

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON TRANSPORTATION

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
May 21, 1981

The Senate Committee on Transportation was called to order by Chairman Richard E. Blakemore, at 2:02 p.m., on Thursday, May 21, 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 James H. Bilbray

COMMITTEE MEMBER ABSENT:

Senator Clifford E. McCorkle

GUEST LEGISLATORS:

Assemblyman Robert Robinson
Assemblyman Robert Price

STAFF MEMBER PRESENT:

Kelly R. Torvik, Committee Secretary

ASSEMBLY JOINT RESOLUTION NO. 46

Assemblyman Robinson spoke in support of the bill. He stated there would be a reduction in the federal funding for AMTRAK. The remaining funds would be used to maintain AMTRAK systems in the eastern portion of the United States at the expense of the lines in the West. He noted the heaviest travelled AMTRAK routes are from San Diego to Seattle and San Francisco to Chicago. He said the trains are operating at full capacity. Japan subsidizes its passenger rail lines at a rate of \$13 for each \$1 earned in fares. The rail system is an energy conserving vehicle. Many people are restricted to travel by rail for medical reasons. He noted the California Legislature

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had a very similar resolution. The purpose of the resolution is to ask the Federal Government to give the western portion of the United States a fair share of the monies which are being funded for AMTRAK. He noted the AMTRAK line stops in Sparks, Lovelock, Winnemucca, Battle Mountain, Elko and Wendover. The railroad is necessary for intrastate travel and should receive some support. The AMTRAK line which goes into Las Vegas from Los Angeles brings in a large number of tourists.

Senator Hernstadt did not feel the resolution conveyed the request that the budgeted amount be dispersed evenly throughout the United States. He felt the language implied Nevada was asking that the budget be enlarged to include the western states. He suggested the language be clarified. Assemblyman Robinson had no objections to an amendment.

Chairman Blakemore asked if it had been verified AMTRAK will cover 50 percent of its expenses by fares three years before the time set by Congress for it to do so. Assemblyman Robinson stated it had been verified. AMTRAK will be increasing its rates in progressive amounts as long as the trains remain at full capacity. Railroad travel is not very expensive.

Senator Bilbray asked what would happen to the route from Los Angeles to Salt Lake City since it had potential of making a profit. Assemblyman Robinson explained unless Congress disperses the budgeted funds equally among the states the route could be closed.

Assemblyman Robinson noted air traffic is decreasing while rail travel is the only form of transportation which is showing a drastic increase in passenger travel. He felt more people would be using rail travel. The trains have dining facilities and are very comfortable. Assemblyman Robinson submitted information regarding rail travel to the committee. (See Exhibit C).

ASSEMBLY BILL NO. 179

Assemblyman Price explained the bill was selected by the Assembly in an attempt to answer the constitutional question which has been raised in regard to the Taxicab Authority (T.A.). It was decided to tie the area which the T.A. would serve to the number of taxicabs in the county. This was dealt with on page one of the bill. On page two is a change in the language dealing with centralized communications. That change was suggested by the industry and agreed on by the T.A. On page

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three there is an additional regulation imposed on taxicab drivers. It states the driver shall not leave the key in an unattended taxicab. The language on page four, commencing on line eleven gives the T.A. administrator the authority to suspend a driver's permit if a driver is found under the influence of drugs or alcohol. The change commencing on line 36 deals with the problem of failure to appear before the T.A. Assemblyman Price stated the bill would be important for the continuation of the T.A.

Senator Bilbray asked the number of votes the bill received in the Assembly. Assemblyman Price stated the bill received unanimous approval in committee and on the floor of the Assembly.

Senator Hernstadt asked Mr. Price if he had any notice from Mr. Daykin, Legislative Counsel, stating the constitutionality of Assembly Bill No. 179. Assemblyman Price stated he spoke with the bill drafters and, in their opinion, the bill would be constitutional.

Assemblyman Price stated the Assembly Committee on Transportation was unanimously opposed to any legislation which would give the T.A. jurisdiction in the northern portion of the state.

Senator Hernstadt asked if there were any provisions in the bill regarding the age of a taxicab. Assemblyman Price explained the original version of the bill had a provision limiting the age of a taxicab to three years. That provision was amended out of the bill because of opposition from the industry.

Mr. Harvey Whittemore, an attorney representing Baker and Drake Company, felt the constitutionality of the T.A. would be upheld in court. He stated the figures "nine certificate holders" and "four hundred taxicabs" were derived from the fact there were approximately that number of certificates and taxicabs which were outstanding at the time the T.A. was established.

Senator Bilbray stated the figures were established on the premise that a commission could adequately handle 9 certificate holders and 400 taxicabs. The figures had nothing to do with populations.

Mr. Whittemore pointed out he was addressing the needs and problems of a particular community with respect to the T.A. The legislature made the determination 9 certificate holders and 400 taxicabs would be better dealt with by a commission.

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That was the policy reason for the language on page one of the bill. He voiced his support for the bill. The bill addressed the best procedure to solve the constitutional question of the T.A.

Mr. Jim Avance, Administrator, Taxicab Authority, said he received two verbal opinions stating the jurisdiction of the T.A. based upon the number of certificates and taxicabs would be unconstitutional. He proposed an amendment to the bill. (See Exhibit D). The amendment would give the T.A. jurisdiction in every county and the power to establish appropriate regulations in each county. In regard to the number of taxicabs as stated on line seven, page one, Mr. Avance explained that under a supreme court decision the T.A. must re-examine the method of allocation and must decide, prior to May 25, 1981, what method of allocation will be used. The T.A. will not reach a decision.

Senator Hernstadt asked if the supreme court decision took into account the possible passage of Senate Bill No. 399, which establishes a method of allocation. Mr. Avance stated the T.A. is waiting to find out if the legislature is going to instruct it how to allocate. It is also waiting to receive more information regarding allocations.

Senator Neal asked what were the objections to the T.A. having statewide jurisdiction. Mr. Avance stated the Reno area does not want to be regulated by the T.A. They are currently regulated by the Public Service Commission (P.S.C.). He noted the P.S.C. is going to loose its inspectors and unless the T.A. is given jurisdiction the Motor Carrier Division will be enforcing the P.S.C. regulations. Reno companies are concerned about the degree of enforcement the T.A. holds over certificate holders and drivers in Clark County. They are concerned the T.A. would place an allocation order on the amount of taxicabs to be operated in Reno, However, the T.A. has no intention of doing that.

Senator Neal asked how many of the taxicab companies which operate in Reno are also regulated in Clark County. Mr. Avance stated the Whittlesea Company, the largest in Reno, is the only company in both Reno and Clark County.

Mr. Avance noted that effective May 26, 1981 there will only be 357 taxicabs operating on the streets of Clark County. This is because the last 48 taxicabs which were allocated will come off of the road by supreme court order. This reduction will would make the bill ineffective because the T.A. would only

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be allowed to exist in a county with 400 or more taxicabs. The Clark County taxicab companies would then come under the jurisdiction of the P.S.C. The effective allocation order in 1969, when the legislature decided to create the T.A. was 274 taxicabs. If the committee chooses to base the T.A. jurisdiction on the number of taxicabs, he suggested the 400 taxicab minimum be changed to 274. This would give the T.A. something which could be substantiated in court based on the 1969 P.S.C. allocation order.

Mr. Avance proposed another amendment to the bill. (See Exhibit E). This would eliminate the requirement of a hearing when the grantee pleads guilty and waives his rights to a hearing.

Mr. Zel Lowman, representing four taxicab companies in Las Vegas, voiced his support for the bill. He supported any reasonable bill which would maintain the T.A. in Clark County because of the need for the T.A. in Clark County. He preferred legislation which would give the T.A. statewide jurisdiction. However, if the committee felt the constitutional question of the T.A. could be addressed by the passage of Assembly Bill No. 179 he would support the amendments suggested by Mr. Avance which would lower the minimum number of taxicabs and allow the grantee to waive his right to a hearing when he pleads guilty.

Mr. Jim Bell, President, Whittlesea Blue Cab in Southern Nevada, voiced his support for the first reprint of the bill. He noted the 400 figure referred to 400 registered taxicabs as opposed to 400 allocated taxicabs.

