

# MASS TRANSIT



*Bulletin No. 83-6*

LEGISLATIVE COMMISSION  
OF THE  
LEGISLATIVE COUNSEL BUREAU  
STATE OF NEVADA

*December 1982*



M A S S T R A N S I T



BULLETIN NO. 83-6

LEGISLATIVE COMMISSION  
OF THE  
LEGISLATIVE COUNSEL BUREAU  
STATE OF NEVADA

DECEMBER 1982



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SENATE CONCURRENT RESOLUTION—Directing the legislative commission to study mass transit for cities and means of funding.

WHEREAS, The continuing growth in population of the cities of Nevada combined with the increasing need to conserve fuel has made more urgent the need to plan for improved systems of mass transit; and

WHEREAS, Efficient systems of mass transit would decrease air pollution and traffic congestion in the populous areas of this state; now, therefore, be it

*Resolved by the Senate of the State of Nevada, the Assembly concurring,* That the legislative commission is hereby directed to study the problem of mass transit for cities in Nevada; and be it further

*Resolved,* That the study include an examination of:

1. The particular needs of the various cities and other urban areas;
  2. The type of system best suited for each of these areas; and
  3. The various alternatives which may be available for obtaining money to finance the development and operation of the systems;
- and be it further

*Resolved,* That the legislative members who are appointed to perform this study must be selected from the members of the standing committees on taxation and transportation of the senate and assembly in the 61st session of the legislature; and be it further

*Resolved,* That the results of the study and any recommendations for legislation be reported to the 62d session of the legislature.





## REPORT OF THE LEGISLATIVE COMMISSION

TO THE MEMBERS OF THE 62ND SESSION OF THE NEVADA LEGISLATURE:

This report is submitted in compliance with Senate Concurrent Resolution No. 70 of the 61st session which directed the legislative commission to study and make recommendations on the subject of mass transit for cities and means of funding. Appointed by the legislation commission to conduct the study were:

Assemblyman James W. Schofield, Chairman  
Assemblyman Robert E. Price, Vice Chairman  
Senator Keith Ashworth  
Senator James H. Bilbray  
Senator Virgil M. Getto  
Assemblyman Patty D. Cafferata  
Assemblyman Robert F. Rusk  
Assemblyman Janson F. Stewart

In this report the subcommittee has attempted to present its findings and recommendations briefly and concisely. A great deal of data was gathered in the course of the study, the focus of which was the problem of escalating costs of and diminishing revenue sources for public mass transit in Nevada's cities. Much of the data was provided in the form of exhibits that became part of the minutes of the subcommittee. This information is on file in the research library of the legislative counsel bureau and is readily available to any member.

This report is transmitted to the members of the 1983 legislature for its consideration and appropriate action.

Respectfully submitted,

Legislative Commission  
Legislative Counsel Bureau  
State of Nevada

Carson City, Nevada  
December 1982

## LEGISLATIVE COMMISSION

Assemblyman Robert R. Barengo, Chairman  
Assemblyman Joseph E. Dini, Jr., Vice Chairman

Senator Keith Ashworth	Assemblyman Mike Malone
Senator Richard E. Blakemore	Assemblyman Paul W. May, Jr.
Senator Jean E. Ford	Assemblyman Kenneth K.
Senator Virgil M. Getto	Redelsperger
Senator Lawrence E. Jacobsen	Assemblyman Robert F. Rusk
Senator James N. Kosinski	

## SUMMARY OF RECOMMENDATIONS

1. Authorize the expenditure of money in the taxicab authority fund to subsidize transportation for the elderly. (BDR 58-13)
2. (a) Remove legal impediments to sharing rides to places of employment and school. (BDR 43-11)  
  
(b) Limit liability for organizations and/or programs which provide volunteer transportation. (BDR 43-11)
3. Repeal unnecessary section of Nevada Revised Statutes (NRS) regarding the authority of regional transportation commission. (BDR 32-483)
4. Authorize boards of trustees to permit use of school buses for general transportation. (BDR 34-12)
5. Urge the transportation committees of the 1983 legislature to address the possibility of placing the authority to regulate small buses under an agency other than the public service commission (PSC).
6. Urge the board of commissioners of Clark County to place an ordinance imposing a 1/4 percent sales tax for public mass transportation before the voters of Clark County. (BDR 482)
7. Encourage Clark County voters to pass the 1/4 percent sales tax for mass transportation as has occurred in Washoe County.



