torvik, Committee Secretary

ASSEMBLY BILL NO. 535

Assemblyman Price explained that the Assembly Committee on Transportation had the bill drafted at the request of the Disabled Veterans. He noted there had been many complaints of unauthorized vehicles parking in zones designated for handicapped parking. Presently there are no statute provisions which state that unauthorized parking in a handicapped parking zone is a violation. Passage of the bill would insert such a provision into the statutes and make it possible for an officer of the law to cite an unauthorized vehicle for a violation. The bill provides if a handicapped parking zone is clearly marked as a tow away zone the unauthorized vehicle may be towed away. Passage of the bill would also allow for a \$25 fine.

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Senator Neal asked what would happen in the case where a handicapped person was in a vehicle that was not marked as carrying a handicapped person and was parked in a handicapped zone. Assemblyman Price explained the only vehicles which are allowed to be in the handicapped parking zones are those which are properly marked.

Mr. Hale Bennett, Chief, Registration Division, Department of Motor Vehicles, supported the content of the bill. He explained there had been misinterpretations in the past regarding the requirements of identification for a vehicle carrying handicapped persons. He noted the department issued metal tags to handicapped persons which are placed on the dashboard of the vehicle they are riding in. Assembly Bill No. 549, if approved, would allow cities and counties to issue handicapped parking permits for the temporarily handicapped. He questioned if law enforcement officers would look on the dashboard for the permit. Senator Hernstadt did not feel there would be a problem with misinterpretation of the language in the bill.

Senator Jacobsen asked the average cost of having a vehicle towed. Mr. Bernie Smith, representing AAA, believed it would cost over \$20 to have a vehicle towed. This price was set by the Public Service Commission. However, there could be additional fees for distance and storage.

Senator Hernstadt noted handicapped emblems can be purchased and attached to license plates. He asked if there should be a provision in the bill which would make it a violation for a person who is not handicapped to park in the handicapped parking zone. Mr. Bennett felt that would be a reasonable provision.

Senator McCorkle asked the purpose of the language on page two, line six. Mr. Virgil Anderson, representing AAA, stated he also questioned that language. Such language could indicate that a vehicle could be towed without public notice of the fact.

SENATE BILL NO. 673

Mr. Daryl Capurro, Managing Director, Nevada Motor Transport Association, explained he worked with Commissioner Heber Hardy of the Public Service Commission and Mr. Ken Smith, Chief Auditor, Public Service Commission, in drafting the language of the bill. The purpose of the bill is to take care of archaic language that is currently in the law. It would simplify rules

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and regulations governing the filing of rate changes and charges. He stated there is very little flexibility for the commission and industry to react to increases in costs of fuel and labor. Since several increases which affect the industry have been processed by the legislature it will be necessary for the industry to be able to respond to those increases as soon as possible. Those increases affect the costs of doing business. Costs must be recovered in a timely fashion or there could be severe problems with several companies trying to stay in business.

Mr. Mike Soumbeniotis, Attorney at Law, explained the substantive changes in the bill. Presently, if there is any protest filed with regard to a rate change, there must be a hearing held, whether or not the commission deems that there is any significant matter which would require a hearing. This is remedied with the change on page two, commencing on line five. By deleting that language the commission has the discretion as to whether or not they will require a public hearing.

Senator McCorkle questioned if the industry would want to change the hearing procedure used when regulations are changed. Mr. Capurro explained most cases will apply to small carriers. The hearing can cost more than the small carrier will profit from the rate change. He explained that the carriers are required, when applying for rate relief, to supply a considerable amount of very detailed data to support their request. The term "rules and regulations" only relates to the tariff which the carrier files with the commission. The bill does not affect the rules and regulations mandated by the commission.

Mr. Soumbeniotis explained the change on page three, lines three through eleven. Presently, if the change in the rate increase or regulations is going to have an impact of \$2,500 or more, there must be a public hearing. That is unreasonable. The amount of the rate increase should not be the predicate for holding a public hearing. However, the commission would still be required to consider all timely protests. He felt the commission would give all protests every consideration.

Mr. Capurro noted the bill would not curb any powers of the commission. It would simply remove the mandatory nature of the provisions and give the commission some flexibility.

Senator Faiss asked if there would be a rebate if the commission did not approve the rate change. Mr. Soumbeniotis stated the commission has the authority to suspend the use of a rate if the commission feels the rate is not justified.

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Mr. Heber Hardy, Commissioner, Public Service Commission, stated he assisted in developing the language of the bill. He felt that the commission could properly evaluate a protest to see if it is justified. Passage of the bill would relax the procedures so the commission could avoid costs. He assured the committee that commission policy would require a hearing be held if there were any doubts regarding a rate change.

ASSEMBLY BILL NO. 583

Mr. Kevin Woods, an attorney representing various companies who use small towable tools and equipment, explained the bill would establish a new section in the law to provide for small towable tools and equipment. The bill basically exempts small towable tools and equipment from the requirements of stop lights, tail lights, and turn signals. He submitted photographs of small towable tools and equipment to the committee. (See Exhibit C). He explained the department of Motor Vehicles had adopted a new policy of citing persons who are towing small towable tools and equipment for the lack of lighting systems. The costs of providing the lighting systems are prohibitive. There is also the cost of maintenance and repairs which would affect the contractors and rental yards. If the lighting systems were required there would be customer delays and increased costs. In some cases it would be impossible to install the lighting systems. He said the statutes are not very clear because there are no provisions which cover small towable tools and equipment. They are not considered trailers or vehicles.

Mr. Jerry Edlefsen, Owner of C. C. Rentals in Carson City, stated it would cost \$100 per unit to install the lighting systems. It could cost another \$100 to maintain and repair those lighting systems during a year. He noted most of the towable tools and equipment are used in construction. Therefore, many of lights would not be in working order during the return trip. Removable light bars, because they are removable, would be too easily lost. Wiring the lighting systems could be difficult because of the different methods of wiring used among the vehicles which tow equipment. This could again cause customer delays.

Senator Faiss asked if any of the equipment would be towed after dark. Mr. Edlefsen said if small towable tools and equipment are on the road after dark he would want law enforcement officers to stop the driver and find out where the tools

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or equipment are going. The equipment does not need to be towed after dark.

Senator Hernstadt asked if the bill would require red flags be attached to the tools or equipment. Mr. Edlefsen stated there were no requirements for red flags. He did not feel red flags would be necessary.

Chairman Blakemore asked Mr. Edlefsen if he has ever had an accident involving small towable tools or equipment. Mr. Edlefsen stated he has never had an accident.

Senator McCorkle noted there was a maximum width within the bill. He questioned if there should be a maximum length. Mr. Edlefsen explained the maximum width was established for the standard widths on most trucks. The lights and signals would be plainly visible. Lengths and heights were not addressed because one of the lights would always be visible when the towing vehicle is turning. There is no need for maximum length because equipment is on the ground and being towed on wheels, as opposed to a small diameter object which is at eye level where a red flag would be necessary to alert other motorists of its presence. Chairman Blakemore noted it would be difficult to limit the length because of the different lengths of tools and equipment. He was not aware of any accidents involving towable tools and equipment.

Mr. Pat Fall, representing Fall Fence Company and Carson Valley Fence Company, did not feel there was a public safety problem with towable tools and equipment without lighting systems. He said there would not be a problem with other motorists not being aware of the towed tools or equipment. The tools and equipment are occasionally towed at night. When towed at night, they are properly lighted. His cost of installing a lighting system, including materials and labor, averaged \$150. He noted many lights would be broken in day-to-day accidents. There are many different fuse systems on different makes of vehicles, which could cause problems.

Mr. John Madole, representing the Nevada Chapter of Associated General Contractors, voiced his support of the bill. He noted many contractors are being fined \$50.00 for not having lighting systems on small towable tools and equipment. The cost is passed on to the consumers. He agreed lights should be on small towable tools and equipment which are being towed at night.

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Mr. John Borda, representing Nevada Motor Transport Association, voiced his support of the bill.

Mr. Bennett stated he had no problems with the first reprint of the bill.

ASSEMBLY BILL NO. 223

Mr. Anderson explained the Assembly Committee on Commerce felt \$5,000 property damage insurance would be inadequate. He noted his company and Farmer's Insurance Company do not sell less than \$10,000 property damage insurance. The bill was requested by the Trial Lawyers Association.