Senator Neal asked the difference between an allocated taxicab and a registered taxicab. Mr. Bell explained the certificate holder would be allocated a specific amount of medallions. To keep those medallions on the road he would have many more registered taxicabs.

Senator Hernstadt noted the language of the bill simply states "four hundred taxicabs being operated by certificate holders." He felt the language would be construed as 400 medallions because of the lack of the phrase "registered but medallion not attached." Mr. Bell agreed.

Chairman Blakemore asked if it would be appropriate to state on line seven, page one, "270 or more medallions allocated." Mr. Bell noted the term medallions had been omitted because medallions are only used in southern Nevada.

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Mr. Whittemore stated referring to registered taxicabs would be the correct method of defining the number of taxicabs. The term operated could be amended for clarification. He said the intent of the bill was to cover registered taxicabs. It was estimated there were 400 registered taxicabs in 1969.

Mr. Bell stated it would cost his company \$150,000 per year to support the T.A. in northern Nevada. That cost would be passed onto the public in the form of rate increases.

Senator Neal asked what was the difference in the rates charged in Reno and Las Vegas. Mr. Bell stated the initial fee is almost the same. However, the mileage fee in Las Vegas is twice the mileage fee in Reno.

Senator Neal did not feel there would be a big affect on the taxicab companies to give the T.A. statewide jurisdiction.

Senator Hernstadt asked the amount of money that taxicab patrons would save if the T.A. were abolished in Clark County. Mr. Bell stated patrons would save \$.10 per one-fifth mile. Senator Hernstadt felt such a decrease in costs should be a consideration.

Mr. Whittemore pointed out his company's experience had determined there were difference classifications of customers in Washoe and Clark Counties. In Washoe County 70 percent of the trips were made by residents. In Clark County 90 percent of the trips were made by tourists. Mr. Whittemore said all taxicab companies are unified in that they do not want the T.A. to have jurisdiction in Washoe County.

Senator Hernstadt asked Mr. Hale Bennett, Chief, Registration Division, Department of Motor Vehicles, if the computer used by the department had the information to determine the number of registered taxicabs in Las Vegas during 1969. Mr. Bennett stated the computer did not have that information.

ASSEMBLY BILL NO. 238

Mr. Whittemore, representing Reno Armored Transport, explained the bill would exempt armored trucks from certain requirements. He suggested an amendment to the bill. (See Exhibit F).

Chairman Blakemore asked if the amendment was offered in the Assembly. Mr. Whittemore stated it was not offered in the Assembly.

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Mr. Whittemore explained the references in the bill require identification of the trucks and payment of all state license fees. The trucks would be exempted from all other requirements.

Mr. John Clark, representing the Public Service Commission, stated the commission had no strong opposition to the bill. However, as a matter of policy, he felt there were other motor carriers which should be deregulated, such as dump truck carriers and agricultural carriers. He supported Mr. Whittemore's amendment.

Mr. Daryl Capurro, Managing Director, Nevada Motor Transport Association, stated he opposed Assembly Bill No. 238. However, if the bill were approved the amendments suggested by Mr. Whittemore would be appropriate. Mr. Capurro explained the armored truck industry is a monopolistic enterprise. He felt the deregulations in other states should be studied before deregulation takes place in Nevada. He noted there was no deregulation at the federal level. However, there was re-regulation. He cited a case where a state initiated a full deregulation of intrastate activities. In that case the large carriers had a big advantage over the small carriers. Mr. Capurro did not feel there would be a great deal of competition because of the difficult requirements of an armored truck company.

Mr. Whittemore stated there were many competitors waiting to enter the industry.

ASSEMBLY BILL NO. 636

Mr. Bennett stated because of reapportionment it would be necessary for the department to provide two sets of license plates for the congressmen. Current law limits the department to issuing one set of license plates for the congressman.

Senator Hernstadt asked why the bill eliminated the use of the letters M.C. Mr. Bennett explained the letters M.C. could refer to senators as well as congressmen. Most states designate the members of the House of Representatives with the letters H.R.

Senator Hernstadt asked how it is determined who is the senior between two freshmen congressmen. Senator Bilbray stated such a determination is made by the Congress by reference to the prior service of those congressmen.

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ASSEMBLY BILL NO. 109

Ms. Sharon Alcamo, Chief, Driver's License Division, Department of Motor Vehicles, and Mr. Jerry DeForest, Safety Responsibility Officer, Driver's License Division, appeared to clear up misunderstandings regarding the provisions of the bill. (See Exhibit G.)

Ms. Alcamo explained the bill contains nine separate pieces of legislation. Two pieces of legislation deal with every driver in the state and mandatory insurance. The first piece of legislation being the definition of registered owner placement in the Safety Responsibility Act. The second piece of legislation would be the suggestion that driving and registration privileges be suspended for not maintaining liability insurance coverage. The other seven sections deal with the seven percent of the population who qualify under the Safety Responsibility Act. Ms. Alcamo explained there is confusion as to the intent of the Safety Responsibility Act because within the act there is the requirement that every motorist carry liability insurance. However, the majority of the act addresses the situation where someone is in an accident, at fault and does not have insurance coverage. It gives the department leverage to see that a person will pay for the damages sustained in an accident.

Senator Neal asked if there was a need for a financial responsibility section since there are already provisions in the law which mandate the driver to have liability insurance. Ms. Alcamo stated there would not be a need for a financial responsibility section if everyone had liability insurance coverage.

Senator Neal noted financial responsibility was in effect when there were no provisions requiring mandatory insurance. Ms. Alcamo stated according to a department survey 13 to 17 percent of the drivers are uninsured. Under the financial responsibility section the department can suspend a driver's license, suspend a vehicle registration and they can require the driver to submit a security deposit if financial responsibility is not maintained. The department does not have those abilities under the mandatory insurance law.

Mr. Barton Jacka, Director, Department of Motor Vehicles, noted that all states have financial responsibility sections to take care of the individuals who do not carry insurance.

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Some states also have mandatory insurance laws. The financial responsibility section assists the department in recovering damages or assisting the victim of an individual who does not carry insurance.

Chairman Blakemore asked why there was a need to change the time in which a hearing can be requested. Mr. DeForest explained when the department receives a completed SR-1 form it must send the form to the other party involved. The other party is allowed 30 days to resubmit the form to the department. The bill requests the 30 days be reduced to 15 days so the department can process the suspensions more efficiently.

Senator Neal noted the time in which a person can request a hearing would be cut in half, while the time in which the department cant take action after an accident would be doubled. Ms. Alcamo felt the time in which a hearing can be requested was sufficient. However, the department needs more time in which it can force a guilty party to pay for damages. At the present time the department is forced to return the security deposit after one year.

Senator Neal asked if the department paid interest on the security deposit. Ms. Alcamo stated the deposit is submitted to the state treasurer not the department.

Senator Hernstadt asked the amount of the deposit. Mr. DeForest explained the deposit can range from \$500 to \$10,000.

Senator Hernstadt asked if the state treasurer should be required to invest the deposit in order to earn interest. Chairman Blakemore noted the deposit is placed with the state treasurer for the aggrieved party to make a claim against. There could be a question as to who has the right to the interest, the aggrieved party or the depositor. Ms. Alcamo stated a similiar question was asked at the Assembly hearings. It was discovered the interest earned from security deposits was retained by the state.

Senator Hernstadt asked if it was fair that the state retain the interest. Ms. Alcamo pointed out that the depositors have not been willing in the past to pay for damages. She felt it would be administratively difficult to allow the claimant to retain the interest. Senator Hernstadt suggested the state be allowed to retain the interest to cover administrative expenses.

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Chairman Blakemore asked what factor determined financial responsibility is to be maintained for three years. Mr. DeForest stated a three year period is uniform throughout the states.