REPORT TO THE LEGISLATIVE COMMISSION FROM THE SUBCOMMITTEE  
TO STUDY MASS TRANSIT FOR CITIES AND MEANS OF FUNDING

I. INTRODUCTION

The 1981 Nevada legislature adopted S.C.R. 70 which directed the legislative commission to study mass transit for cities and means of funding. The commission was to include in the study an examination of particular needs, type of system best suited to a particular area, and alternatives to finance development and operation of public mass transportation systems.

To carry out the study assignment, the legislative commission appointed a subcommittee composed of the following legislators:

Assemblyman James W. Schofield, Chairman  
Assemblyman Robert E. Price, Vice Chairman  
Senator Keith Ashworth  
Senator James H. Bilbray  
Senator Virgil M. Getto  
Assemblyman Patty D. Cafferata  
Assemblyman Robert F. Rusk  
Assemblyman Janson F. Stewart

The subcommittee held six meetings. Three were in Las Vegas, one in Reno, and two in Carson City. The Reno meeting included a demonstration of equipment recently purchased by the Washoe County Regional Transportation Commission.

The first three meetings, in Las Vegas, Reno, and Carson City respectively, were devoted primarily to acquiring background information about the status of public mass transit service and financing in Clark and Washoe counties and Carson City. The subcommittee was particularly interested in finding out about unmet needs. Subsequent meetings in Las Vegas and Carson City were devoted to reviewing the problems pointed out during hearings and developing precise legislative recommendations.

Testimony was received from a wide variety of sources. Hearing participants included interested citizens, private and public operators of mass transit systems, state and local transportation agency officials, and representatives of the transportation needs of the elderly and handicapped.

The subcommittee gratefully acknowledges the assistance of staff: Samuel F. Hohmann, senior research analyst, Kimberly A. Morgan, assembly bill drafting adviser, and Lyndl L. Payne, research secretary.

## II. NEED

The need for public transit was expressed by various sectors of the public at all of the hearings held by the subcommittee. The sectors included commuters routinely using transit for trips to and from work, school, shopping and so on. Special groups requiring transportation include the elderly and handicapped persons, not only for purposes similar to those of the general public, but also for medical and nutritional services.

One stimulus for the use of public transit is clearly economics. Rising fuel costs and energy shortages have caused public transportation to emerge as an alternative to the automobile.<sup>1</sup>

The need for public transit also encompasses environmental quality. Both Clark and Washoe counties have a growing concern over deteriorating air quality which is contributed to significantly by motor vehicle engine emissions. Furthermore, the commercial sector experiences losses in time due to increasing traffic congestion.

The state department of transportation (NDOT) continues to consider the gamut of transportation needs in its planning activities. Although the focus of transportation investment in Nevada has been on roadbuilding programs, the state is beginning to deemphasize new highway construction and invest heavily in preserving the existing system. Its comprehensive approach to the entire transportation system will include reevaluation of the ways in which services are provided, their costs and the relationship to federal, state and local governments.

### A. CLARK COUNTY

The need for public transit in Clark County is based on several factors. Population growth in the past 5 years is one of the greatest pressures on existing service. The disperse nature of growth has also led to the need for expanded service. A third complicating factor is the lack of a central business district in Las Vegas.

There are nine routes in the area. The strip route is the moneymaking route with two other routes that break even and six routes that do not. The Clark County regional transportation commission (RTC) short-range transit plan would expand the nine routes to 20 routes over a 5-year period.<sup>2</sup> The RTC would also like to increase the 27-bus fleet and have registered fareboxes in order to monitor the system more accurately.<sup>3</sup>

According to the current system's private operator, transit must fit a particular community's needs. Communities have plans but no money to implement them. For example, areas that need the service most in the south are Henderson, East Las Vegas and North Las Vegas, and these communities have the lowest tax base in which to support a system. In addition, the Las Vegas community would be doing well to have 5 to 6 percent of the community's population using mass transit. Part of the reason for the low ridership in any community is the image problem with riding a bus.<sup>4</sup>

With regard to elderly and handicapped persons in Clark County, portal-to-portal transportation is being provided with Urban Mass Transportation Administration (UMTA) funds. Between July 1, 1980, and June 30, 1981, there were 130,105 rides provided by the Economic Opportunity Board of Clark County. About 60 percent of these were for elderly persons and 40 percent for handicapped persons. Nearly 9,000 more trips were provided to non-ambulatory persons. The purposes included medical, employment, nutrition, social/recreational, education, and shopping/personal, with 75 percent of these in the first three categories.