Senator Hernstadt asked if Mr. Anderson had any objections to the bill in its original form. Mr. Anderson stated he had no objections to the bill in its original form. However, there would be a substantial premium increase if the bodily injury insurance limits were increased.

Senator Hernstadt asked what the increase in premiums would be if the property damage insurance were raised to \$10,000. Mr. Anderson explained a representative of the Department of Insurance had indicated to him that increasing property damage insurance from \$5,000 to \$10,000 would raise the premiums approximately two percent.

Mr. Bennett noted current statutes have some poor language with regard to insurance. He suggested, if the committee were going to approve Assembly Bill No. 223, that it may consider adopting the other sections in Senate Bill No. 431 so the bills would be compatible. He supported both bills.

Chairman Blakemore asked if there was any opposition to Assembly Bill No. 223. Mr. Bennett noted there was no opposition to the amended version of the bill.

ASSEMBLY BILL NO. 583 (See Exhibit D)

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

Senator Jacobsen seconded the motion.

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

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ASSEMBLY BILL NO. 223 (See Exhibit E)

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

Senator Hernstadt seconded the motion.

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

ASSEMBLY BILL NO. 535 (See Exhibit F)

Senator Bilbray moved that the bill receive an amend and do pass recommendation with an amendment which would make it unlawful to misuse the plate or emblem.

Senator Hernstadt seconded the motion.

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

SENATE BILL NO. 673 (See Exhibit G)

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

Senator Hernstadt seconded the motion.

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

SENATE BILL NO. 235 (See Exhibit H)

Senator Hernstadt moved that the bill receive an amend and do pass recommendation with the amendment which was agreed upon by Mr. Bennett and Mr. Capurro.

Senator Bilbray seconded the motion.

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

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SENATE BILL NO. 588 (See Exhibit I)

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

Senator Faiss seconded the motion.

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

SENATE BILL NO. 643 (See Exhibit J)

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

Senator Faiss seconded the motion.

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

SENATE BILL NO. 545

Senator Bilbray moved that the bill be indefinitely postponed.

Senator Faiss seconded the motion.

The motion passed. (Senator Neal voted "no"; Senator Jacobsen and Senator McCorkle were absent for the vote).

SENATE BILL NO. 431

Senator Bilbray moved that the bill be indefinitely postponed.

Senator Neal seconded the motion.

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

ASSEMBLY BILL NO. 42 (See Exhibit K)

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

Senator Hernstadt seconded the motion.

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



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ASSEMBLY BILL NO. 73

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

Senator seconded the motion.

The motion failed. (Senator Neal voted "no"; Senator Faiss abstained; Senator Jacobsen and Senator McCorkle were absent for the vote).

SENATE BILL NO. 158

Senator Neal moved that the bill be indefinitely postponed.

Senator Hernstadt seconded the motion.

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

SENATE BILL NO. 155

Senator Bilbray moved that the bill be indefinitely postponed.

Senator Faiss seconded the motion.

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

SENATE BILL NO. 44

Senator Neal moved that the bill be indefinitely postponed.

Senator Hernstadt seconded the motion.

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

SENATE BILL NO. 84

Senator Neal moved that the bill be indefinitely postponed.

Senator Bilbray seconded the motion.

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

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SENATE BILL NO. 85

Senator Bilbray moved that the bill be indefinitely postponed.

Senator Faiss seconded the motion.

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

Chairman Blakemore asked the committee if it would agree to a committee introduction of \*Bill Draft Request 58-1765. The committee agreed to a committee introduction.

Chairman Blakemore asked if the committee concurred with Amendment 853 which would amend Senate Bill No. 7. Mr. Bennett explained that the provisions in Senate Bill No. 7 were also in Assembly Bill No. 43, which was signed by the Governor. However, the effective date of Assembly Bill No. 43, July 1, 1981, would make it difficult for the department to comply with the bill because they would not be able to take over the responsibilities until later in the year. The amendment to Senate Bill No. 7 would change the effective date of Assembly Bill No. 43 to January 1, 1982. The committee concurred with the amendment.

There being no further business, the meeting adjourned at 3:55 p.m.

Respectfully submitted by:

  
Kelly R. Torvik

APPROVED:

  
Senator Richard E. Blakemore

Dated: 5/22, 1981

SENATE AGENDA

COMMITTEE MEETINGS

Committee on Transportation, Room 323.

Day Tuesday, Date May 19, 1981, Time 2:00 p.m.

S. B. No. 673--Simplifies procedures for motor carriers to change rates, fares and charges.

A. B. No. 535--Reinforces privileges of handicapped to park.

A. B. No. 583--Exempts towable tools or equipment from certain requirements for equipment of vehicles.

A. B. No. 223--Increases minimum amount of insurance coverage required for motor vehicles.

WORK SESSION

SENATE COMMITTEE ON TRANSPORTATION

DATE: May 19, 1981

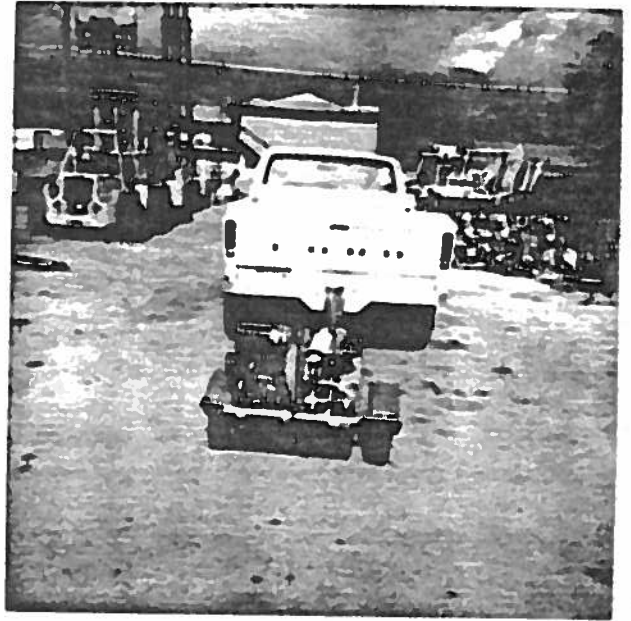
EXHIBIT B

PLEASE PRINT NAME	PLEASE PRINT ORGANIZATION & ADDRESS	PLEASE PRINT TELEPHONE
<del>John</del>	C.C. Rentals 1401 N. Rego	882-8257
Clay Edlison	C.C. Rentals " "	882-8257
Steve Conroy	C.C. Rentals " "	"
Paul Kane	CARSON Tahoe Rents <sup>11085</sup> Sierra	882-8052
William J. Donohoe Jr.	BILBO TOOL CO. 301 HOT SPRINGS RD	883-5256
Arde Engelman	Carson City Builders Association 502 E. JOHN ST.	882-5343
Heard Hardy	P.S.C	885-4117
Matt Benhill	U.S. RENTALS	359-6660
Nali Bennett	DMV	885-5347
PRICE	AD 17	
B. J. Smith	AAA	882-1890
V. P. ANDERSON	AAA	
P. G. Good	Farmers Ins	882-1890
Paul E. Cannon	NEV. MOTOR TRANSPORT ASSN	331-6884
Mike Joubertotis	Allison, Brunetti, MacKenzie + Taylor Ltd	882-0202
KEVIN J. WOODS	ATT. AT LAW 305 N. CARSON ST.	883-9525
John Madala	ASSOC. GEN. CONTRS.	331-6116
John Borda	NEV. Motor Trans. Assoc.	331-6884

EXHIBIT C



1



2



3



5



6



7



8

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 583

## ASSEMBLY BILL NO. 583—ASSEMBLYMAN GLOVER

APRIL 29, 1981

Referred to Committee on Transportation

**SUMMARY**—Exempts towable tools or equipment from certain requirements for equipment of vehicles. (BDR 43-1294)**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 equipment of vehicles; exempting towable tools or equipment from requirements for registration and for certain lighting fixtures; 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 482.210 is hereby amended to read as follows:  
2 482.210 The provisions of this chapter requiring the registration of  
3 certain vehicles do not apply to:  
4 1. Special mobile equipment.  
5 2. Implements of husbandry temporarily drawn, moved or otherwise  
6 propelled upon the highways.  
7 3. Any mobile home or commercial coach subject to the provisions  
8 of chapter 489 of NRS.  
9 4. Golf carts which are:  
10 (a) Traveling from the residence or temporary abode of the owner or  
11 operator thereof to a golf course;  
12 (b) Traveling upon streets properly designated by the appropriate city  
13 or county as permissible for the operation of golf carts; and  
14 (c) Operating pursuant to a permit issued in accordance with rules and  
15 regulations adopted by the appropriate city or county.  
16 5. Mopeds.  
17 6. *Towable tools or equipment as defined in section 2 of this act.*  
18 SEC. 2. Chapter 484 of NRS is hereby amended by adding thereto a  
19 new section which shall read as follows:  
20 1. "*Towable tools or equipment*" means all tools or equipment:  
21 (a) Mounted on wheels;  
22 (b) Whose body does not exceed 70 inches in width;  
23 (c) Designed for towing by a motor vehicle; and

1 (d) Which is not designed or used primarily for the transportation of  
2 persons or property, but is only incidentally operated or moved upon a  
3 highway.