Senator Neal noted the registration period for a vehicle, at which time the driver supplies proof of insurance, is one year. He questioned why the term for maintaining financial responsibility is not for one year also. Mr. DeForest noted there are loopholes in the method of proof of insurance. This is because the proof of insurance can be submitted when the vehicle is being registered. However, the insurance can then be cancelled and the department would not be aware of the cancellation. He noted a certificate of financial responsibility is filed with the department and if for any reasons that financial responsibility is cancelled the department is notified of the cancellation.

Senator Neal pointed out the cancellation could be due to the closure of an insurance company. Mr. DeForest explained the certificate specifically states the driver will be insured until the certificate is cancelled. The department gives the person who is required to maintain financial responsibility 30 days after a cancellation to obtain insurance before action will be taken against driving or registration privileges.

Chairman Blakemore noted he had two proposed amendments to the bill. (See Exhibits H and I). Mr. DeForest explained it was necessary to raise the property damage minimum to \$350 in order to avoid a conflict with NRS Chapter 484. The other amendment, concerning the estimate of repairs, was necessary in order to include qualified insurance adjusters employed by the insurance carriers and qualified motor vehicle physical damage appraisers.

Senator Neal asked what the Safety Responsibility Act covers in regard to property damage and bodily injury. Mr. DeForest explained the Safety Responsibility Act covers any accident where there is property damage in excess of \$250 and/or bodily injury.

Mr. Jacka stated the Safety Responsibility Act is very complicated. He was amazed the act has been neglected as long as it has been in existence. This was the first opportunity the department, under his direction, had to study the act to make it a very strong and effective law.

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Mr. Jacka noted Assembly Bill No. 600 would alleviate many concerns regarding mandatory insurance. Once a vehicle is registered the owner provides proof of insurance. Thereafter, the insurance company would only have to provide the owner with a proof of insurance card. The department would have the capability to do a random sampling of 10 percent of the registrants to see they are properly insured.

ASSEMBLY BILL NO. 73

Mr. Jacka reiterated his testimony of April 21, 1981 regarding his need for the bill. He noted he would have to secure the permission of the Budget Division, Personnel Division and the Interim Finance Committee or the Finance Committee in order to eliminate any management positions in an effort to consolidate divisions.

Senator Hernstadt asked the amount of money the bill could save. Mr. Jacka estimated the bill could save \$70,000 to \$80,000 per year in salaries and related costs.

Senator Neal noted the director is only obligated to maintain five divisions and a sixth division can be created at the discretion of the director. Mr. Jacka stood corrected. However, he has to maintain those five divisions under the statute which specifies the names and duties of those divisions. He stated he was making an effort, through attrition, to streamline the department operations. An effort to narrow the span of control so the department would be more responsive and effective.

Senator Jacobsen asked if the department conducted any inter-departmental meetings to discuss methods of better serving the public. Mr. Jacka stated staff meetings are held every two weeks and suggestions are taken into consideration. He said by conducting meetings the department had developed some cost saving procedures.

Senator Jacobsen asked if there were a consolidation made within the department located in Carson City would that consolidation affect the operations in Las Vegas. Mr. Jacka explained the Las Vegas operation is simply units of the divisions that are headquartered in Carson City. Every division is represented in Las Vegas with the exception of the Automation and Highway Safety divisions. The deputy director has line authority to insure the units operate

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according to the dictates of the department as well as the division chiefs' policies. Mr. Jacka noted it was the result of staff meetings that many of the public waiting lines were decreased.

ASSEMBLY JOINT RESOLUTION NO. 46 (See Exhibit J)

Senator Hernstadt moved that the resolution receive an amend and do pass recommendation with an amendment which would make it clear the legislature was asking the Federal Government to disperse the amount which is budgeted for AMTRAK pro rata among the states, as opposed to favoring one geographical area. The words "our fair share" would be used in the amendment.

Senator Bilbray seconded the motion.

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

ASSEMBLY BILL NO. 238 (See Exhibit K)

Senator Hernstadt moved that the bill receive an amend and do pass recommendation with the amendment suggested by Mr. Whittemore.

Senator Neal seconded the motion.

The motion passed. (Senator Faiss abstained; Senator Jacobsen voted "no"; Senator McCorkle was absent for the vote).

ASSEMBLY BILL NO. 636 (See Exhibit L)

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

Senator Bilbray seconded the motion.

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

ASSEMBLY BILL NO. 109

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

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Senator Bilbray seconded the motion.

Senator Neal asked the committee not to vote on the bill until he had a chance to review the amendments.

Senator Bilbray withdrew his second of the motion.

Senator Hernstadt withdrew his motion.

ASSEMBLY BILL NO. 73

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

Senator Neal asked that the committee not vote on the bill until he had a chance to review it.

Senator Hernstadt withdrew his motion.

Chairman Blakemore stated action would be taken on both Assembly Bill No. 109 and Assembly Bill No. 73 at the May 24, 1981 meeting.

SENATE BILL NO. 552

Senator Neal moved the bill be indefinitely postponed.

Senator Bilbray seconded the motion.

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

There being no further business, the meeting adjourned at 4:05 p.m.

Respectfully submitted by:


Kelly R. Torvik

APPROVED:


Senator Richard E. Blakemore

Dated: 5/25, 1981

SENATE AGENDA

COMMITTEE MEETINGS

Committee on Transportation, Room 323.
Day Thursday, Date May 21, 1981, Time 2:00 p.m.

A. J. R. No. 46--Urges Congress to continue support of AMTRAK at adequate level to maintain nationwide service.

A. B. No. 179--Makes various changes in provision regarding regulation of taxicabs.

A. B. No. 238--Exempts armored trucks from various regulations pertaining to motor vehicle carriers.

A. B. No. 636--Revises statutory provision for special license plates for Congressmen.

ATTENDANCE ROSTER FORM

COMMITTEE MEETINGS

SENATE COMMITTEE ON TRANSPORTATION

EXHIBIT B

DATE: May 21, 1981

PLEASE PRINT	PLEASE PRINT	PLEASE PRINT	PLEASE PRINT
NAME	ORGANIZATION & ADDRESS	TELEPHONE	
EDWARD CLARK	PSC	885-4326	
HARVEY WHITTEMORE	Lionel, Sawyer & Collins	323-5050	
G.P. Etchevarry	New League of Cities	882-2121	
Jim AVANCE	Taxation Authority	386-5393	
ZEL LOWMAN	Lorraine Mynk Ours, 1713 Rensselaer	891-1173	
JIM BELL	Whitless-Bell Co. 1910 Industrial B.V.	382-7060	
Daryl E. Gaudin	New Motor Transport Assn	331-6884	
Hale B. Bennett	DMV	885- 5360 535	
WILLIAM P. ...	DMV - DLD	5360	
JERRY ...	DMV - DLD	885-5360	
GARDIN JAKA	DMV - ??	885-5375	

**WASHINGTON
WANTS TO STOP
THIS TRAIN.
DON'T LET THEM.**

Support

Rail

Labor

The politicians in Washington are considering budget cuts to Amtrak that will eliminate this train in the near future.

We don't want that to happen.

We don't want to see you walking. Or caught in highway traffic. Or going broke on high-priced airfare and gas.

As Amtrak employees, we don't want to lose our jobs, either.

That's why we're asking you to help us save this train and, indeed, the entire Amtrak system.

Contact your congressman, your senators, and President Reagan, too. Tell them how important Amtrak service is to you. Ask them to support Amtrak and vote against the proposed budget cuts. Call their district offices. Write them in Washington; we've included their addresses below.

Remember, they won't listen if you don't speak up. So do your part. Let's work together to keep America's trains.

Write:

President Reagan
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

(Your Senator's Name)
United States Senate
Washington, D.C. 20510

(Your Congressman's Name)
U.S. House of Representatives
Washington, D.C. 20515

S.J.
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Thank you.

Published by Rail Labor unions representing the employees of Amtrak.