Factors which cause seniors to lose the ability to transport themselves have been identified.<sup>5</sup> Among them are the financial cost of maintaining and operating a car, loss of a spouse who was the driver, and physical limitations such as poor eyesight, arthritis, or other health problems.

#### B. WASHOE COUNTY

The needs for public transportation in Washoe County parallel those of Clark County. The public transit system, Citifare, operated by the Regional Transportation Commission of Washoe County (RTC) has been in existence since mid-September 1978. Prior to the RTC's taking over the Washoe County system, daily ridership had decreased from

1,800 riders per day in the spring of 1976 to an estimated 600 in early September 1978. In fiscal year 1980-81, Citifare operated eight bus routes over 121.4 total route miles.<sup>6</sup> Records show that there were 932,461 annual passengers, with ridership increasing 21 percent from January through June 1981. Major system routes were operating at 150 percent capacity which meant that people were standing in the aisles during a major portion of the operating day. In 1982, the RTC anticipates that ridership will reach 1.6 million persons.

A 1981 rider profile showed that 18 percent of the people using Citifare used commuter cards while 14 percent were elderly and handicapped and 6 percent were students. Sponsored rides (coupon programs) constituted 2 percent of the ridership and 9 percent involved transfers.

Elderport Services, Inc. is a private nonprofit corporation providing transportation services to elderly and handicapped citizens of Washoe County, primarily on a subscription basis. Most of Elderport's clients are women, 70 years of age or older, who are in extremely poor health and whose disabilities or ailments cover a wide range. The cost of institutionalization is high, and loss of independence presents serious problems with senior citizens. Between January 1, 1981, and June 30, 1981, Elderport provided about 37,000 trips to elderly, handicapped, and nonambulatory persons. More than 80 percent were for the elderly and less than 2 percent were for nonambulatory persons.

There is also a need to develop a short-term charter service in public transportation, according to RTC personnel. Although requests for special charter service, which would take advantage of equipment designed for elderly and handicapped persons, have been received by the RTC, state law restricts the RTC to operating on regularly scheduled routes only.

The RTC also operates a rideshare program designed to offer car and van pool assistance and transit referral to employees in both the private and public sector who commute to work in the Truckee Meadows area.<sup>7</sup> The primary goals of the program are the reduction of fuel consumption, air pollutants, traffic congestion, wear and tear on streets and highways, user transportation costs, noise levels, parking needs, and the need for construction of transportation facilities. In the



Reno area, the primary thrust is to reduce commute travel into the city business district to which it is estimated that some 19,000 work trip ends occur each day.

#### C. CARSON CITY AND THE BALANCE OF THE STATE

Carson City has three types of mass transit operations. These are the Ormsby Association for Retarded Citizens, the Carson City Senior Citizens Center, and the Retired Senior Volunteer Program. Between January 1, 1981, and June 30, 1981, approximately 3,400 passengers were transported in these programs. About 75 percent of them traveled for medical, employment, or shopping/personal reasons.

There is, however, no mass transportation in Carson City for the general populace. A number of factors have contributed to Carson City's not having a general public transit system.<sup>8</sup> Difficulty in crossing streets, weather, traffic congestion, and long distances have led to the low number of people not driving automobiles. Car pool programs have failed for lack of central organization. The car pools have been inconvenient, had longer travel times, had incompatible riders, and had inflexible schedules. Public transportation would, however, result in less pollution, less traffic congestion, fewer accidents, and less energy consumed.

In Carson City's short-range transit study completed in November 1979,<sup>9</sup> total daily trips along various corridors and trip origins or destinations in general areas were tabulated. The results of the study indicated where a transit system would serve the most riders and what general ridership level would be expected. Maximum ridership would be expected on a transit system operating along the main street (Carson Street) and Highway 50 to the east as far as New Empire. In addition, there are many potential riders to the Reno, Tahoe and Minden areas. Although the study estimated that less than 7 percent of the total population would use mass transportation, growth projected in 1979 would have led to transportation needs of 1,500 people working in Carson City's industrial area.

The transportation needs in the balance of the state are for the most part special needs of elderly and handicapped persons. The aging services division of the department of human resources coordinates the operation of 25 to 35

vehicles for transportation of elderly and handicapped persons outside of Washoe and Clark counties. Excluding Carson City as well, between January 1, 1981, and June 30, 1981, there were almost 30,000 elderly passengers and another 4,000 handicapped passengers transported.