4 2. The term includes without limitation air compressors, concrete  
5 mixers, arc welders, tarpots, engine hoists, concrete pumps, plaster mix-  
6 ers, mortar mixers, grout pumps, portable conveyors, generators, log  
7 splitters, brush chippers, spray rigs, tree spades, scissor lifts, light towers,  
8 pumps, steam cleaners, sand blasters, welders, stump grinders, radial  
9 arm saws, sod cutters, aerators, pavement rollers, and scaffolding.

10 SEC. 3. NRS 484.013 is hereby amended to read as follows:

11 484.013 As used in this chapter, unless the context otherwise  
12 requires, the words and terms defined in NRS 484.015 to 484.217, inclu-  
13 sive, and section 1 of this act, have the [meaning] meanings ascribed  
14 to them in [such] those sections.

15 SEC. 4. NRS 484.551 is hereby amended to read as follows:

16 484.551 1. Except as otherwise provided [by law,] in this chapter,  
17 every motor vehicle, trailer, semitrailer and any vehicle which is being  
18 drawn at the end of a train of vehicles [shall] must be equipped with at  
19 least two tail lamps mounted on the rear, which, when lighted as  
20 required by this chapter, [shall] emit a red light plainly visible from a  
21 distance of 500 feet to the rear, except that vehicles manufactured  
22 [prior to] before July 1, 1969, [shall] must have at least one tail  
23 lamp if they were originally equipped with only one tail lamp.

24 2. [In the case of train of vehicles, only] Only the tail lamp on the  
25 rearmost vehicle of a train of vehicles need actually be seen from the  
26 distance specified.

27 3. On vehicles equipped with the more than one tail lamp, the lamps  
28 [shall] must be mounted on the same level, as widely spaced laterally as  
29 practicable and at a height of not more than 72 inches nor less than 15  
30 inches.

31 4. Every passenger car, bus and truck under 80 inches in overall  
32 width [shall] must be equipped with a lamp so constructed and placed  
33 as to illuminate with a white light the rear registration or license plate and  
34 render it clearly legible from a distance of 50 feet to the rear.

35 5. All such lamps [shall] must be wired to be lighted whenever the  
36 head lamps or auxiliary driving lamps are lighted.

37 6. The provisions of this section do not apply to towable tools or  
38 equipment which is being towed during the hours of daylight.

39 SEC. 5. NRS 484.553 is hereby amended to read as follows:

40 484.553 1. [Every] Except as provided in subsection 3, every  
41 motor vehicle, trailer, semitrailer and pole trailer [shall] must carry on  
42 the rear, either as a part of the tail lamps or separately, two or more  
43 red reflectors meeting the requirements of this section, except that  
44 vehicles of the types mentioned in NRS 484.627 [shall] must be  
45 equipped with reflectors meeting the requirements of NRS 484.565 and  
46 subsection 1 of NRS 484.567.

47 2. Every such reflector [shall] must be mounted on the vehicle at  
48 a height not less than 15 inches nor more than 60 inches measured as  
49 set forth in NRS 484.547, and [shall] must be of such size and char-  
50 acteristics and so mounted as to be visible at night from all distances



1 within 600 feet to 100 feet from [such] the vehicle when directly in  
2 front of lawful lower beams of head lamps, except that reflectors on  
3 vehicles manufactured or assembled [prior to] before January 1, 1970,  
4 [shall] must be visible at night from all distances within 350 feet to  
5 100 feet when directly in front of lawful upper beams of head lamps.

6 3. The provisions of this section do not apply to towable tools or  
7 equipment.

8 Sec. 6. NRS 484.555 is hereby amended to read as follows:

9 484.555 1. [Every] Except as provided in subsection 5, every  
10 motor vehicle, trailer, semitrailer and any vehicle which is being drawn  
11 at the end of a train of vehicles [shall] must be equipped with two or  
12 more stop lamps, except that any vehicle manufactured [prior to]  
13 before July 1, 1969, [shall] must have at least one stop lamp if [such]  
14 the vehicle was originally equipped with only one stop lamp.

15 2. Except as otherwise provided [by law] in this chapter, such stop  
16 lamp or lamps [shall] must be on the rear of the vehicle, and if there are  
17 two or more than two [shall] must be as widely spaced laterally as  
18 practicable, and [shall] must display a red light visible from a distance  
19 of not less than 300 feet to the rear in normal sunlight, which [shall]  
20 must be activated upon application of the brake.

21 3. On a combination of vehicles, stop lamps on the rearmost vehicle  
22 only are required.

23 4. A stop lamp may be incorporated with a tail lamp.

24 5. The provisions of this section do not apply to towable tools or  
25 equipment.

26 Sec. 7. NRS 484.557 is hereby amended to read as follows:

27 484.557 1. [Every] Except as provided in subsection 6, every  
28 motor vehicle, trailer, semitrailer and any vehicle which is being drawn  
29 at the end of a train of vehicles [shall] must be equipped with electric  
30 turn signal lamps, except that vehicles less than 80 inches in overall  
31 width not originally equipped with electric turn signal lamps and manu-  
32 factured [prior to] before July 1, 1969, are not required to be equipped  
33 with such lamps.

34 2. Such lamps [shall] must be located on the front and rear of any  
35 such vehicle or combination of vehicles and [shall] must indicate an  
36 intention to turn by flashing lights in the direction toward which the turn  
37 is to be made.

38 3. The lamps showing to the front [shall] must be mounted on the  
39 same level and as widely spaced laterally as practicable and, when sig-  
40 naling, [shall] must emit white or amber light, or any shade of light  
41 between white and amber.

42 4. The lamps showing to the rear [shall] must be mounted on the  
43 same level and as widely spaced laterally as practicable, and, when sig-  
44 naling, [shall] must emit red or amber light, or any shade of light  
45 between red and amber.

46 5. [Such lamps shall] The lamps must be visible in normal sunlight  
47 from a distance of not less than 500 feet.

48 6. The provisions of this section do not apply to:  
49 (a) Mopeds;

- 1 (b) Special mobile equipment, except when such equipment is being
- 2 towed at the end of a train of vehicles; [or]
- 3 (c) Motorcycles propelled by a motor producing not more than 5
- 4 brake horsepower measured at the crankshaft and having a maximum
- 5 speed not exceeding 30 miles per hour upon maximum acceleration from
- 6 a standing start for 1 mile on a level surface [-]; or
- 7 (d) Towable tools or equipment.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 223

ASSEMBLY BILL NO. 223—COMMITTEE ON  
TRANSPORTATION

FEBRUARY 24, 1981

Referred to Committee on Commerce

SUMMARY—Increases minimum amount of insurance coverage required for motor vehicles. (BDR 43-734)

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 compulsory insurance; raising the minimum amount of coverage required for damage to property; 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 485.105 is hereby amended to read as follows:  
2 485.105 "Proof of financial responsibility" means proof of ability to  
3 respond in damages for liability, on account of accidents occurring subse-  
4 quent to the effective date of [such] *that* proof, arising out of the owner-  
5 ship, maintenance or use of a motor vehicle, in the amount of \$15,000  
6 because of bodily injury to or death of one person in any one accident,  
7 and, subject to [such] *the* limit for one person, in the amount of \$30,000  
8 because of bodily injury to or death of two or more persons in any one  
9 accident, and in the amount of [\$5,000] *\$10,000* because of injury to or  
10 destruction of property of others in any one accident.
- 11 SEC. 2. NRS 485.210 is hereby amended to read as follows:  
12 485.210 1. No policy or bond [shall be] *is* effective under NRS  
13 485.190 unless issued by an insurance company or surety company  
14 authorized to do business in this state, except as provided in subsection 2  
15 of this section, or unless [such] *the* policy or bond is subject, if the acci-  
16 dent has resulted in bodily injury or death, to a limit, exclusive of inter-  
17 est and costs, of not less than \$15,000 because of bodily injury to or death  
18 of one person in any one accident and, subject to the limit for one person,  
19 to a limit of not less than \$30,000 because of bodily injury to or death  
20 of two or more persons in any one accident and, if the accident has  
21 resulted in injury to or destruction of property, to a limit of not less than

1 ~~[\$5,000]~~ \$10,000 because of injury to or destruction of property of  
2 others in any one accident.