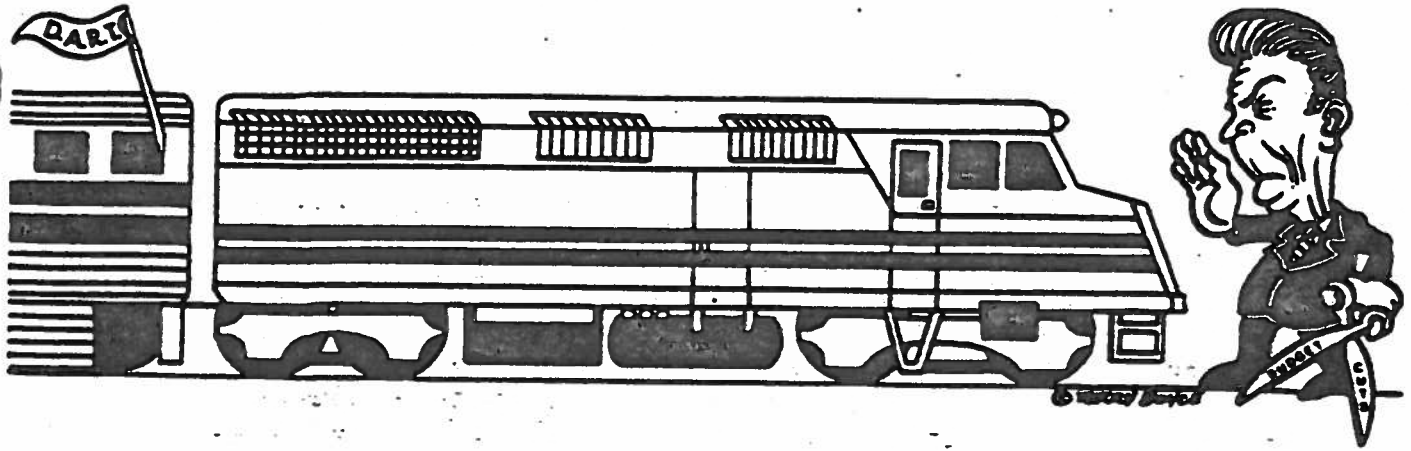
10 GOOD REASONS TO SAVE AMTRAK

1. America is getting into training, Amtrak ridership is growing
2. Amtrak is getting into training, its performance is improving
3. Thirty-eight thousand employees and their families depend on Amtrak for work
4. Amtrak provides an important transportation link for defense purposes in time of national crisis.
5. Trains are more energy efficient than cars or planes.
6. Trains cause less pollution than cars or buses.
7. Trains are the safest form of transportation.
8. Subsidies to Amtrak are cost effective because they form such a small part of the government's budget but serve such an important and growing segment of the public.
9. Amtrak has potential to grow into the most fuel efficient, convenient form of intercity travel available.
10. Destroy Amtrak today and we'll never see that potential realized the way it's been in Europe and Japan.

JAPAN'S
Passenger Rail System

\$13 to EVERY PASSENGER!

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**ATTENTION:
PASSENGERS, RAIL ADVOCATES
AND YOU, THE TAXPAYER!**

JOIN WITH US TO HALT THE DEMISE OF OUR PASSENGER TRAINS

RALLY & DEMONSTRATION

**WEDNESDAY NOON APRIL 29th
EMBARCADERO PLAZA
FOOT OF MARKET STREET**



SPONSORED BY D.A.R.T. (DEMAND ADEQUATE RAIL TRAVEL) AN ORGANIZATION OF COMMUNITY GROUPS, RAIL ADVOCATES, SENIOR GROUPS, RAILWAY PASSENGERS AND RAILWAY LABOR, TO COINCIDE WITH A RAIL LABOR MARCH ON WASHINGTON.

FACTS:

1. PROPOSED CUTBACKS. The Reagan Administration is proposing budget cuts that would eliminate virtually all U.S. rail passenger service with the exception of a remnant in the Northeast, California, and 95% of the nation's major cities would have no Amtrak service.
2. RIDERSHIP. Amtrak is attracting more riders every day. In 1980 ridership was up 12% over 1978, despite a 13% cut in its route system in 1979. More than half of Amtrak's 21 million passengers rode on the long-haul routes the cutbacks would end.
3. PERFORMANCE. Amtrak now carries 20% of the passengers in those markets it serves and its service is getting better and more dependable each day.
4. ENERGY. Trains are more energy efficient than cars or planes.
5. SAFETY. Rail is rated as the safest form of passenger transport.
6. ENVIRONMENT. Trains cause less pollution than cars and buses.
7. COST BENEFIT. Amtrak subsidies form less than 4% of the federal transportation budget, but serve an important and growing segment of the public.
8. POTENTIAL. Passenger rail service holds the promise of growing into the most fuel efficient, convenient form of public inter-city travel available. Its potential has been demonstrated in Western Europe, Japan, and other countries. Destroy Amtrak today and we'll never see that potential realized.
9. EMPLOYMENT. 38,000 employees and their families depend on Amtrak for work. The proposed cuts would eliminate 22,000 jobs. This would further reduce the number of contributors to an already shaky Railroad Retirement System, jeopardizing the pensions of present and future retirees. Moreover, the employees left jobless would place new demands on government unemployment assistance programs.
10. SUBSIDY. All forms of transportation are subsidized. In the past 20 years, \$525 billion was spent on highways, \$50 billion on airports and less than \$4 billion on rail passenger service.

Our California representatives will be voting on the proposed budget cuts. Give them your opinion c/o U.S. Senate or U.S. House of Representatives, Washington, D.C. 20510.

Sen. Alan Cranston (D)
Sen. S.I. Hayakawa (R)
Con. John L. Burton (D-Marín/S.F.)
Con. Phillip Burton (D-S.F.)
Con. Ron Dellums (D-East Bay)

Con. Tony Coelho (D-Merced)
Con. Eugene Chappie (R-No. Cal.)
Con. Robert Matsui (D-Sacramento)
Con. Norman Mineta (D-San Jose)
Con. George Miller (D-Martinez)

AMTRAK FACTS

National Railroad Passenger Corporation
400 North Capitol St., N.W.
Washington, D.C. 20001
(202) 383-3860

SETTING THE RECORD STRAIGHT ABOUT THE DEMAND FOR RAIL PASSENGER SERVICE

THE SITUATION: Amtrak President Alan S. Boyd:

"In the midst of a heated debate over whether or not this country needs a nationwide rail passenger system, it is important for the public to understand that Amtrak is experiencing unprecedented demand for rail passenger service. Anyone not aware of this situation simply hasn't tried to make a reservation recently."

FACT: In the month of March, typically a low ridership month, at least 6,100 persons had to stand on Amtrak trains due to crowded conditions. Amtrak's problem isn't having enough passengers to fill its seats, it's having enough equipment to satisfy the demand for those seats.

FACT: As of April 1, all-coach and/or sleeping accommodations had been completely sold out on a total of 645 trains operating between April and September. With the exception of 22, all of these trains operate outside the Northeast Corridor. (Note: Most trains in the Northeast Corridor do not require reservations.)

FACT: As of April 1, almost 13,500 persons had been placed on waiting lists at Amtrak's reservations centers, in the event that more space becomes available. One reservations center has received more than 2,000 waiting list requests for space on New York-Florida trains for a ten-day period alone.

FACT: Systemwide, over 40 percent of Amtrak's coach seats on reserved trains are booked two weeks in advance. Over a third of all such seats are already booked through Easter. Over two-thirds of all overnight accommodations are already booked through Easter as well. Amtrak's busy season, the summer, will see much higher advanced booking levels.

FACT: In the month of January, a low ridership month, both the Chicago-Seattle Empire Builder and the Seattle-Los Angeles Coast Starlight carried an average of more than 600 persons per train. Amtrak's two Florida trains handled an average of more than 1,700 passengers daily during the same period.

(over)

FACT: Even though Amtrak's five reservations centers handled a record 22 million calls in fiscal year 1980, they cannot handle all the requests for information and reservations they receive daily. In this fiscal year alone, the call volume has increased by an average of 7.3 percent. In view of this increasing amount of interest in Amtrak service, the corporation is currently undergoing a massive modernization of these reservations offices to help them cope with the increasing volume of calls.

FACT: Although the number of complaints concerning Amtrak service has dropped 40 percent systemwide, and as much as 81 percent on certain routes, the total number of complaints regarding crowded conditions on trains actually increased in FY81 over the previous year.