There is one transit system outside of Clark and Washoe counties and Carson City under development. That is the transit system being developed under the Tahoe Regional Planning Compact, specifically the Tahoe Transportation District (TTD). Although valuable information was provided to the subcommittee regarding the needs of TTD, the subcommittee has chosen not to include TTD in its findings and recommendations because the subcommittee feels that the proper forum for suggesting changes in the Tahoe compact is before the standing committees of the Nevada legislature under whose jurisdiction the compact falls.

### III. TYPE OF SYSTEM

The existing types of transit systems, and the best types of transit systems for various areas in Nevada, may be the same. A number of alternatives were suggested, including privately owned and operated and publicly owned and operated systems. Specialized transit for elderly and handicapped persons is also provided both privately and as part of government operated programs.

Paratransit systems may contribute a great deal to the total transit service in a community. There are small bus operations and ridesharing.<sup>10</sup> There is also the possibility of extending the use of school buses for nonschool transportation purposes.<sup>11</sup> The viability of these alternatives is not the same for all communities as will be demonstrated in the discussion which follows.

#### A. CLARK COUNTY

The current mass transit system in Las Vegas is a bus line privately owned and operated by the Las Vegas Transit System, Inc. (LVTS). The Clark County RTC's short-range transit plan recommends that it would be less expensive in the short run not to buy out the transit company or become fully public, but to enter into a purchase of service agreement. In spite of this recommendation, there continues

to be dissatisfaction among residents of Clark County with the limited service which LVTS provides.<sup>12</sup> One option is to take the system over as a publicly owned and operated system. The voters, who pay taxes which will support a public system, would be able to decide on the type of management they would like for Clark county mass transit.

A light rail system has been considered among planning ideas on several occasions in the past 10 years, but cost has precluded serious development.<sup>13</sup>

Collateral transit systems are operated for elderly and handicapped persons. One of these is the "senior-ride" program proposed and implemented by the taxicab authority. Through the program, a senior citizen (60 years old and a citizen of the State of Nevada) uses coupons backed by funds generated from interest on the taxicab authority fund to pay for half of the taxicab fare. The taxicab driver turns in the coupon to his company which reimburses him and forwards the coupon to the taxicab authority. The taxicab driver receives one-half of the money on his meter as his salary. The taxicab authority would then give the taxicab company a full dollar value.

The "senior-ride" program began on March 15, 1982. Between then and July 30, 1982, there were a total of 39,000 "senior-ride" coupons used. Since July 1, 1982, approximately 152,000 coupons were sold. Another 95,000 coupons have been used since August 1, 1982.

Administrative costs absorbed by the taxicab authority have amounted to a secretary for 4 hours a day. The cost of printing the coupons came from the "senior-ride" program budget. A 1-year program can be implemented with as little as \$200,000 in government monies. No apparent fraud or abuse of the system has interfered with the operation of the program to date.

Mini-bus services are also a collateral transit option. Small buses can provide feeder systems to main transit lines. One of the problems associated with small bus service, however, is acquiring permission from the public service commission of Nevada (PSC) to operate. The hearing process is expensive and time-consuming, and the PSC is interested in deregulation of small bus operations.<sup>14</sup> One option would be to remove small bus regulation from the

jurisdiction of the PSC and place it under the taxicab authority with the hope that the taxicab authority would be more responsive to the regulated entities.<sup>15</sup>

The services provided by the Clark County Economic Opportunity Board for elderly and handicapped persons are available 5 days per week (no Saturday and Sunday service). There are currently 16 drivers, a reduction of 16 from the previous 32 which had been funded under the Comprehensive Employment Training Administration (CETA) program. The problem with using volunteer drivers is related to difficulties in obtaining insurance coverage.

#### B. WASHOE COUNTY

Washoe County, on the other hand, has a publicly owned and operated city bus transportation system. The RTC of Washoe County has also become involved in several collateral transit programs including ridesharing, discussed in a previous section of this report. The RTC also serves as a clearinghouse between UMTA and Elderport and performs all of its grant administration.