3 2. No policy or bond ~~[shall be] is~~ effective under NRS 485.190 with  
4 respect to any vehicle which was not registered in this state or to any  
5 vehicle which was registered elsewhere than in this state at the effective  
6 date of the policy or bond or the most recent renewal thereof, unless the  
7 insurance company or surety company issuing ~~[such] that~~ policy or bond  
8 is authorized to do business in this state or, if the company is not author-  
9 ized to do business in this state, unless it ~~[shall execute] executes~~  
10 power of attorney authorizing the director of the department of motor  
11 vehicles to accept service on its behalf of notice or process in any action  
12 upon ~~[such] that~~ policy or bond arising out of ~~[such] an~~ accident.

13 Sec. 3. NRS 485.304 is hereby amended to read as follows:

14 485.304 Judgments ~~[herein referred to shall,] must~~ for the purpose  
15 of this chapter only, be deemed satisfied:

16 1. When \$15,000 has been credited upon any judgment or judgments  
17 rendered in excess of that amount because of bodily injury to or death  
18 of one person as the result of any one accident; or

19 2. When subject to ~~[such] the~~ limit of \$15,000 because of bodily  
20 injury to or death of one person, the sum of \$50,000 has been credited  
21 upon any judgment or judgments rendered in excess of that amount  
22 because of bodily injury to or death of two or more persons as the result  
23 of any one accident; or

24 3. When ~~[\$5,000]~~ \$10,000 has been credited upon any judgment  
25 or judgments rendered in excess of that amount because of injury to or  
26 destruction of property of others as a result of any one accident,  
27 but payments made in settlement of any claims because of bodily injury,  
28 death or property damage arising from a motor vehicle accident ~~[shall]~~  
29 *must* be credited in reduction of the amounts provided for in this section.

30 Sec. 4. NRS 485.3091 is hereby amended to read as follows:

31 485.3091 1. A "motor vehicle liability policy" as the term is used  
32 in this chapter means an owner's or an operator's policy of liability insur-  
33 ance issued, except as otherwise provided in NRS 485.309, by an insur-  
34 ance carrier duly authorized to transact business in this state, to or for  
35 the benefit of the person named therein as insured.

36 2. Such an owner's policy of liability insurance must:

37 (a) Designate by explicit description or by appropriate reference all  
38 motor vehicles with respect to which coverage is thereby to be granted;  
39 and

40 (b) Insure the person named therein and any other person, as insured,  
41 using any such motor vehicle or motor vehicles with the express or  
42 implied permission of the named insured, against loss from the liability  
43 imposed by law for damages arising out of the ownership, maintenance  
44 or use of such motor vehicle or motor vehicles within the United States  
45 of America or the Dominion of Canada, subject to limits exclusive of  
46 interest and costs, with respect to each such motor vehicle, as follows:  
47 \$15,000 because of bodily injury to or death of one person in any one  
48 accident, and, subject to the limit for one person, \$30,000 because of  
49 bodily injury to or death of two or more persons in any one accident, and

1 ~~[\$5,000]~~ \$10,000 because of injury to or destruction of property of  
2 others in any one accident.

3 3. Such an operator's policy of liability insurance must insure the  
4 person named as insured therein against loss from the liability imposed  
5 upon him by law for damages arising out of the use by him of any motor  
6 vehicle not owned by him, within the same territorial limits, and subject  
7 to the same limits of liability as are set forth above with respect to an  
8 owner's policy of liability insurance.

9 4. Such a motor vehicle liability policy must state the name and  
10 address of the named insured, the coverage afforded by the policy, the  
11 premium charged therefor, the policy period and the limits of liability,  
12 and must contain an agreement or be endorsed that insurance is provided  
13 thereunder in accordance with the coverage defined in this chapter as  
14 respects bodily injury and death or property damage, or both, and is  
15 subject to all the provisions of this chapter.

16 5. Such a motor vehicle liability policy need not insure any liability  
17 under any workmen's compensation law nor any liability on account of  
18 bodily injury to or death of an employee of the insured while engaged in  
19 the employment, other than domestic, of the insured, or while engaged  
20 in the operation, maintenance or repair of any such motor vehicle, nor  
21 any liability for damage to property owned by, rented to, in charge of or  
22 transported by the insured.

23 6. Every motor vehicle liability policy is subject to the following pro-  
24 visions which need not be contained therein:

25 (a) The liability of the insurance carrier with respect to the insurance  
26 required by this chapter becomes absolute whenever injury or damage  
27 covered by the motor vehicle liability policy occurs; the policy may not  
28 be canceled or annulled as to such liability by any agreement between the  
29 insurance carrier and the insured after the occurrence of the injury or  
30 damage; no statement made by the insured or on his behalf and no vio-  
31 lation of the policy defeats or voids the policy.

32 (b) The satisfaction by the insured of a judgment for such injury or  
33 damage is not a condition precedent to the right or duty of the insurance  
34 carrier to make payment on account of the injury or damage.

35 (c) The insurance carrier may settle any claim covered by the policy,  
36 and if such a settlement is made in good faith, the amount thereof is  
37 deductible from the limits of liability specified in paragraph (b) of sub-  
38 section 2 of this section.

39 (d) The policy, the written application therefor, if any, and any rider  
40 or endorsement which does not conflict with the provisions of this chap-  
41 ter constitute the entire contract between the parties.

42 7. Any policy which grants the coverage required for a motor vehicle  
43 liability policy may also grant any lawful coverage in excess of or in addi-  
44 tion to the coverage specified for a motor vehicle liability policy, and the  
45 excess or additional coverage is not subject to the provisions of this  
46 chapter. With respect to a policy which grants such excess or additional  
47 coverage the term "motor vehicle liability policy" applies only to that part  
48 of the coverage which is required by this section.

49 8. Any motor vehicle liability policy may provide for the prorating of  
50 the insurance thereunder with other valid and collectible insurance.

1 9. The requirements for a motor vehicle liability policy may be ful-  
2 filled by the policies of one or more insurance carriers, which policies  
3 together meet [such] those requirements.

4 10. Any binder issued pending the issuance of a motor vehicle-liabil-  
5 ity policy shall be deemed to fulfill the requirements for such a policy.

6 Sec. 5. NRS 485.3095 is hereby amended to read as follows:

7 485.3095 1. Proof of financial responsibility may be evidenced by  
8 the certificate of the state treasurer that the person named therein has  
9 deposited with him [\$35,000] \$40,000 in cash or securities such as may  
10 legally be purchased by savings banks or for trust funds of a market  
11 value of [\$35,000.] \$40,000. The state treasurer shall not accept any  
12 such deposit and issue a certificate therefor and the division shall not  
13 accept [such] that certificate unless accompanied by evidence that there  
14 are no unsatisfied judgments of any character against the depositor in the  
15 county where the depositor resides.

16 2. [Such deposit shall] *The deposit must* be held by the state treas-  
17 urer to satisfy, in accordance with the provisions of this chapter, any  
18 execution on a judgment issued against [such] *the* person making the  
19 deposit, for damages, including damages for care and loss of services,  
20 because of bodily injury to or death of any person, or for damages  
21 because of injury to or destruction of property, including the loss of use  
22 thereof, resulting from the ownership, maintenance, use or operation of  
23 a motor vehicle after [such] *the* deposit was made. Money or securities  
24 so deposited [shall not be] *are not* subject to attachment or execution  
25 unless [such] *that* attachment or execution [shall arise] *arises* out of a  
26 suit for damages. [as aforesaid.]