FACT: In August 1980, more than 400,000 persons were denied space on Amtrak's Chicago-Los Angeles, Chicago-San Francisco and Los Angeles-Seattle routes due to sold out conditions. Almost 340,000 persons were denied space on these same trains the month before.

FACT: During peak travel periods, Amtrak could easily fill the seats on another 300 rail cars.

Corporate Communications
April 1981

SECTION	SENATE ACTION	Assembly	AMENDMENT BLANK
<input type="checkbox"/>	Adopted	<input type="checkbox"/>	AMENDMENTS to Assembly
<input type="checkbox"/>	Lost	<input type="checkbox"/>	Joint
	Date:		Resolution No.
	Initial:		
Concurred in	Concurred in	<input type="checkbox"/>	BDR 58-323
Not concurred in	Not concurred in	<input type="checkbox"/>	Proposed by Committee on Transportation
Date:	Date:		
Initial:	Initial:		

Amendment N^o 930



Amend the bill as a whole by renumbering section 1 as section 13 and by adding new sections designated sections 1 through 12, preceding section 1, to read as follows:

"Section 1. NRS 706.036 is hereby amended to read as follows:

706.036 ← "Common motor carrier" means any person or operator who holds himself out to the public as willing to transport by vehicle from place to place, either upon fixed route or on-call operations, passengers or property, including a

common motor carrier of passengers, and a common motor carrier of property [, and] The term does not include a taxicab motor carrier.

Sec. 2. NRS 706.041 is hereby amended to read as follows:

706.041 "Common motor carrier of passengers" means any person or operator, [including] other than ←

← a taxicab motor carrier, who holds himself out to the public as willing to transport by vehicle from place to place, either upon fixed route or on-call operations, passengers or passengers and light express for all who may choose to employ him.

Sec. 3. NRS 706.151 is hereby amended to read as follows:

706.151 1. It is hereby declared to be the purpose and policy of the legislature in enacting this chapter:

(a) [Except to the extent otherwise provided in NRS 706.881 to 706.885, inclusive, to] To ←

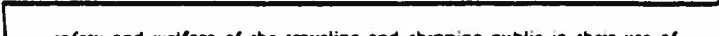
← confer upon the commission the power and authority and to make it the duty of the commission to supervise and regulate common and contract motor carriers and brokers, and to regulate for licensing purposes private motor carriers of property when used for private commercial enterprises on the highways of this state, and to confer upon the department the power (and authority) to license all motor carriers, so as to relieve the existing and all future undue

To: E & E
LCB File
Journal
Engrossment
Bill

Drafted by DGS: smc Date 5-7-81

burdens on [such] the highways arising by reason of the use of [such] the highways by vehicles in a gainful occupation thereon;

(b) To provide for reasonable compensation for the use of [such] highways in [such] gainful occupations, and enable the State of Nevada, by a [utilization] use of the license fees, to provide more fully for the proper construction, maintenance and repair [thereof,] of the highways and thereby protect the



safety and welfare of the traveling and shipping public in their use of the highways; and

(c) To provide for fair and impartial regulation, to promote safe, adequate, economical and efficient service and foster sound economic conditions in motor transportation, and to encourage the establishment

and maintenance of reasonable charges for [such] motor transportation services, without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices.

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

Sec. 4. NRS 706.496 is hereby amended to read as follows:

706.496 [1. The payments] The fee for the [licenses of the following vehicles shall be made in accordance with the following schedule of fees:

Each taxicab..... \$25

Each] license of each tow car with an unladen weight of 9,000 pounds or more[..... 50

2. Such fees shall] is \$50. The fee must be reduced by one-half for vehicles licensed after July 1 of a year.

Sec. 5. NRS 706.506 is hereby amended to read as follows:

706.506 1. Except as otherwise provided in NRS 706.011 to 706.791, inclusive, the license fees for vehicles shall be as follows:

Unladen weight	Fee
5,001 pounds to and including 6,000 pounds _____	545
6,001 pounds to and including 7,000 pounds _____	72
7,001 pounds to and including 8,000 pounds _____	99
8,001 pounds to and including 9,000 pounds _____	126

Unladen weight	Fee
7,001 pounds to and including 8,000 pounds	\$99
8,001 pounds to and including 9,000 pounds	126
9,001 pounds to and including 10,000 pounds	153
10,001 pounds to and including 11,000 pounds	180
11,001 pounds to and including 12,000 pounds	207
12,001 pounds to and including 13,000 pounds	234
13,001 pounds to and including 14,000 pounds	261
14,001 pounds to and including 15,000 pounds	288
15,001 pounds to and including 16,000 pounds	315
16,001 pounds to and including 17,000 pounds	342
17,001 pounds to and including 18,000 pounds	369
18,001 pounds to and including 19,000 pounds	396
19,001 pounds to and including 20,000 pounds	423
20,001 pounds and over	450

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

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

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

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

6. [Except as otherwise provided in NRS 706.496, the] The operator of any motor vehicle weighing 5,000 pounds or less, including station wagons, which vehicle is used primarily for the transportation of property, may pay a fee of \$15 for an identifying device, and the department shall issue an identifying device of the same type as is issued to vehicles which are required to pay the fees under this section.

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

706.521 1. Except as provided in subsection 6, any person, including but not limited to operators of [taxicabs and of] tow cars with an unladen weight of 9,000 pounds or more, [has the option,] may in lieu of causing a

vehicle to be licensed under NRS 706.011 to 706.791, inclusive, of applying for a 48-hour temporary license to be issued forthwith upon payment of a fee equal to 5 percent of the license fee provided in NRS 706.506, rounded off to the nearest dollar. The minimum fee for the 48-hour temporary license may not be less than \$6 per vehicle nor more than \$30 per combination of vehicles.

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

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

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

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

6. The provisions of this section do not apply to operators of drive-away-towaway convoy vehicles.

Sec. 7. NRS 706.8811 is hereby amended to read as follows:

706.8811 As used in NRS [706.881] 706.8811 to 706.885, inclu-

sive, unless the context otherwise requires, the words and terms defined in NRS 706.8812 to 706.8817, inclusive, have the meanings ascribed to them in those sections.

Sec. 8. NRS 706.8813 is hereby amended to read as follows:

706.8813 ← "Certificate holder" means a person who holds a current certificate of public convenience and necessity which was issued for the operation of a taxicab business [within the country] by:

1. The public service commission of Nevada prior to [July 1, 1969]

July 1, 1981, ←

and which has not been transferred, revoked or suspended by the taxicab authority, the public service commission of Nevada or by operation of law; or

2. The taxicab authority and which has not been transferred, revoked or suspended by the taxicab authority or by operation of law.

Sec. 9. NRS 706.8818 is hereby amended to read as follows:

706.8818 1. A taxicab authority, consisting of five members appointed by the governor, is hereby created. No member may serve for more than 6 years. No more than three members may be members of the same political party, and no elected officer of the state or any political subdivision is eligible for appointment.

2. Each member of the taxicab authority is entitled to receive as compensation \$40 for each day actually employed on work of the authority, and reimbursement for necessary travel and per diem expenses in the manner provided by law.

3. The taxicab authority shall maintain its principal office in Clark County, Nevada.

4. The taxicab authority may adopt appropriate regulations for the administration and enforcement of NRS [706.881] 706.8811 to 706.885, inclusive, and as it may deem necessary, for the conduct of the taxicab business and the qualifications of and the issuance of permits to taxicab drivers, not inconsistent with the provisions of NRS [706.881] 706.8811 to 706.885, inclusive. The regulations may include different provisions to allow for differences among the counties of the state. Local law enforcement agencies and the Nevada highway patrol, upon request of the taxicab authority, may assist in enforcing the provisions of NRS [706.881] 706.8811 to 706.885, inclusive, and regulations adopted pursuant thereto.

[4.] 5. Except to the extent of any inconsistency with the provisions of NRS [706.881] 706.8811 to 706.885, inclusive, every regulation and order issued ←

by the public service commission of Nevada remains effective in a county to which those sections apply until modified or rescinded by the taxicab authority, and shall be enforced by the taxicab authority.