The Nevada department of energy (NDOE) has undertaken several collateral transit programs in recent years. It offered contracts to both northern and southern RTCs to administer rideshare programs. Although ridesharing cannot replace public transit, it is complimentary to transit because it achieves similar results by getting more people into fewer vehicles. Ridesharing is generally most appealing to the working population who reside more than 5 to 10 miles from their work place. The NDOE has promoted the location of park-and-ride staging areas for car pools commuting to outlying areas. These areas can also serve van pools owned and operated by individuals. Exempting ridesharing from a number of state regulations pertaining to motor carriers and commercial vehicles would serve as an incentive to rideshare. Additionally, tax incentives could be offered employers who use vehicles for employee ridesharing or who provide discount transit passes for employees. The whole system can lead to more efficient use of existing roadways, or decreasing demands on the transportation network as opposed to increasing its capacity.

### C. CARSON CITY AND THE BALANCE OF THE STATE

Although Carson City does not have a mass transit system, there are transit services available to elderly and handicapped persons. These services depend, to a great extent, on volunteers and seniors who work for a half or a third of the going rate in order to keep busy.

The use of school buses is also a possibility for the smaller communities in Nevada. There are, of course, deterrents to use of school buses for transportation when not in use by the school district. First, school bus use peaks at the same hours of the day as the needs of the general public. Second, there are insurance factors which may hinder involvement in some districts.

Types of systems available to the balance of the state are being studied by the NDOT with the aid of an UMTA grant. The study will not duplicate ongoing transit planning activities in the metropolitan planning organizations in Clark and Washoe counties, but rather focus on identifying and evaluating the transit needs of the nonorganized areas of the state.

## IV. FINANCING

Financing of public mass transit has become a pressing problem in the face of escalating capital and operational costs and diminishing revenue sources. There is, however, a rationale for funding public transit systems. As pointed out recently,<sup>16</sup> public transit offers personal mobility that healthy economies demand--mobility that the business community relies on heavily to attract much of its labor force. As indicated in this report, thousands of Nevadans depend on transit as the sole means of transportation to get to work, and equally large numbers of consumers rely on transit to travel to downtown retail and entertainment establishments.

The 1981 legislature offered counties another option for funding public mass transit when it adopted A.B. 338 (chapter 683) which allows counties to adopt ordinances levying a 1/4 percent sales tax, contingent upon voter approval. This approach to raising funds for public transit has been tried in Washoe County, and it has been successful. Clark County, on the other hand, has not approached the voters with such a proposal to date.

Numerous other revenue generating proposals were presented to the subcommittee.<sup>17</sup> Among them were imposing an entertainment tax, payroll tax, one-time special registration fee on vehicles registered within the state, occupancy tax, user fees on new and existing parking garages, and excess revenues generated by the vehicle inspection and maintenance program.

#### A. CLARK COUNTY

Revenue requirements to meet the needs of the Clark County RTC 5-year plan could be met by adopting the 1/4 percent sales tax. If approved, the tax would generate between \$6 and \$8 million per year. That revenue would cover operating deficits, allow expansion of routes to new areas, and provide for increasing the number of buses.

The Las Vegas Transit System continues to operate at a profit, although very small, with capital subsidies for new buses. The company fell short \$4,000 of becoming a \$3 million transit system in the last fiscal year. The company has prepared another rate increase application for the PSC and expects fares to reach \$1 within a 12-month period. To improve service by adding a new route, it would cost \$60,000 per driver per year.

Collateral transit services have associated costs as well. The "senior-ride" program is an example of being able to subsidize transportation for the elderly at a low cost to taxpayers. Similarly, volunteerism in other elderly and handicapped transportation programs have kept their financial needs low relative to the service provided.

Statewide, transportation programs for the elderly and handicapped cost \$584,870. This is approximately equal to the cost that the public pays for 30 nursing home residents. By providing the minimal services that people need to remain in their homes, a substantial savings can be realized. The State of Florida found that in 1 year it saved \$9.5 million by providing these minimal services.<sup>18</sup> There are approximately 500 homebound meals delivered within the State of Nevada (150 in Reno). If the 150 people in Reno were confined to nursing homes, it could cost the public \$2,880,000 or \$19,000 for each person per year.

The Economic Opportunity Board elderly transportation program is operated in the following way. A round trip ride is \$1.50. As of February 1, 1982, persons who are not covered by contract, and who require service within a 5-mile radius, are asked to pay \$1.50 for a round trip. Outside the 5-mile radius, the rate is \$3. The rates from Boulder City and Henderson are \$5 and \$4, respectively. Persons who are covered by contract do not pay individually.

