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COMMITTEE ISSUE BRIEF
SENATE COMMITTEE ON TRANSPORTATION
— 2003 NEVADA LEGISLATURE —

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This committee issue brief provides background information and summarizes selected issues pertaining to the Senate Committee on Transportation. It includes:

1. A listing of titles and chapters of the *Nevada Revised Statutes* (NRS) that fall under the jurisdiction of the Committee;
2. A review of major transportation related legislation enacted during the 2001 Session;
3. A list of reports related to transportation which may be submitted to the Committee or the Legislature during the 2003 Session;
4. A summary of possible transportation issues for the 2003 Session;
5. The key dates associated with the 120-day legislative session; and
6. A list of state transportation agency officials and interest groups.

I. THE JURISDICTION OF THE COMMITTEE

The Senate Committee on Transportation has jurisdiction over legislation affecting highways; roads; bridges; parks; vehicles; aeronautics; railroads and monorails; motor carriers; and the following titles and chapters of NRS:

Title 35—Highways; Roads; Bridges; Parks

- Chapter 403—County Roads, Highways and Bridges
- Chapter 404—Road Districts
- Chapter 405—Control and Preservation of Public Highways
- Chapter 408—Highways and Roads
- Chapter 410—Beautification of Highways

Title 43—Public Safety; Vehicles; Watercraft

- Chapter 480 —Administration of Laws Relating to Public Safety
- Chapter 481—Administration of Laws Relating to Motor Vehicles
- Chapter 481A—Transportation on Highways (Multistate Agreement)
- Chapter 482—Motor Vehicles and Trailers: Licensing, Registration, Sales and Leases
- Chapter 483—Drivers' Licenses; Driving Schools and Driving Instructors
- Chapter 484—Traffic Laws
- Chapter 485—Motor Vehicles: Insurance and Financial Responsibility
- Chapter 486—Bicycles, Motorcycles and Similar Vehicles
- Chapter 486A—Alternative Fuels; Clean-Burning Fuels
- Chapter 487—Repair, Removal and Disposal of Vehicles

Title 44—Aeronautics

- Chapter 493—General Provisions
- Chapter 494—State Airports
- Chapter 495—City and County Airports and Facilities; Companies for Air Transportation
- Chapter 496—Municipal Airports
- Chapter 497—Zoning
- Chapter 498—Skydiving Businesses

Title 58—Energy; Public Utilities and Similar Entities

- Chapter 705—Railroads and Monorails
- Chapter 706—Motor Carriers

II. SELECTED LEGISLATION ENACTED IN 2001

The Senate Committee on Transportation reviewed a total of 67 measures during the 2001 Session. Following is a selection of measures considered by the Committee. These bills were chosen to illustrate the kinds of measures that are typically referred to the Committee. For additional information on issues and specific measures from the 2001 Session, the *Summary of Legislation 2001* is available from the Legislative Counsel Bureau's Publications Office (telephone: 775/684-6835).

Reorganization of the Department of Motor Vehicles and Public Safety

During the 2001 Legislative Session, the Legislature changed the structure of the Department of Motor Vehicles and Public Safety. This change was based on a determination by the Governor's Steering Committee to Conduct a Fundamental Review of State Government that the mission and functions of the Public Safety branch were entirely different than the functions of the Motor Vehicles branch. Senate Bill 481 (Chapter 520, *Statutes of Nevada 2001*) divided

the Department into two agencies—a Department of Motor Vehicles (DMV) and a Department of Public Safety.

Drivers' Licenses and Registration

Numerous bills regarding the licensing of drivers and the registration of motor vehicles were heard.

Senate Bill 523 (Chapter 188, *Statutes of Nevada 2001*) allows the DMV to release photographs from drivers' license records to authorized federal, state, and local governmental entities; law enforcement agencies; and representatives of the Welfare Division or the Office of the State Public Defender. This measure also provides that the Department may not release personal information from license and registration files for use in bulk surveys and marketing unless the person authorizes the release.

The Committee approved several bills relating to registering motor vehicles including:

1. Extending from June 30, 2001, to June 30, 2003, the reversion date of an appropriation made during the 1999 Legislative Session for the DMV to redesign existing standard license plates and issue new replacement license plates (Senate Bill 525, Chapter 250, *Statutes of Nevada 2001*);
2. Revising provisions concerning the reinstatement of registration that has been suspended for lack of insurance by allowing the DMV to charge a fee of \$50 or waive the fee entirely in cases where extenuating circumstances prevented the owner from complying with the law (Assembly Bill 476, Chapter 125, *Statutes of Nevada 2001*); and
3. Authorizing the DMV to allow inspection stations to renew vehicle registrations (Assembly Bill 646, Chapter 134, *Statutes of Nevada 2001*).