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 535

ASSEMBLY BILL NO. 535—COMMITTEE ON  
TRANSPORTATION

APRIL 21, 1981

Referred to Committee on Transportation

SUMMARY—Reinforces privileges of handicapped to park. (BDR 43-1806)

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; prohibiting parking by unqualified persons in spaces marked for the handicapped; permitting removal of unauthorized vehicles parked in those spaces, providing penalties; 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 484 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 *A person shall not park a vehicle in a space designated for the*  
4 *handicapped, whether on public or privately owned property, unless he*  
5 *is eligible to do so and the vehicle displays special license plates or an*  
6 *officially recognized emblem indicating that the driver or a passenger in*  
7 *the car is eligible. Any person who violates the provisions of this section*  
8 *shall be punished by a fine of \$25.*  
9 SEC. 2. NRS 487.038 is hereby amended to read as follows:  
10 487.038 1. [The] *Except as otherwise provided in subsection 3, the*  
11 *owner or person in lawful possession of any real property may, after*  
12 *giving notice as provided in subsection 2, utilize the services of any tow*  
13 *car operator subject to the jurisdiction of the public service commission*  
14 *of Nevada to remove any vehicle parked in an unauthorized manner on*  
15 *[such] that property to the nearest public garage or storage yard if:*  
16 (a) A sign is displayed in plain view on the property declaring public  
17 parking to be prohibited or restricted in a certain manner; and  
18 (b) [Such] *The sign shows the telephone number of the police*  
19 *department or sheriff's office.*  
20 2. Oral notice [shall] *must be given to the police department or*  
21 *sheriff's office whichever is appropriate, indicating:*  
22 (a) *The time the vehicle was removed;*

1 (b) The location from which the vehicle was removed; and  
2 (c) The location to which the vehicle was taken.

3 3. Any vehicle which is parked in a space designated for the handi-  
4 capped and is not properly marked for such parking may be removed if  
5 notice is given to the police department or sheriff's office pursuant to sub-  
6 section 2, whether or not a sign is displayed pursuant to subsection 1.

7 4. All costs incurred, under the provisions of this section, for tow-  
8 ing and storage [shall] must be borne by the owner of the vehicle, as  
9 that term is defined in NRS 484.091.

10 [4.] 5. The provisions of this section do not limit or affect any  
11 rights or remedies which the owner or person in lawful possession of  
12 such real property may have by virtue of other provisions of the law  
13 authorizing the removal of a vehicle parked on such property.

⊙



S.B. 673

SENATE BILL NO. 673—COMMITTEE ON  
TRANSPORTATION

MAY 12, 1981

Referred to Committee on Transportation

SUMMARY—Simplifies procedures for motor carriers to change rates,  
fares and charges. (BDR 58-1986)

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; simplifying procedures for changing the rates,  
fares and charges of motor carriers; and providing other matters properly  
relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:*

- 1 SECTION 1. NRS 706.321 is hereby amended to read as follows:  
2 706.321 1. Every common or contract motor carrier shall file with  
3 the commission:  
4 (a) Within a time to be fixed by the commission, schedules and tariffs  
5 which [shall] *must* be open to public inspection, showing all rates, fares  
6 and charges which [such] *the* carrier has established and which are in  
7 force at the time for any service performed in connection therewith by any  
8 [such] carrier controlled and operated by it.  
9 (b) In connection with and as part of [such] *that* schedule, all rules  
10 and regulations that in any manner affect the rates or fares charged or to  
11 be charged for any service.  
12 2. No changes [shall] *may* be made in any schedule, including sched-  
13 ules of joint rates, or in the rules and regulations affecting any [and all]  
14 rates or charges, except upon 30 days' notice to the commission, and all  
15 [such changes shall] *those changes must* be plainly indicated on any new  
16 schedules filed in lieu thereof 30 days [prior to the time the same] *before*  
17 *the time they* are to take effect. The commission, upon application of any  
18 [such] carrier, may prescribe a shorter time within which [a change  
19 other than a rate increase] *changes may* be made. The 30 days' notice is  
20 not applicable when [any such] *the* carrier gives written notice to the  
21 commission 10 days [prior to] *before* the effective date of its participa-  
22 tion in a tariff bureau's rates and tariffs, provided [such] *the* rates and  
23 tariffs have been previously filed with and approved by the commission.

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

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

11 5. All rates, fares, charges, classifications and joint rates, rules, regu-  
12 lations, practices and services fixed by the commission [shall be] *are* in  
13 force, and [shall be] *are* prima facie lawful, from the date of the order  
14 until changed or modified by the commission, or in pursuance of NRS  
15 706.706 to 706.726, inclusive.

16 6. All regulations, practices and service prescribed by the commis-  
17 sion [shall] *must* be enforced and [shall be] *are* prima facie reasonable  
18 unless suspended or found otherwise in an action brought for the pur-  
19 pose, pursuant to the provisions of NRS 706.706 to 706.726, inclusive,  
20 or until changed or modified by the commission itself upon satisfactory  
21 showing made.

22 SEC. 2. NRS 706.326 is hereby amended to read as follows:

23 706.326 1. Whenever there is filed with the commission any sched-  
24 ule or tariff stating a new or revised individual or joint rate, fare or  
25 charge, or any new or revised individual or joint regulation or practice  
26 affecting any rate, fare or charge, or any schedule or tariff resulting in a  
27 discontinuance, modification or restriction of service, the commission  
28 [shall have, and it is hereby given, authority, either upon complaint or  
29 upon its own motion without complaint, at once, and if it so orders, with-  
30 out answer or formal pleading by the interested common or contract  
31 motor carrier, to] *may* enter upon an investigation or, upon reasonable  
32 notice, [to] enter upon a hearing concerning the propriety of [such] *the*  
33 rate, fare, charge, classification, regulation, discontinuance, modification,  
34 restriction or practice.

35 2. Pending [such] *the* investigation or hearing and the decision  
36 thereon, the commission, upon delivering to the common or contract  
37 motor carrier affected thereby a statement in writing of its reasons for  
38 [such] *the* suspension, may suspend the operation of [such] *the* sched-  
39 ule or tariff and defer the use of [such] *the* rate, fare, charge, classifica-  
40 tion, regulation, discontinuance, modification, restriction or practice, but  
41 not for a longer period than 150 days beyond the time when [such] *the*  
42 rate, fare, charge, classification, regulation, discontinuance, modification,  
43 restriction or practice would otherwise go into effect.

44 3. After full investigation or hearing, whether completed before or  
45 after the date upon which the rate, fare, charge, classification, regulation,  
46 discontinuance, modification, restriction or practice is to go into effect,  
47 the commission may make such order in reference to [such] *the*  
48 rate, fare, charge, classification, regulation, discontinuance, modification,  
49 restriction or practice as would be proper in a proceeding initiated after

1 the rate, fare, charge, classification, regulation, discontinuance, modifica-  
2 tion, restriction or practice has become effective.

3 4. The commission shall determine whether a hearing shall be held  
4 [when] to consider the proposed change in any schedule stating a new or  
5 revised individual or joint rate, fare or [charge, or any new or revised  
6 individual or joint regulation or practice affecting any rate, fare or charge,  
7 will result in an increase in annual gross revenue as certified by the appli-  
8 cant of \$2,500 or less.] charge. In making [such] that determination the  
9 commission shall [first] consider all timely written protests, any presenta-  
10 tion the staff of the commission may desire to present, the application and  
11 any other matters deemed relevant by the commission.

12 SEC. 3. NRS 706.331 is hereby amended to read as follows:

13 706.331 1. If, [upon any hearing and] after due [investigation, the]  
14 investigation and hearing, any authorized rates, tolls, fares, charges,  
15 schedules, tariffs, joint rates or any regulation, measurement, practice, act  
16 or service complained of is found to be unjust, unreasonable, insufficient,  
17 preferential, unjustly discriminatory or otherwise in violation of the pro-  
18 visions of this chapter, or if it is found that the service is inadequate, or  
19 that any reasonable service cannot be obtained, the commission may sub-  
20 stitute therefor such other rates, tolls, fares, charges, tariffs, schedules or  
21 regulations, measurements, practices, service or acts and make [such] an  
22 order relating thereto as may be just and reasonable.