#### B. WASHOE COUNTY

Washoe County voters approved the referendum calling for a 1/4 percent sales tax increase for public transit on September 14, 1982, with a 70 percent "yes" vote. The tax was implemented on November 1, 1982, and will generate \$4.5 million in the first year of implementation. The funds generated will provide financial support for Citifare and operating assistance for Elderport Services. Excluding capital costs, 80 percent of which are paid for by federal subsidies, Citifare collects 55 to 60 percent of its operating expenses in fareboxes. The newly imposed sales tax for transit will cover the balance of costs annually for the next 7 to 10 years, according to the current 5-year plan.

#### C. CARSON CITY AND THE BALANCE OF THE STATE

The estimated cost in 1979 for a fixed route public transit system was \$479,000.<sup>19</sup> Several other types of systems were considered, including subsidized taxis, dial-a-ride, and route deviation. The service desired and cost-effectiveness did not match up.

Carson City attempted to increase sales tax on fuel for local mass transportation projects in 1980 when the question was placed on the ballot. The voters defeated the measure by a margin of 2 to 1.

As indicated previously in the report, balance of the state programs are currently under the supervision of the Nevada department of transportation.

## V. FINDINGS AND RECOMMENDATIONS

1. Authorize the expenditure of money in the taxicab authority fund to subsidize transportation for the elderly. (BDR 58-13)

Current state law requires a technical amendment to allow the program to operate properly. As was demonstrated in the summary of the operation of the experimental program, a considerable amount of transportation service, at a nominal cost, can be provided to the elderly in this way.

2. a. Remove legal impediments to sharing rides. (BDR 43-11)

Ridesharing can have many positive effects on the environment while providing economic benefits. Removing legal impediments to ridesharing will allow citizens of Nevada to take full advantage of all of its benefits.

- b. Limit liability for organizations and/or programs which provide volunteer transportation. (BDR 43-11)

Volunteer drivers can help keep costs of transportation services for elderly and handicapped persons low enough to continue to provide those services. The question of liability, however, has prevented many programs from using volunteers because insurers will not permit it.

3. Repeal unnecessary sections of NRS regarding the authority of regional transportation commissions. (BDR 32-483)

Cross references in NRS 373.115 may be unnecessary in light of the provisions in NRS 377A.

4. Authorize boards of trustees to permit the use of school buses for general transportation. (BDR 34-12)

Although use of school buses may not serve the transportation needs of many communities, there may be cases when a school board and a community could mutually benefit from allowing use of school buses for general transportation. Because such use is currently not allowed, the statute should be made permissive to allow school boards this flexibility.



5. Urge the transportation committees of the 1983 legislature to address the possibility of placing the authority to regulate small buses under an agency other than the public service commission.

Regulation of small bus services is not satisfactorily managed by the PSC.

6. Urge the board of commissioners of Clark County to place an ordinance imposing a 1/4 percent sales tax for public mass transportation before the voters of Clark County. (BDR 482)

An adequate source of revenue to subsidize the activities proposed in the Clark County RTC 5-year plan is the 1/4 percent sales tax for transit. This source should be sought as soon as possible.

7. Encourage Clark County voters to pass the 1/4 percent sales tax for mass transportation as has occurred in Washoe County.

To get expanded and upgraded service, revenue must be raised in Clark County. The voters have the option of approving a 1/4 percent sales tax, and they should approve it if service improvements are desired.

## VI. FOOTNOTES

1. See "Transportation and Energy," The Energy Consumer, September 1980, published by the U.S. Department of Energy Office of Consumer Affairs, Washington, D.C.
2. Clark County Transportation Study Policy Committee, Short Range Transit Plan, Clark County, Nevada 1981 Update, Executive Summary, Clark County Transportation Study Policy Committee, Las Vegas, Nevada, July 1981, p. 6.
3. Ibid, p. 8.
4. See, for example, Pucher, Hendrickson, and McNeil, "Socioeconomic Characteristics of Transit Riders: Some Recent Evidence," Traffic Quarterly 35 (3), July 1981, pp. 461-483.
5. Letter submitted to subcommittee from Robert Light, Director, Senior Citizens Center, Las Vegas, Nevada, dated October 23, 1981.
6. Fact Sheet, Citifare, Reno, Nevada, November 1981.
7. Regional Transportation Commission of Washoe County, Pooling is Profitable, RTC RideShare Program, Reno, Nevada, undated.
8. Carson City Short Range Transit Study, Final Report, prepared for Carson City by the Nevada Department of Transportation, November 1979, p. 20.
9. Ibid, p. 21.
10. U.S. Department of Transportation, Para-Transit: Neglected Options for Urban Mobility, The Urban Institute, Washington, D.C., 1974.
11. Public Technology, Inc., School Bus Use for Non-School Transportation, U.S. Department of Transportation, Washington, D.C., September 1980.