Young Drivers

The Committee considered several bills concerning young drivers. One of the most visible and talked about transportation issues addressed during the 2001 Legislative Session pertained to driver education.

1. Senate Bill 260 (Chapter 321, *Statutes of Nevada 2001*) provides that a high school student who is at least 15 years of age may take a course of driver education.
2. Assembly Bill 271 (replaced by Senate Bill 12 of the 2001 Special Session [Chapter 21, *Statutes of Nevada 2001 Special Session*]) authorizes 15-year-olds to take driver education courses in public schools. Further, the measure makes various changes regarding the age at which a driver's license may be obtained and the length of time an instruction (learner's) permit must be held. The measure also sets forth a tiered passenger restriction based on

the age at which the driver's license is obtained. (*Hearings regarding this bill were held in the Senate Committee on Human Resources and Facilities.*)

License Plates

A number of bills were enacted to provide for special license plates. The plates include addressing the following:

1. Supporting rodeos and the protection and restoration of the lower Truckee River and Pyramid Lake (Assembly Bill 113, Chapter 355, *Statutes of Nevada 2001*);
2. Commemorating the history of atomic testing in Nevada and supporting the preservation of federal lands outside Las Vegas (Assembly Bill 643, Chapter 384, *Statutes of Nevada 2001*);
3. Appreciating animals (Senate Bill 54, Chapter 316, *Statutes of Nevada 2001*);
4. Supporting the reconstruction, maintenance, improvement, and promotion of the Virginia & Truckee Railroad (Senate Bill 77, Chapter 99, *Statutes of Nevada 2001*);
5. Recognizing current or former service as volunteer fire fighters (Senate Bill 257, Chapter 324, *Statutes of Nevada 2001*); and
6. Commemorating the 100th anniversary of the founding of the City of Las Vegas (Senate Bill 414, Chapter 96, *Statutes of Nevada 2001*).

For all special license plates, the Legislature prohibits DMV from designing, preparing, or issuing a special license plate until it receives at least 250 applications for that type of plate. The 250 applications must be received by the Department within four years. In addition to the usual registration fees and the additional fee to support the projects related to the plates, these measures require that an additional \$35 special plate fee must be paid by the applicant for the initial issuance of the plates and \$10 for the annual renewal.

Assembly Bill 229 (Chapter 379, *Statutes of Nevada 2001*) was passed to address the concern regarding the increasing number of different types of special license plates. This measure provides that beginning on January 1, 2003, when the Legislature enacts a statute for the creation of a special license plate, it will also provide that DMV must not issue the plates unless it receives at least 1,000 applications. Further, applications must be filed within two years of the time that the bill creating the special plate becomes effective.

Traffic Laws

Several bills were passed during the 2001 Legislative Session to strengthen traffic laws.

1. Assembly Bill 7 (Chapter 201, *Statutes of Nevada 2001*) requires that signs for school crossing zones be uniform in size and color and designates the hours during which the reduced speed limit applies.
2. Assembly Bill 383 (Chapter 394, *Statutes of Nevada 2001*) provides that a driver, when operating a vehicle on a multilane highway within a county with a population of 100,000 or more, may not allow a passenger under 18 years of age to ride in the cargo space of the vehicle. The cargo space includes the bed of a pickup or flatbed truck, but the prohibition does not apply if a camper shell or a slide-in camper covers the bed.
3. Senate Bill 396 (Chapter 323, *Statutes of Nevada 2001*) requires the driver of a slow-moving vehicle on a two-lane highway to turn off the roadway in certain circumstances. When a driver has five or more vehicles following in a line behind him and passing is unsafe, the driver must turn off at the nearest designated turnout or wherever there is enough space for a safe turnout.

Aviation

Three bills were passed by the Legislature regarding aviation.

1. Assembly Bill 210 (Chapter 158, *Statutes of Nevada 2001*) increases the maximum term for which a county may lease property for airport facilities or services from 50 years to 99 years.
2. Assembly Bill 490 (Chapter 366, *Statutes of Nevada 2001*) requires a board of county commissioners in a county with a population of 400,000 or more to establish by ordinance an advisory committee on aircraft noise. (*Hearings regarding this bill were held in the Senate Committee on Government Affairs.*)
3. Senate Bill 26 (Chapter 273, *Statutes of Nevada 2001*) creates the Fund for Aviation as a trust fund in the State Treasury administered by the director of Nevada's Department of Transportation (NDOT). The bill allows the director to apply for and accept any gift, bequest, grant, appropriation, or donation from any source for deposit in the fund. In addition, this measure allows the director to award grants to local governments in Nevada for the planning, establishment, development, construction, enlargement, improvement, or maintenance of any airport, landing area, or air navigational facility owned or controlled by the local government.