Sec. 10. NRS 706.8819 is hereby amended to read as follows:

706.8819 The taxicab authority shall conduct hearings and make final decisions in the following matters:

1. Applications to adjust, alter or change the rates, charges or fares for taxicab service;
2. Applications for certificates of public convenience and necessity to operate a taxicab service;
3. Applications requesting authority to transfer any existing authority vested in any person or corporation to operate a taxicab business; and
4. Applications to change the total number of allocated taxicabs in each county to which NRS 706.881 to 706.885, inclusive, apply.

Sec. 11. NRS 706.8821 is hereby amended to read as follows:

706.8821 1. The administrator [shall be] is responsible for the control and regulation of the taxicab [industry in any county to which NRS 706.881 to 706.885, inclusive, apply and for the administration of NRS 706.881 to 706.885, inclusive.] business in this state.

2. The administrator shall appoint:
 - (a) One accountant and auditor if the administrator is not so qualified; and
 - (b) Such other employees as may be necessary to enable the administrator properly to perform his official functions.
3. Those employees designated as:

- (a) Taxicab field investigators [shall be] are peace officers.
- (b) Airport control officers [shall be] are peace officers only when on duty at the airport.

Sec. 12. NRS 706.8924 is hereby amended to read as follows:

706.8824 1. Whenever circumstances require establishment of a system of allocations or a change in [the allocations existing on July 1, 1969, or afterward established,] existing allocations, the taxicab authority shall allocate the number of taxicabs among the certificate holders in [any county to which NRS 706.881 to 706.885, inclusive, apply.] a county.

2. In determining the allocation of taxicabs as set forth in subsection 1, the taxicab authority shall consider:
 - (a) The needs of residents of the area served by the certificate holders;
 - (b) The needs of the tourists of the area served by the certificate holders;
 - (c) The interests, welfare, convenience, necessity and well-being of the public at large in the area served by the certificate holders; and
 - (d) Any other factors which the administrator considers necessary and proper for determining the allocation. "

Amend section 1, page 1, line 2, by deleting "706.881" and inserting:

"[706.881] 706.8811".

Amend section 1, page 1, line 18, by deleting "must" and inserting: "which is attributable to a county must" and after "holders" by inserting: "of the county".

Amend the bill as a whole by renumbering sections 2 and 3 as sections 16 and 17 and by adding new sections designated sections 14 and 15, following section 1, to read as follows:

"Sec. 14. NRS 706.8826 is hereby amended to read as follows:

706.8826 1. The board of county commissioners of [any county in which there is in effect a taxicab allocation order of a taxicab authority,] each county, and the governing body of each city [within any such county,] shall deposit with the state treasurer to the credit of the taxicab authority fund all of the taxi revenue which is received from the taxicab industry operating in [such] the county and city, respectively.

2. For the purpose of calculating the amount due to the state under subsection 1, the tax revenue of a county does not include any amount which represents a payment for the use of county facilities or property.

3. [Any] Each certificate holder [who is subject to an allocation order of the taxicab authority] shall pay to the taxicab authority \$100 per year for each taxicab [that the taxicab authority has allocated to the certificate holder] which he operates and 10 cents per trip for each compensable trip of each such taxicab, which may be added to the meter charge. The money so received by the taxicab authority must be paid to the state treasurer for deposit in the state treasury to the credit of the taxicab authority fund.

Sec. 15. NRS 706.8827 is hereby amended to read as follows:

706.8827 1. A person shall not engage in the taxicab business unless he:

(a) Holds a certificate of public convenience and necessity from the public service commission of Nevada issued [prior to July 1, 1969,] before July 1, 1981, which has not been transferred, revoked or suspended by the taxicab authority; or

(b) Currently holds a certificate of public convenience and necessity from the taxicab authority as provided in this section.

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

3. The applicant must submit an application fee of \$200, which must not be refunded, with his application. The applicant must also pay those amounts which are billed to him by the authority for reasonable costs incurred by it in conducting an investigation of the applicant.

4. The taxicab authority may attach to the exercise of the rights granted by [such] the certificate any terms and conditions [as] which in its judgment the public interest may require.

5. The taxicab authority may dispense with the hearing on the application if, upon the expiration of the time fixed in the notice of the hearing, no protest against the granting of the certificate has been filed by or on behalf of any person.

6. Any person who has been denied a certificate of public convenience and necessity after hearing may not file a similar application with the taxicab authority covering the same type of service and over the same route or routes or in the same territory for which the certificate of public convenience and necessity was denied except after the expiration of 180 days from the date the certificate was denied.

Amend sec. 3, page 2, by deleting line 25 and inserting:

"patch facilities] at all times. The facilities:

1. May be maintained individually or in cooperation with other certificate holders.

2. Must be principally engaged in communication by radio with the taxicabs of the certificate holder or holders."

Amend the bill as a whole by renumbering sections 4 through 7 as sections 19 through 22 and by adding a new section designated section 18, following section 3, to read as follows:

"Sec. 18. NRS 706.8833 is hereby amended to read as follows:

706.8833 1. The color scheme, insigne and cruising light design of each taxicab shall conform to those approved for the certificate holder by the administrator pursuant to regulations of the taxicab authority.
2. The administrator, before he approves the color scheme, insigne

or cruising light design of the taxicabs of a certificate holder [.] in any area of the state, shall [insure] ensure that the color scheme, insigne and cruising light design of one certificate holder are readily distinguishable from the color [scheme, insigne] schemes, insignia and cruising light designs of other certificate holders [.] operating in the same area of the state."

Amend sec. 7, page 4, line 14, by deleting "706.881" and inserting "[706.881] 706.8811".

Amend sec. 7, page 4, line 22, by deleting "706.881" and inserting "[706.881] 706.8811".

Amend sec. 7, page 4, line 26, by deleting "706.881" and inserting "[706.881] 706.8811".

Amend the bill as a whole by adding new sections designated sections 23 and 24, following section 7, to read as follows:

"Sec. 23. NRS 268.097 is hereby amended to read as follows:

268.097 1. Notwithstanding the provisions of any local, special or general law, after [July 1, 1963,] July 1, 1981, the governing body of any incorporated city in this state, whether incorporated by general or special act, or otherwise, [shall have] has no power [or authority] to supervise or regulate any taxicab motor carrier [as defined in NRS 706.126] who is under the supervision and regulation of the [public service commission of Nevada] taxicab authority pursuant to law.

2. [Nothing contained in subsection 1 shall be construed to] Subsection 1 does not prohibit the governing body of any incorporated city in this state, whether incorporated by general or special act, or otherwise, from fixing, imposing and collecting a license tax on and from [such] a taxicab motor carrier for revenue purposes only.

Sec. 24. NRS 706.126, 706.471 and 706.881 are hereby repealed."

Amend the title of the bill on the first line, before "making" by inserting:

"transferring regulation of all taxicabs from the public service commission of Nevada to the taxicab authority;"

1 (k) Obey all provisions and restrictions of his employer's certificate
2 of public convenience and necessity.

3 2. If a driver violates any provision of subsection 1, the adminis-
4 trator may, after a hearing, impose the following sanctions:

5 (a) First offense: 1 to 5 days' suspension of a driver's permit or a
6 fine of not more than \$100, or both suspension and fine.

7 (b) Second offense: 6 to 20 days' suspension of a driver's permit or
8 a fine of not more than \$300, or both suspension and fine.

9 (c) Third offense: [Revocation of a driver's permit or a] A fine of
10 not more than \$500. [, or both revocation and fine.]

11 *In addition to the other penalties set forth in this subsection, the adminis-*
12 *trator may revoke a driver's permit for any violation of a provision of*
13 *paragraph (g) of subsection 1.*

14 3. Only violations occurring in the 12 months immediately preced-
15 ing the most current violation [shall] may be considered for the pur-
16 poses of subsection 2. The administrator shall inspect the driver's record
17 for that period to compute the number of offenses committed.