12. Numerous articles regarding service dissatisfaction have appeared in Las Vegas newspapers in the last 2 years. See, for example, Ken Bouton, "Public Taken for Ride by Transit Company," The Valley Times, January 19, 1982, Section A, p. 11, and Bob Palm, "Pressure on for Better Bus Service," Las Vegas Sun, April 9, 1982, p. 13.
13. James McDaniel, An Architectural Evaluation of Competing PRT Systems for Las Vegas, Aerial Transit Systems of Nevada, Inc., Las Vegas, Nevada, February 1974.
14. Chris Woodyard, "State PSC Considers Plan to Deregulate Buses, Limo, Trucks," Las Vegas Sun, September 6, 1982.
15. Assembly Bill 337 introduced in the 1981 session of the Nevada legislature would have provided such a regulatory scheme.
16. "Infrastructure: Underpins Economy," Passenger Transport 40 (46), November 12, 1982, pp. 1, 8.
17. See, for example, Institute of Public Information, Financing Transit: Alternatives for Local Government, U.S. Department of Transportation, Washington, D.C., July 1979.
18. "Health Costs: Solving the Age-Old Problem," Money, January 1982, pp. 70-72, 74, 76, 78.
19. Op cit., Carson City Short Range Transit Study, p. 63.

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APPENDIX A

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Suggested Legislation:

BDR 32-483 - Repeals superfluous section regarding authority of regional transportation commissions.....	30
BDR 34-12 - Authorizes boards of trustees to permit use of school buses for general transportation.....	31
BDR 43-11 - Removes certain legal impediments to sharing certain rides.....	33
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BDR 482 - Urges board of county commissioners of Clark County to place ordinance imposing tax for public mass transportation before voters of Clark County.....	45



SUMMARY--Repeals superfluous section regarding authority of regional transportation commissions. (BDR 32-483)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

AN ACT relating to regional transportation commissions; repealing superfluous section regarding the commissions' authority; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND  
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 373.115 is hereby repealed.



SUMMARY--Authorizes boards of trustees to permit use of school buses for general transportation. (BDR 34-12)  
Fiscal Note: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

AN ACT relating to school buses; authorizing boards of trustees to permit the use of school buses for general transportation; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND  
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 392 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The board of trustees of a school district may permit school buses or other vehicles belonging to the school district to be used for the transportation of the general public. Such a use must not interfere with the use of the buses and vehicles for school purposes.

2. The board of trustees shall adopt regulations governing the use of school buses and other vehicles for general transportation and the reimbursement of the school district by the user.

Sec. 2. NRS 392.360 is hereby amended to read as follows:

392.360 1. [A] In addition to the uses permitted in NRS 392.-300, 392.370 and section 1 of this act, a board of trustees of a school district [shall have the power to] may permit school buses

or vehicles belonging to the school district to be used for the transportation of public school pupils to and from:

- (a) Interscholastic contests; [or]
- (b) School festivals; or
- (c) Other activities properly a part of a school program.

2. The use of school buses or vehicles belonging to the school district for the purposes enumerated in subsection 1 [shall] must be governed by [rules and] regulations made by the board of trustees . [, which rules and regulations shall] These regulations must not conflict with regulations of the state board of education. [Proper supervision for each vehicle so used shall be furnished by school authorities,] School authorities shall furnish proper supervision for each vehicle while it is so used and each vehicle [shall] must be operated by a driver [qualified under the provisions of NRS 392.300 to 392.410, inclusive.] who meets the qualifications prescribed in NRS 392.380.

SUMMARY--Removes certain legal impediments to sharing certain rides.  
(BDR 43-11)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: No.

AN ACT relating to motor vehicles; creating immunity from liability for certain persons in connection with certain transportation; prohibiting cities and counties from licensing and taxing the provision of transportation under certain circumstances; authorizing the use of public vehicles in the transportation of persons to their places of employment; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND  
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 483.265 is hereby amended to read as follows:

483.265 1. The department shall not license a person under the age of 18 years to drive a motor vehicle when in use as a school bus transporting children or when in use for the transporting of persons for compensation unless he has had at least 1 year of licensed driving experience exclusive of experience gained while driving a motorcycle or power cycle.