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

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

28 4. The commission may at any time, upon its own motion, investi-  
29 gate any of the matters listed in subsection 1, and, after a full hearing as  
30 above provided, by order, make such changes as may be just and reason-  
31 able, the same as if a formal complaint had been made.

S. B. 235

## SENATE BILL NO. 235—SENATOR JACOBSEN

FEBRUARY 16, 1981

Referred to Committee on Transportation

**SUMMARY**—Makes various changes in law regulating place of business, licensing, disciplinary action of dealers in vehicles. (BDR 43-286)

**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 dealers in vehicles; exempting a short-term lessor's branch office from the provisions regulating dealers in vehicles; making changes in the law regulating places of business; specifying additional grounds for disciplinary action and licensing; 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 the provisions set forth as sections 2 to 5, inclusive, of this act.
- 3 SEC. 2. *A short-term lessor's branch office which is located within*  
4 *the same county as his principal place of business is exempt from the*  
5 *provisions of this chapter.*
- 6 SEC. 3. *Every dealer shall keep his books and records at his principal*  
7 *place of business and shall permit any authorized agent of the director or*  
8 *the State of Nevada to inspect them during usual business hours.*
- 9 SEC. 4. 1. *Except as provided in subsections 2 and 3, every vehicle*  
10 *dealer shall maintain an established place of business in this state which:*  
11 *(a) Includes a permanent enclosed building, owned in fee or leased,*  
12 *with sufficient space to display one or more vehicles which the dealer is*  
13 *licensed to sell; and*  
14 *(b) Is principally used by the dealer to conduct his business.*
- 15 2. *Every used vehicle dealer, trailer dealer or semitrailer dealer shall*  
16 *maintain an established place of business in this state which has:*  
17 *(a) Sufficient space to display one or more vehicles;*  
18 *(b) Boundaries which are clearly marked; and*  
19 *(c) A permanent enclosed building large enough to accommodate his*  
20 *office and provide a safe place to keep the books and other records of*  
21 *his business.*
- 22 3. *A short-term lessor must designate his principal place of business*  
23 *as his established place of business.*

1 **SEC. 5. Evidence of unfitness of an applicant or a licensee for pur-**  
2 **poses of denial or revocation of a license may consist of but is not limited**  
3 **to:**

4 1. **Failure to discharge a lienholder on a vehicle within 30 days after**  
5 **it is traded to his dealership.**

6 2. **Being the former holder of, or being a partner, officer, director,**  
7 **owner or manager involved in management decisions of a dealership**  
8 **which held a license issued pursuant to NRS 482.325 which was revoked**  
9 **for cause and never reissued or was suspended upon terms which were**  
10 **never fulfilled.**

11 3. **Defrauding or attempting to defraud the state or a political sub-**  
12 **division of any taxes or fees in connection with the sale or transfer of a**  
13 **vehicle.**

14 4. **Forging the signature of the registered or legal owner of a vehicle**  
15 **on a certificate of title.**

16 5. **Purchasing, selling, otherwise disposing of or having in his posses-**  
17 **sion any vehicle which he knows, or a reasonable person should know, is**  
18 **stolen or otherwise illegally appropriated.**

19 6. **Willfully failing to deliver to a purchaser or his lienholder a**  
20 **certificate of ownership to a vehicle he has sold.**

21 7. **Refusing to allow an agent of the department to inspect, during**  
22 **normal business hours, all books, records and files of the dealership**  
23 **which are maintained within the state.**

24 8. **Failure to notify the department of any relocation of the dealer-**  
25 **ship before the relocation occurs.**

26 9. **Failure to notify the department of the location of each place at**  
27 **which he conducts business.**

28 10. **Any fraud which includes but is not limited to:**

29 (a) **Misrepresentation in any manner, whether intentional or grossly**  
30 **negligent, of a material fact.**

31 (b) **A promise or representation not made honestly or in good faith.**

32 (c) **An intentional failure to disclose a material fact.**

33 11. **Any act committed in the course of conducting business which**  
34 **violates any provision of law applicable to the business.**

35 12. **Willful failure to comply with any regulation adopted by the**  
36 **department.**

37 **SEC. 6. NRS 482.322 is hereby amended to read as follows:**

38 482.322 1. **No person may engage in the activities of a vehicle**  
39 **dealer, manufacturer or rebuilder in this state, or be issued [any other**  
40 **license or permit required by this chapter,] a license by the department,**  
41 **until he has been issued a dealer's, manufacturer's, rebuilder's or lessor's**  
42 **license certificate or similar license or permit [required by the depart-**  
43 **ment.] by every city within whose corporate limits he conducts business**  
44 **and by every county in which he conducts business outside the corporate**  
45 **limits of a city.**

46 2. **A vehicle dealer's, manufacturer's or rebuilder's license issued**  
47 **pursuant to this chapter does not permit a person to engage in the busi-**  
48 **ness of a new or used mobile home dealer, manufacturer or rebuilder.**

49 3. **The department shall investigate any applicant for a dealer's,**

1 manufacturer's, rebuilder's or lessor's license certificate or license and  
2 complete an investigation report on a form provided by the department.  
3 Sec. 7. NRS 482.033 is hereby repealed.

**S. B. 588**

**SENATE BILL NO. 588—COMMITTEE ON TRANSPORTATION**

APRIL 22, 1981

Referred to Committee on Transportation

**SUMMARY**—Increases additional fee for registration of motor vehicle which is accounted for in highway patrol special fund. (BDR 43-1893)

**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 vehicle registration; increasing the additional fee for registration of a motor vehicle which is accounted for in the highway patrol special fund; 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 482.480 is hereby amended to read as follows:  
2     482.480 There must be paid to the department for the registration  
3 or transfer of registration of motor vehicles, trailers and semitrailers, fees  
4 according to the following schedule:  
5     1. For each stock passenger car, bus and each reconstructed or  
6 specially constructed passenger car, regardless of weight or number of  
7 passenger capacity, a registration fee of \$5.50.  
8     2. For every motorcycle, [the sum] a registration fee of \$3.50.  
9     3. For every motortruck having an unladen weight of 3,500  
10 pounds or less, as shown by a public weighmaster's certificate, a registra-  
11 tion fee of \$9.  
12     4. For every trailer or semitrailer having an unladen weight of  
13 1,000 pounds or less, a flat registration fee of \$2.50. For every trailer  
14 having an unladen weight or more than 1,000 pounds, but not more  
15 than 3,500 pounds, a flat registration fee of \$5.50. For every trailer or  
16 semitrailer having an unladen weight of more than 3,500 pounds and  
17 less than 4,000 pounds, fees according to the following schedule:  
18         3,501 to and including 3,549 pounds..... \$8  
19         3,550 to and including 3,649 pounds..... 10  
20         3,650 to and including 3,749 pounds..... 12  
21         3,750 to and including 3,849 pounds..... 14  
22         3,850 to and including 3,949 pounds..... 16  
23         3,950 to and including 3,999 pounds..... 18  
24     5. For every motortruck having an unladen weight of more than

1 3,500 pounds and less than 5,050 pounds, fees according to the fol-  
2 lowing schedule:

3	3,501 to and including 3,549 pounds.....	\$10
4	3,550 to and including 3,649 pounds.....	12
5	3,650 to and including 3,749 pounds.....	14
6	3,750 to and including 3,849 pounds.....	16
7	3,850 to and including 3,949 pounds.....	18
8	3,950 to and including 3,999 pounds.....	20
9	4,000 to and including 5,049 pounds.....	25

10 6. For every trailer or semitrailer having an unladen weight of  
11 4,000 pounds or more, except mobile homes, and for every motortruck  
12 having an unladen weight of 5,050 pounds or more, 50 cents per 100  
13 pounds, or major fraction thereof, of unladen weight as shown by a  
14 public weighmaster's certificate. At the time of weighing, each vehicle  
15 must have in place each accessory and appliance belonging to and used  
16 on the vehicle in the transportation of property. Whenever a camper is  
17 attached to a motortruck the camper shall be considered as a load and  
18 the fees imposed by this section upon the motortruck must be based on  
19 the unladen weight of the motortruck, exclusive of the camper.