Mass Transit Projects

The Legislature passed several bills relating to public mass transit projects.

1. Assembly Bill 83 (Chapter 145, *Statutes of Nevada 2001*) increases the maximum axle weight from 20,000 to 29,000 pounds for vehicles used in mass transit if the vehicle has tires not less than 20 inches wide, is used in an approved demonstration project, and receives a permit issued by NDOT.
2. Assembly Bill 465 (Chapter 352, *Statutes of Nevada 2001*), or the "Needles Highway Bill," authorizes the use of proceeds from an optional tax from: (a) rental of transient housing; (b) an interlocal agreement; (c) a tax for the improvement of transportation; and (d) a supplemental vehicle privilege tax, to pay the cost of a highway improvement project located within 30 miles of the State of Nevada and that connects Nevada to an interstate highway. The initial application of this measure will likely be used to reconstruct the road that connects Needles, California, with Laughlin, Nevada. This work will be done in cooperation with a number of entities on the California side of the state line. (*Hearings regarding this bill were held in the Senate Committee on Government Affairs.*)
3. Senate Bill 323 (Chapter 88, *Statutes of Nevada 2001*) authorizes the California-Nevada Super Speed Ground Transportation Commission to issue bonds, notes, obligations, or other evidences of borrowing to finance the construction of a super speed ground transportation system.

Motor Vehicle Repair and Sales

Two bills of importance to Nevada consumers considered by the Committee were passed during the 2001 Legislative Session.

1. Assembly Bill 171 (Chapter 208, *Statutes of Nevada 2001*) changes the laws relating to garages for the repair of motor vehicles. The bill extends the protections of the law to owners of recreational vehicles, motor homes, and similar vehicles. Second, the measure exempts from the requirement to register to operate a garage certain businesses that already are licensed under other provisions of Nevada's laws. Third, the bill requires that DMV waive the fee for the issuance or renewal of registration for certain businesses that are licensed under other provisions of NRS. These businesses include inspection stations; maintenance stations; certain manufacturers, distributors, sealers, or rebuilders; and automobile wreckers, salvage pools, and body shops. Finally, this measure authorizes the DMV to revoke or refuse to renew a certificate of registration of a person who fails to comply with an order of a court that relates to the repair of a motor vehicle. The bill requires that the department provide the person with a notice and hearing before it may revoke or refuse to renew the certificate of registration.

2. Assembly Bill 320 (Chapter 391, *Statutes of Nevada 2001*) requires DMV to retain, for at least one year, the originals of certificates of ownership and powers of attorney that are submitted to the Department. It also amends the laws relating to bonds posted by motor vehicle dealers and brokers by: (a) eliminating a provision that limited recovery on these bonds to the retail value of the motor vehicle; and (b) providing that the bonds must cover breaches of consumer contracts and deceptive trade practices.

Rental Cars

The 2001 Legislature passed two measures relating to rental car charges or fees.

1. Assembly Bill 460 (Chapter 594, *Statutes of Nevada 2001*) changes the law governing fees collected by rental car agencies to increase State General Fund revenues by approximately \$11.6 million in Fiscal Year (FY) 2001-2002 and \$14.9 million in FY 2002-2003.
2. Senate Bill 118 (Chapter 76, *Statutes of Nevada 2001*) increases, from \$10 to \$15, the maximum fee a rental car agency may charge for a waiver of damages for a full or partial 24-hour rental period and allows an agency to charge an additional fee of not more than \$5 per full or partial 24-hour rental period for any extra driver besides the person renting the car and one other driver.

III. REPORTS TO THE LEGISLATURE

Several reports regarding transportation issues will be presented to the Committee or to the full Legislature during the 2003 Session. This section summarizes these reports.

Department of Transportation

Nevada Revised Statutes 408.203 requires the director of NDOT to submit the following reports:

- A comprehensive report outlining the requirements for the construction and maintenance of highways for the next ten years, including anticipated revenues and expenditures for the Department. This report is to be transmitted to the Senate and Assembly Transportation Committee chairs.
- A complete report of the requirements for the construction and maintenance of highways for the next three years, including anticipated revenues and expenditures. This report is to be submitted no later than October 1 of each even-numbered year and transmitted to the Senate and Assembly Transportation Committee chairs.