18 **SEC. 7. NRS 706.885 is hereby amended to read as follows:**

19 706.885 1. Any person who knowingly makes or causes to be made,
20 either directly or indirectly, a false statement on an application, account
21 or other statement required by the taxicab authority or the administrator
22 or who violates any of the provisions of NRS 706.881 to 706.885,
23 inclusive, is guilty of a misdemeanor.

24 2. The taxicab authority or administrator may at any time, for good
25 cause shown, and upon at least 5 days' notice to the grantee of any
26 certificate, permit or license, and after a hearing, [had therefor,] penal-
27 ize such grantee to a maximum amount of \$500 or suspend or revoke
28 [such] the certificate, permit or license granted by it or him, respec-
29 tively, for:

30 (a) Any violation of any provision of NRS 706.881 to 706.885,
31 inclusive, or any [rule or] regulation of the taxicab authority or admin-
32 istrator.

33 (b) Knowingly permitting or requiring any employee to violate any
34 provision of NRS 706.881 to 706.885, inclusive, or any [rule or]
35 regulation of the taxicab authority or administrator.

36 3. *When a driver or certificate holder fails to appear at the time and*
37 *place stated in the notice for the hearing, the administrator shall enter*
38 *a finding of default. Upon a finding of default, the administrator may*
39 *suspend or revoke the license permit or certificate of the person who*
40 *failed to appear and impose the penalties provided in this chapter. For*
41 *good cause shown, the administrator may set aside a finding of default*
42 *and proceed with the hearing.*

43 4. Any person who operates or permits a taxicab to be operated
44 in passenger service without a certificate of public convenience and
45 necessity issued pursuant to NRS 706.8827, is guilty of a gross mis-
46 demeanor.

47 [4.] 5. The conviction of a person pursuant to subsection 1 does
48 not bar the taxicab authority or administrator from suspending or
49 revoking any certificate, permit or license of the person convicted.

(c) The Grantee may plead guilty and wave his right to
a hearing.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 238

ASSEMBLY BILL NO. 238—COMMITTEE ON
TRANSPORTATION

FEBRUARY 25, 1981

Referred to Committee on Transportation

SUMMARY—Exempts armored trucks from various regulations pertaining to motor vehicle carriers. (BDR 58-923)

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; exempting armored trucks from certain provisions regulating other such 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. Chapter 706 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:

3 1. Except for the provisions of subsection 4 of NRS 706.171, and of
4 NRS 706.281, 706.457, 706.458 and NRS 706.481 to 706.631, inclu-
5 sive and as otherwise provided in this section, none of the provisions of
6 NRS 706.011 to 706.791, inclusive, apply to any person, firm or cor-
7 poration providing specialized motor carrier service by armored truck
8 to transport money or other valuable commodities within this state.

9 2. The provisions of NRS 706.311 to 706.371, inclusive, apply to
10 persons, firms and corporations providing specialized motor carrier
11 service by armored truck to transport money or other valuable commo-
12 dities within this state only if there is not more than one such entity provid-
13 ing that service in the area which is served by that entity.

14 3. As used in this section, "armored truck" means a vehicle whose
15 carrying capacity is one ton or more and which has a specially constructed
16 bullet-resistant body, including specially constructed windshields and
17 window glass.



EXHIBIT G

DEPARTMENT OF MOTOR VEHICLES

555 WRIGHT WAY

CARSON CITY, NEVADA 89711
DRIVER'S LICENSE DIVISION
(702) 885-5360

May 21, 1981

TO: SENATE TRANSPORTATION COMMITTEE

FROM: 
JERRY DEFOREST
SAFETY RESPONSIBILITY OFFICER, DEPARTMENT OF MOTOR VEHICLES

SUBJECT: EXPLANATION OF AB109

I. INTRODUCTION

For the purposes of introduction, NRS 485 deals with the Safety Responsibility Act. Except for the requirement that liability insurance coverage is required to be maintained on all motor vehicles required to be registered in this state, the Act only affects approximately 7% of the driving population. Because it deals with liability insurance, the Act is often confused with the Mandatory Insurance Law which is administered by the Registration Division. Briefly, mandatory insurance requires all individuals registering a vehicle to have and maintain a liability insurance policy on the vehicle.

The Safety Responsibility Act applies only to those individuals who meet the following criteria:

1. Involved in an accident wherein there is damage in excess of \$250.
2. At fault in causing the accident.
3. The vehicle being driven is not covered by a liability insurance policy.

Consequently, the suggested revisions in the law pertain only to the small percentage of Nevada drivers (approximately 7%) who meet the above requirements.

AB109 is Department initiated and sponsored bill. The purpose is to eliminate contradictions contained within and to make NRS 485 conform to the Statute of Limitations concerning tort claims.

This bill deals with nine (9) separate changes. They are as follows:

1. DEFINITION OF REGISTERED OWNER (Page 1, Lines 3-5,
Page 2, Lines 30-32)

The Mandatory Insurance Law requires that the registered owner maintain liability insurance coverage on a motor vehicle. The current Safety Responsibility law is inconsistent with this requirement because it does not specify which owner, either registered or legal, has the responsibility for maintaining insurance. By including the definition of "Registered Owner", the problem will be corrected.

II. DRIVING AND REGISTRATION PRIVILEGES SUSPENDED FOR NOT MAINTAINING A LIABILITY INSURANCE COVERAGE (Page 1, Lines 6-13)

This recommended change would help to enforce the mandatory insurance law. It allows the Division to suspend the driving and registration privileges of anyone convicted of violating NRS 485.185 ie. driving without insurance. In addition, it would require the individual whose license and registration was suspended for this reason to obtain and file, with the Division, proof that his vehicle is covered with liability insurance. This proof is required before the person can reinstate his license and registration. It must be maintained for three (3) years from the date of reinstatement. If he fails to do so, his driving and registration privileges will again be suspended.

III. CHANGE TRIAL DE NOVO TO JUDICIAL REVIEW OF DECISIONS (Page 2, Lines 11-14,
Page 6, Line 4)

This change allows any person aggrieved by a decision of the Department to file a petition for a judicial review of the decision in any District Court throughout the State. It eliminates a trial de novo which is a new trial. At this point a trial de novo is considered unnecessary because the aggrieved party has already received due process through the Departmental proceedings.

IV. CHANGE SAFETY RESPONSIBILITY LIMIT FROM \$250 TO \$350 (Page 2, Lines 20-50)

(Note: An amendment not contained in this bill has been submitted changing the damage amount from \$250 to \$350 in NRS 484.229. to make it consistent with this proposed change.)

For an accident to fall under the jurisdiction of the Safety Responsibility Act, it must result in property damage in excess of \$350, which will enable the Division to more efficiently process the major accidents by eliminating a large percentage of minor accidents.

V. ESTIMATE OF REPAIRS TO BE ATTACHED TO SR-1 FORM (Page 2, Lines 21-23)

(Note: An amendment not contained in this bill has been submitted expanding on those people who are eligible to submit estimates.)

This change requires the person submitting a Driver's Report of Accident (SR-1 Form) to attach an estimate of the cost for repairing the vehicle. This will provide a factual amount of damage to the Department. Presently, the amount of damage is simply an estimate made by the person involved in the accident.

VI. PROOF TO BE FILED IN NEVADA AND THE FORMER STATE (Page 2, Lines 40-45)

This Section deals only with those driver's moving to Nevada whose driver's license was suspended or revoked in the state from which they are moving. Before moving to Nevada, the license was reinstated under the condition that he maintain insurance coverage for a specified period of time. If this coverage is not maintained, his license would be resuspended.

Before a person can be licensed in Nevada, he must have a clear driving record from the State from which he is moving. In those instances, where proof is required to maintain a clear driving record, Nevada has no way of knowing if the policy is still in effect and if the person is continuing to meet the reinstatement conditions.

This proposed change requires this person to file proof in Nevada for the same period of time. Consequently, the Division will be notified if the policy is cancelled and will resuspend the license.

VII. TIME TO REQUEST A HEARING (Page 3, Lines 44-45)

It is necessary to reduce the number of days a person has to request a hearing from 30 to 15 days to efficiently process suspension orders.