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

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

27 9. For every motor vehicle there is an additional fee of [~~\$3~~] \$4 for  
28 each registration, which must be accounted for in the highway patrol  
29 special fund which is hereby created as a special revenue fund and must  
30 be used only for the purposes specified in NRS 481.145.

31 10. For every travel trailer, the registration fee [~~shall be~~] is \$5.50.



S. B. 643

## SENATE BILL NO. 643—COMMITTEE ON FINANCE

MAY 5, 1981

## Referred to Committee on Transportation

**SUMMARY**—Provides department of motor vehicles greater power to enforce certain statutes and regulations governing motor carriers. (BDR 58-1900)

**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 vehicle carriers; providing the department of motor vehicles with greater power to enforce certain statutes and regulations governing those carriers; and providing other matters properly relating thereto.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

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

1 and maintenance of reasonable charges for such transportation [serv-  
2 ices.] without unjust discriminations, undue preferences or advantages,  
3 or unfair or destructive competitive practices.

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

7 SEC. 2. NRS 706.171 is hereby amended to read as follows:

8 706.171 The commission *and the department* may:

9 1. Make necessary and reasonable regulations governing the admin-  
10 istration and enforcement of the provisions of this chapter for which  
11 [it is] *they are each* responsible.

12 2. Adopt by reference any appropriate rule or regulation, as it  
13 exists at the time of adoption, issued by the United States Department  
14 of Transportation, the Interstate Commerce Commission, any other  
15 agency of the Federal Government, or the National Association of  
16 Regulatory and Utility Commissioners.

17 3. Require such reports and the maintenance of such records as  
18 [it determines] *they determine to be necessary* for the administration  
19 and enforcement of this chapter.

20 4. Examine, at any time during the business hours of the day, the  
21 books, papers and records of any common, contract or private motor  
22 carrier doing business in this state. The commission *and the department*  
23 may examine in other states or require by subpoena the production inside  
24 this state of such books, papers and records as are not maintained in  
25 this state.

26 5. Temporarily waive any certificate or permit requirement when  
27 an emergency exists as defined in NRS 706.561.

28 SEC. 3. NRS 706.246 is hereby amended to read as follows:

29 706.246 1. The provisions of all laws pertaining to the safe opera-  
30 tion of vehicles upon the highways of this state are hereby declared  
31 applicable to all vehicles coming within the terms of this chapter.

32 2. [No] A common or contract motor carrier shall *not* permit or  
33 require a driver to drive or tow any vehicle revealed by inspection or  
34 operation to be in such condition that its operation would be hazardous  
35 or likely to result in a breakdown of the vehicle, [nor shall any driver]  
36 *and a driver shall not* drive or tow any vehicle which by reason of its  
37 mechanical condition is so imminently hazardous to operate as to be  
38 likely to cause an accident or a breakdown of the vehicle. If, while any  
39 vehicle is being operated on a highway, it is discovered to be in such  
40 unsafe condition, it [shall] *may be* continued in operation only to the  
41 nearest place where repairs can safely be effected, and even [such  
42 operations shall] *that operation may* be conducted only if it is less  
43 hazardous to the public than permitting the vehicle to remain on the  
44 highway.

45 3. Notwithstanding the provisions of this section and NRS 484.697,  
46 [no] a common or contract motor carrier [and no] *or* private motor  
47 carrier subject to the provisions of subsection 2 of NRS 706.776 shall  
48 *not* permit or require a driver to drive or tow, [nor shall any driver]  
49 *and a driver shall not* drive or tow, any vehicle which by reason of its  
50 mechanical condition is so imminently hazardous to operate as to be

1 likely to cause an accident or a breakdown and which vehicle has been  
2 declared "out of service" by an authorized employee of the commission  
3 [.] or the department. When the repairs have been made, the carrier  
4 shall so certify to the commission or the department, whichever agency  
5 declared the vehicle "out of service", in accordance with the require-  
6 ments of the commission.

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(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 42

## ASSEMBLY BILL NO. 42—COMMITTEE ON JUDICIARY

JANUARY 26, 1981

Referred to Committee on Transportation

SUMMARY—Changes certain laws regulating traffic. (BDR 43-260)

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; changes certain provisions of law regarding vehicular traffic; authorizing the director of the department of motor vehicles to adopt a definition of "snow tire"; providing a penalty; 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 484 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 *The driver of a vehicle about to enter a controlled-access highway*  
4 *shall yield the right of way to all vehicles on the highway. Only after*  
5 *determining that the entry can be made safely, may the driver enter the*  
6 *highway.*
- 7 SEC. 2. NRS 484.283 is hereby amended to read as follows:  
8 484.283 1. Whenever traffic is controlled by official traffic-control  
9 devices exhibiting different colored lights, or colored lighted arrows, suc-  
10 cessively one at a time or in combination as declared in the manual and  
11 specifications adopted by the department of transportation, only the  
12 colors green, yellow and red may be used, except for special pedestrian-  
13 control devices carrying a word legend as provided in NRS 484.325. The  
14 lights, arrows and combinations thereof indicate and apply to drivers of  
15 vehicles and pedestrians as provided in this section.
- 16 2. When the signal is circular green alone:  
17 (a) Vehicular traffic facing the signal may proceed straight through  
18 or turn right or left unless another device at the place prohibits either or  
19 both such turns. Such vehicular traffic, including vehicles turning right or  
20 left, must yield the right of way to other vehicles and to pedestrians law-  
21 fully within the intersection or an adjacent crosswalk at the time the  
22 signal is exhibited.
- 23 (b) Pedestrians facing such a signal may proceed across the highway

1 within any marked or unmarked crosswalk, unless directed otherwise by  
2 another device as provided in NRS 484.325.

3 3. Where the signal is circular green with a green turn arrow:

4 (a) Vehicular traffic facing the signal may proceed to make the move-  
5 ment indicated by the green turn arrow or such other movement as is  
6 permitted by the circular green signal, but the traffic must yield the right  
7 of way to pedestrians lawfully within an adjacent crosswalk and to other  
8 traffic lawfully using the intersection at the time the signal is exhibited.  
9 Drivers turning in the direction of the arrow when displayed with the  
10 circular green are thereby advised that so long as a turn arrow is illumi-  
11 nated, oncoming or opposing traffic simultaneously faces a steady red  
12 signal.

13 (b) Pedestrians facing such a signal may proceed across the highway  
14 within any marked or unmarked crosswalk, unless directed otherwise by  
15 another device as provided in NRS 484.325.

16 4. Where the signal is a green turn arrow alone:

17 (a) Vehicular traffic facing the signal may proceed only in the direc-  
18 tion indicated by the arrow signal so long as the arrow is illuminated, but  
19 the traffic must yield the right of way to pedestrians lawfully within the  
20 adjacent crosswalk and to other traffic lawfully using the intersection.

21 (b) Pedestrians facing such a signal shall not enter the highway until  
22 permitted to proceed by another device as provided in NRS 484.325.

23 5. Where the signal is a green straight-through arrow alone:

24 (a) Vehicular traffic facing the signal may proceed straight through,  
25 but must not turn right or left. Such vehicular traffic must yield the right  
26 of way to other vehicles and to pedestrians lawfully within the intersec-  
27 tion or an adjacent crosswalk at the time the signal is exhibited.

28 (b) Pedestrians facing such a signal may proceed across the highway  
29 within the appropriate marked or unmarked crosswalk, unless directed  
30 otherwise by another device as provided in NRS 484.325.

31 6. Where the signal is a steady yellow signal alone:

32 (a) Vehicular traffic facing the signal is thereby warned that the  
33 related green movement is being terminated or that a steady red indica-  
34 tion will be exhibited immediately thereafter, and such vehicular traffic  
35 shall not enter the intersection when the red signal is exhibited.

36 (b) Pedestrians facing such a signal, unless otherwise directed by  
37 another device as provided in NRS 484.325, are thereby advised that  
38 there is insufficient time to cross the highway.

39 7. Where the signal is a steady red signal alone:

40 (a) Vehicular traffic facing the signal must stop before entering the  
41 crosswalk on the nearest side of the intersection where the sign or pave-  
42 ment marking indicates where the stop must be made, or in the absence  
43 of any such crosswalk, sign or marking, then before entering the inter-  
44 section, and, except as provided in paragraph (c), [of this subsection,]  
45 must remain stopped or standing until the green signal is shown.