- A report to the Legislature, submitted by February 1 of odd-numbered years on the progress being made in the Department's 12-year plan for resurfacing state highways. This document must include an accounting of revenues and expenditures over the last two fiscal years, a list of completed projects detailing costs and mileage, and an estimate of the adequacy of projected revenues for timely completion of the plan.

IV. ISSUES THAT MAY ARISE IN THE 2003 SESSION

Issues related to transportation that may come before the Legislature during the 2003 Session include the following:

Young Drivers and Drivers' Licenses

The issue of licensing teenagers to drive has been a topic of consideration for Nevada's legislators since 1997, beginning with the passage of Assembly Bill 404 (Chapter 431, *Statutes of Nevada 1997*). During the 1999 Legislative Session, Assembly Bill 552 proposed to add certain "graduated driver licensing" (GDL) requirements into Nevada law. This measure, however, did not receive final approval by the Legislature. In 2001, the Legislature approved S.B. 12 of the 2001 Special Session, which set forth a number of these GDL provisions. As in previous sessions, there may be legislation proposed to revise the provisions relating to drivers' licenses.

Transportation of Nuclear Waste

Nevada does not have ports of entry, as some other states do, to check all motor carriers entering the state, nor has it limited the transportation of hazardous materials to designated highways. The only exception is the transportation of high-level radioactive waste, which is required by federal regulation to be shipped on interstate highways or state designated routes. During the 2003 Session, the Committee may consider proposals relating to ports of entry and the movement and shipment of hazardous and radioactive materials.

V. KEY DATES FOR THE 2003 SESSION

This portion of the Committee Brief summarizes the schedule imposed by the *Constitution of the State of Nevada*, the NRS, and the Joint Rules regarding the 120-day legislative session:

<i>Date</i>	<i>Action</i>
February 10	Final bill draft requests (BDRs) for legislators due (limit of four per member of the Senate).
February 24	Final committee BDRs due (limit of 50 committee requests for each house, allocated by the leadership).
March 17	Introduction of all bills requested by an individual legislator.
March 24	Introduction of all bills requested by a standing committee.
April 11	All bills to be passed (if at all) out of committee of reference in house of origin.
April 22	All bills to be passed (if at all) out of house of origin.
May 16	All bills to be passed (if at all) out of the committee of reference in the second house.
May 23	All bills to be passed (if at all) out of the second house.

VI. STATE AGENCIES AND INTEREST GROUPS

The following is a list of key agency officials and interest groups involved in transportation issues:

AGENCY OFFICIALS

Department of Business and Industry

- Taxicab Authority
John Plunkett, Administrator
Telephone: (702) 486-6532
- Transportation Services Authority
Paul J. Christensen, Chairman
Telephone: (702) 486-3303
- Sandra Lee Avants, Commissioner
Telephone: (702) 486-3303
- Dave Kimball, Deputy Commissioner
Telephone: (702) 486-3303
- Bruce Breslow, Commissioner
Telephone: (775) 688-2800

Department of Motor Vehicles

- Ginny Lewis, Director
Telephone: (775) 684-4549
- Dana Mathiesen, Deputy Director
Telephone: (775) 684-4549
- Martha Barnes, Administrator
Central Services and Records Division
Telephone: (775) 684-4368
- Russ Benzler, Administrator
Compliance Enforcement Division
Telephone: (775) 684-4790
- Dennis Colling, Chief
Administrative Services Division
Telephone: (775) 684-4533
- Clay Thomas, Administrator
Field Services
Telephone: (775) 684-4717

Department of Transportation

- Tom Stephens, Director
Telephone: (775) 888-7440
- Jeff Fontaine, Deputy Director
Telephone: (775) 888-7440

Regional Transportation Commissions

- Clark County RTC
Jacob Snow, General Manager
Telephone: (702) 455-4481
- Washoe County RTC
Greg Krause, Director
Telephone: (775) 348-0400

INTEREST GROUPS

- Nevada Association of Counties
Robert S. Hadfield, Executive Director
Telephone: (775) 883-7863

- Nevada League of Cities and Municipalities
Nancy Howard, Assistant Director
Mary Henderson, Legislative Contact
Telephone: (775) 882-2121

- Nevada Motor Transport Association
Daryl Capurro, Managing Director
Telephone: (775) 673-6111

- Nevada Petroleum Marketers
Peter Krueger
Telephone: (775) 348-1888

- Nevada Taxpayers Association
Carole Vilardo, President
Telephone: (775) 882-2697

- Nevada Franchise Autodealers Association
Wayne A. Frediani, Executive Director
Telephone: (775) 331-6884