VIII. CHANGE ONE YEAR LIMITATION TO TWO YEARS (Page 4, Line 40,
Page 5, Lines 7,8,25-27,
36-38, and 46)

These proposed changes enable NRS 485 to conform to the Statute of Limitations concerning tort claims. In addition, the contradictions contained in Section 12 and Section 13 are eliminated by adding the wording "whichever period is longer". An outline of these changes is as follows:

1. Suspension action taken under authority of 485.190 to remain in effect until 2 years has elapsed following the date of the accident.

2. Suspension action taken under authority of 485.230 to remain in effect for 1 year from the date of default, or 2 years following the date of the accident, whichever is greater.
3. Allows for security deposited to be applicable to the payment of a judgment began not later than 2 years after the date of the accident or within 1 year after the date of deposit, whichever period is longer.
4. Allows the security deposited to be returned 2 years after the date of the accident or 1 year from the date of deposit, whichever period is longer.
5. Allows the Division to take action within 2 years after the date of the accident.

IX. PROOF OF FINANCIAL RESPONSIBILITY (Page 5, Lines 17-18)

This section pertains to the person whose license was suspended for default of a payment agreement. As a condition of the license and registration reinstatement, he is required to maintain a Certificate of Insurance for 3 years.

This change would allow the Division to resuspend the driving and registration privileges if the insurance was cancelled. Presently, proof is required and if not maintained, the Division does not have the authority to issue another suspension order.

ROBERT LIST
Governor

STATE OF NEVADA

S. BARTON JACKA
Director



EXHIBIT H

DEPARTMENT OF MOTOR VEHICLES

555 WRIGHT WAY

CARSON CITY, NEVADA 89711
DRIVER'S LICENSE DIVISION
(702) 885-5360

May 12, 1981

TO: SENATE TRANSPORTATION COMMITTEE MEMBERS
FROM: *Jerry DeForest*
JERRY DEFOREST, SAFETY RESPONSIBILITY OFFICER
DRIVER'S LICENSE DIVISION
SUBJECT: AB109

The suggested amendment for AB109 is as follows:

484.229.1 - "The driver of a vehicle which is in any manner involved in an accident, resulting in bodily injury to or death of any person or total damage to any vehicle or item of property to an apparent extent of [S250] \$350 or more, shall, within 10 days after such accident, forward a written report of such accident to the department of motor vehicles".



EXHIBIT I

DEPARTMENT OF MOTOR VEHICLES

555 WRIGHT WAY

CARSON CITY, NEVADA 89711
DRIVER'S LICENSE DIVISION
(702) 885-5360

May 14, 1981

TO: SENATE TRANSPORTATION
COMMITTEE MEMBERS

FROM: *Jerry DeForest*
JERRY DEFOREST, SAFETY RESPONSIBILITY OFFICER
DRIVER'S LICENSE DIVISION

SUBJECT: AMENDMENT TO AB109

The suggested amendment is as follows:

1. Section 485.150. 1, page 2 lines 21 thru 23:

1. Except as provided in subsection 2, the operator of every motor vehicle which is in any manner involved in an accident within this state, in which any person is killed or injured or in which damage to the property of any one person, including himself, in excess of [\$250] \$350 is sustained, shall within 10 days after [such] that accident report the matter in writing to the division. In cases involving damage to a motor vehicle, the operator shall attach to the accident report an [itemized] estimate of repairs or a total loss statement from an established repair garage or an insurance adjuster employed by an insurance carrier licensed to do business in this state or licensed in accordance with NRS 684 A or a motor vehicle physical damage appraiser licensed under the provisions of NRS 684 B.

A. J. R. 46

ASSEMBLY JOINT RESOLUTION NO. 46—
COMMITTEE ON COMMERCE

MAY 15, 1981

Referred to Committee on Commerce

SUMMARY—Urges Congress to continue support of AMTRAK at adequate level to maintain nationwide service. (BDR 2089)

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.

ASSEMBLY JOINT RESOLUTION—Urging Congress to continue financial support of AMTRAK at a level adequate to maintain nationwide rail passenger service.

- 1 WHEREAS, Rail passenger service in Nevada has been experiencing a
2 dramatic renaissance from its near extinction in the late 1960's; and
3 WHEREAS, More than 185,000 people used trains of the National Rail-
4 road Passenger Corporation to travel in Nevada in 1980; and
5 WHEREAS, The National Railroad Passenger Corporation (AMTRAK)
6 is steadily increasing its rates to recover a greater percentage of its costs
7 from its passengers; and
8 WHEREAS, AMTRAK expects to cover 50 percent of its expenses by
9 fares 3 years before the time set by Congress for it to do so; and
10 WHEREAS, The national administration proposes a fiscal year budget of
11 \$613,000,000, which will be sufficient to provide passenger service only
12 on the East Coast; and
13 WHEREAS, AMTRAK proposes that for a total budget of \$835,-
14 000,000, only \$240,000,000 more than that recommended by the Presi-
15 dent of the United States, it can continue to operate the complete
16 national system, including those routes in Nevada in which this state has
17 a vital interest; now, therefore, be it
18 *Resolved by the Assembly and Senate of the State of Nevada, jointly,*
19 *That this legislature hereby urges the Congress of the United States to*
20 *continue its financial support of AMTRAK at a level which is adequate*
21 *to maintain vital passenger services in all parts of the country; and be it*
22 *further*
23 *Resolved, That copies of this resolution be prepared and transmitted*
24 *forthwith by the legislative counsel to the Vice President of the United*
25 *States as presiding officer of the Senate, to the Speaker of the House of*

1 Representatives and to all members of the Nevada congressional delega-
2 tion; and be it further
3 *Resolved, That this resolution shall become effective upon passage and*
4 approval.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 238

**ASSEMBLY BILL NO. 238—COMMITTEE ON
TRANSPORTATION**

FEBRUARY 25, 1981

Referred to Committee on Transportation

SUMMARY—Exempts armored trucks from various regulations pertaining to motor vehicle carriers. (BDR 58-923)**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; exempting armored trucks from certain provisions regulating other such 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. Chapter 706 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *Except for the provisions of subsection 4 of NRS 706.171, and of*
4 *NRS 706.281, 706.457, 706.458 and NRS 706.481 to 706.631, inclu-*
5 *sive, and as otherwise provided in this section, none of the provisions of*
6 *NRS 706.011 to 706.791, inclusive, apply to any person, firm or cor-*
7 *poration providing specialized motor carrier service by armored truck*
8 *to transport money or other valuable commodities within this state.*
9 2. *The provisions of NRS 706.311 to 706.371, inclusive, apply to*
10 *persons, firms and corporations providing specialized motor carrier*
11 *service by armored truck to transport money or other valuable commodi-*
12 *ties within this state only if there is not more than one such entity provid-*
13 *ing that service in the area which is served by that entity.*
14 3. *As used in this section, "armored truck" means a vehicle whose*
15 *carrying capacity is one ton or more and which has a specially constructed*
16 *bullet-resistant body, including specially constructed windshields and*
17 *window glass.*

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A. B. 636

**ASSEMBLY BILL NO. 636—COMMITTEE ON
TRANSPORTATION**

MAY 7, 1981

Referred to Committee on Transportation

**SUMMARY—Revises statutory provisions for special license plates
for Congressmen. (BDR 43-2005)**

**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 registration of vehicles; revising statutory provisions for the issuance of special license plates to Congressmen; 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 482.370 is hereby amended to read as follows:**
- 2 **482.370 1. The department shall furnish to each United States Sen-**
- 3 **ator [and Representative] a special license plate or plates showing on the**
- 4 **face thereof, "U.S.S. 1," in the case of the senior Senator, "U.S.S. 2," in**
- 5 **the case of the junior [Senator, and "M.C. 1," in the case of the Repre-**
- 6 **sentative.] Senator.**
- 7 **2. *The department shall furnish to United States Representatives suit-***
- 8 ***ably distinctive plates.***
- 9 **3. The department shall issue [the licenses described to the United**
- 10 **States Senators and Representative] plates under this section on the pay-**
- 11 **ment of the license fees as authorized by law.**
- 12 **SEC. 2. This act shall become effective upon passage and approval.**

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