46 (b) Pedestrians facing such a signal shall not enter the highway, unless  
47 permitted to proceed by another device as provided in NRS 484.325.

48 (c) After complying with the [stop requirement of paragraph (a) of  
49 this subsection,] requirement to stop, vehicular traffic facing such a sig-  
50 nal and situated on the extreme right of the highway may proceed into

1 the intersection for a right turn only when the intersecting highway is  
2 two-directional or one-way to the right, or vehicular traffic facing such a  
3 signal and situated on the extreme left of a one-way highway may pro-  
4 ceed into the intersection for a left turn only when the intersecting high-  
5 way is one-way to the left, but must yield the right of way to pedestrians  
6 and other traffic proceeding as directed by the signal at the intersection.

7 (d) Vehicular traffic facing the signal may not proceed on or through  
8 any private or public property to enter the intersecting street where traffic  
9 is not facing a red signal to avoid the red signal.

10 8. Where the signal is a steady red with a green turn arrow:

11 (a) Vehicular traffic facing the signal may enter the intersection  
12 only to make the movement indicated by the green turn arrow, but must  
13 yield the right of way to pedestrians lawfully within an adjacent cross-  
14 walk and to other traffic lawfully using the intersection. Drivers turning  
15 in the direction of the arrow are thereby advised that so long as the turn  
16 arrow is illuminated, oncoming or opposing traffic simultaneously faces  
17 a steady red signal.

18 (b) Pedestrians facing such a signal shall not enter the highway, unless  
19 permitted to proceed by another device as provided in NRS 484.325.

20 9. If a signal is erected and maintained at a place other than an  
21 intersection, the provisions of this section are applicable except as to  
22 those provisions which by their nature can have no application. Any stop  
23 required must be made at a sign or pavement marking indicating where  
24 the stop must be made, but in the absence of any such device the stop  
25 must be made at the signal.

26 10. Whenever signals are placed over the individual lanes of a high-  
27 way, the signals indicate, and apply to drivers of vehicles, as follows:

28 (a) A downward-pointing green arrow means that a driver facing the  
29 signal may drive in any lane over which the green signal is shown.

30 (b) A red "X" symbol means a driver facing the signal must not enter  
31 or drive in any lane over which the red signal is shown.

32 SEC. 3. NRS 484.315 is hereby amended to read as follows:

33 484.315 1. The driver of a vehicle approaching an intersection shall  
34 yield the right of way to a vehicle which has entered the intersection  
35 from a different highway.

36 2. When two vehicles enter an intersection from different highways  
37 at approximately the same time, the driver of the vehicle on the left shall  
38 yield the right of way to the vehicle on the right.

39 3. When two vehicles enter an intersection where one highway term-  
40 inates from different highways at approximately the same time, the  
41 driver of the vehicle on the terminating highway shall yield the right of  
42 way to traffic on the through highway.

43 4. This section [shall] does not apply at intersections controlled by  
44 official traffic-control devices or to vehicles approaching each other from  
45 opposite directions, when the driver of one of [such] the vehicles is  
46 intending to or is making a left turn.

47 SEC. 4. NRS 484.377 is hereby amended to read as follows:

48 484.377 1. It is unlawful for any person to drive any vehicle in  
49 [willful] :

1 (a) Willful or wanton disregard of the safety of persons or property.  
2 [A violation of this section constitutes reckless driving.]  
3 (b) An unauthorized speed contest on a public highway.  
4 A violation of this subsection constitutes reckless driving.

5 2. Any person who does any act or neglects any duty imposed by  
6 law while driving or in actual physical control of any vehicle in willful  
7 or wanton disregard of the safety of persons or property, which act or  
8 neglect of duty proximately causes the death of or substantial bodily  
9 harm to any person other than himself, shall be punished by imprison-  
10 ment in the state prison for not less than 1 year nor more than 6 years,  
11 or by a fine of not more than \$5,000, or by both fine and imprisonment.

12 SEC. 5. NRS 484.631 is hereby amended to read as follows:

13 484.631 Tow cars [shall] must be equipped with:

14 1. One or more brooms, and the driver of the tow car engaged to  
15 remove a disabled vehicle from the scene of an accident shall remove all  
16 glass and debris deposited upon the roadway by the disabled vehicle  
17 which is to be towed.

18 2. A shovel, and whenever practical the tow car driver engaged to  
19 remove any disabled vehicle shall spread dirt upon any portion of the  
20 roadway where oil or grease has been deposited by [such] the disabled  
21 vehicle.

22 3. At least one fire extinguisher of the dry chemical or carbon  
23 dioxide type, [with an aggregate rating of at least 4-B, C units, which  
24 shall] with minimum effective chemicals of no less than 5 pounds, with  
25 an aggregate rating of at least 10-B, C units, which must bear the  
26 approval of a laboratory nationally recognized as properly equipped to  
27 grant such approval.

28 SEC. 6. NRS 484.643 is hereby amended to read as follows:

29 484.643 1. It [shall be] is unlawful for any person to operate a  
30 motor vehicle, whether [the same be] it is an emergency vehicle or other-  
31 wise, without tire chains or snow tires upon any street or highway, under  
32 icy or snowy conditions, when the highway is marked or [signed] posted  
33 with signs for the requirement of chains or snow tires.

34 2. The director of the department of motor vehicles may adopt regu-  
35 lations defining "snow tire". The director shall consider regulations of the  
36 Federal Highway Administration and the National Highway Traffic Safety  
37 Administration and publications of the Rubber Manufacturers Associa-  
38 tion. The regulations must specify minimum standards for patterns of  
39 tread on snow tires which will provide adequate traction in mud and  
40 snow.

41 SEC. 7. NRS 484.695 is hereby amended to read as follows:

42 484.695 1. Peace officers and vehicle safety inspectors of the  
43 department of motor vehicles, in pursuance of assigned duty, having  
44 reasonable cause to believe that any vehicle or combination of vehicles  
45 is not equipped as required by this chapter or is in such unsafe condition  
46 as to endanger the driver or other occupant or any person upon a public  
47 highway or does not comply with any tire or brake standards that may  
48 be established by the department of motor vehicles pursuant to subsec-  
49 tion 4, may require the driver thereof to stop and submit [such] the

1 vehicle or combination of vehicles to an inspection of the mechanical  
2 condition or equipment thereof and such test with reference thereto as  
3 may be appropriate.

4 2. If [such] a vehicle or combination of vehicles is found to be in  
5 an unsafe mechanical condition or is not equipped as required by this  
6 chapter or does not comply with any tire or brake standards that may be  
7 established by the department of motor vehicles pursuant to subsection  
8 4, the peace officer or vehicle safety inspector causing the inspection to  
9 be made may give [such driver] *the owner of the vehicle* a written  
10 traffic citation or notice of vehicle equipment violation and further  
11 require [the driver or] the owner of the vehicle to produce in court or  
12 the office of the peace officer or vehicle safety inspector satisfactory  
13 evidence that [such] *the vehicle* or its equipment has been made to con-  
14 form with the requirements of this chapter and regulations adopted there-  
15 under.

16 3. [Effective January 1, 1976, the] *The* director of the department  
17 of motor vehicles may establish vehicle safety inspection centers at the  
18 department of motor vehicles branch offices for the purpose of inspect-  
19 ing vehicles intended to be registered in the state. Safety inspections at  
20 these centers are limited to examination of tires and brakes on motor  
21 vehicles which have an unladen weight of not more than 6,000 pounds  
22 and which were manufactured more than 2 years prior to the date of  
23 inspection.

24 4. The director shall adopt regulations prescribing the standards for  
25 tires and brakes.

26 Sec. 8. NRS 200.070 is hereby amended to read as follows:

27 200.070 [Involuntary] *Except under the circumstances provided in*  
28 *NRS 484.377, involuntary* manslaughter [shall consist in] *is* the killing  
29 of a human being, without any intent [so to do,] *to do so*, in the com-  
30 mission of an unlawful act, or a lawful act which probably might produce  
31 such a consequence in an unlawful manner; but where [such] *the invol-*  
32 *untary killing [shall happen] occurs* in the commission of an unlawful  
33 act, which, in its consequences, naturally tends to destroy the life of a  
34 human being, or is committed in the prosecution of a felonious intent, the  
35 offense [shall be deemed and adjudged to be] *is* murder.