2. In addition to the requirement of subsection 1, the department shall not license a person under the age of 18 years to drive a motor vehicle when in use as a school bus transporting children unless:

(a) Such person is over the age of 17 years; and

(b) The board of trustees of the school district in which the school bus is to be driven recommends the licensing of such person.

3. For the purposes of this section, "transporting of persons for

compensation" does not include transporting a person to and from his place of employment when that transportation is incidental to another purpose of the driver, such as going to or from his own place of employment.

Sec. 2. Chapter 41 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The transportation of a person:

1. To or from his educational institution or place of employment pursuant to an agreement between the passenger or his parent and the owner or driver to:

(a) Share the expense of that transportation;

(b) Rotate the use of their vehicles; or

(c) Share expenses and rotate the use of their vehicles; or

2. As a part of a program for the transportation of persons which is sponsored by a nonprofit organization in which the drivers are not compensated,

shall be deemed gratuitous transportation for the purpose of determining civil liability. The owner or driver of the motor vehicle is not liable for the death or injury of a passenger during that transportation if the owner or driver exercised ordinary care.

Sec. 3. NRS 204.080 is hereby amended to read as follows:

204.080 1. [It shall be] Except as provided in NRS 334.010, it is unlawful for any [individual, individuals or groups of individuals,] person, whether an employee [or employees] of the State of Nevada or not, to use any automobile, truck or other [means of mechanical conveyance,] motor vehicle, which is the property of the State of Nevada, for [their] his own private use.



2. The executive officer of any state office, agency, department [,] or commission [or institution] to which [such auto, truck or other means of mechanical conveyance] the unlawfully used vehicle is assigned [,] and the operator of [such equipment, shall be] the vehicle are jointly and severally responsible to the state for the unauthorized use of [such equipment while so assigned, used or operated.] the vehicle.

3. A violation of any provision of this section by any person other than an officer or employee of the State of Nevada is a misdemeanor.

4. A violation of any provision of this section by an officer or employee of the State of Nevada [shall constitute] constitutes malfeasance in office.

Sec. 4. Chapter 244 of NRS is hereby amended by adding thereto a new section which shall read as follows:

A county shall not:

1. Require a business license; or

2. Collect a license tax,

for the transportation of persons to or from their place of employment in a motor vehicle with a seating capacity for not more than 15 persons, including the driver, where that transportation is incidental to another purpose of the driver, such as going to or from his place of employment.

Sec. 5. NRS 244.296 is hereby amended to read as follows:

244.296 1. The board of county commissioners of each county shall establish guidelines for the use of [automobiles and other] motor vehicles owned by [such] the county. The guidelines may enumerate

conditions governing the official use of [such] those vehicles by officers and employees of the county and may impose restrictions on other uses.

2. A board of county commissioners may permit the motor vehicles owned by the county to be used to transport persons to and from their places of employment. The board shall charge and collect from the persons so transported the actual cost of the transportation.

Sec. 6. Chapter 268 of NRS is hereby amended by adding thereto the provisions set forth as sections 7 and 8 of this act.

Sec. 7. A city council shall not:

1. Require a business license; or

2. Collect a license tax,

for the transportation of persons to or from their place of employment in a motor vehicle with a seating capacity for not more than 15 persons, including the driver, where that transportation is incidental to another purpose of the driver, such as going to or from his place of employment.

Sec. 8. A city council may permit the motor vehicles which are owned or operated by the city to be used to transport persons to and from their places of employment. The city council shall charge and collect from the persons so transported the actual cost of the transportation.

Sec. 9. NRS 334.010 is hereby amended to read as follows:

334.010 1. No automobile may be purchased by any department, office, bureau, official or employee of the state without prior written consent of the state board of examiners.

2. [All such automobiles] Except as provided in subsection 4, all automobiles owned by the state may be used for official purposes only.

3. All such automobiles, except:

(a) Automobiles maintained for and used by the governor;

(b) Automobiles used by or under the authority and direction of the chief parole and probation officer, the state contractors' board and auditors, the state fire marshal, the investigation division of the department of motor vehicles and investigators of the state gaming control board and the attorney general;

(c) One automobile used by the department of prisons;

(d) Two automobiles used by the Nevada girls training center;

(e) Three automobiles used by the Nevada youth training center; and

(f) Four automobiles used by the youth parole bureau of the youth services division of the department of human resources, must be labeled by painting the words "State of Nevada" and "For Official Use Only" thereon in plain lettering. The director of the department of general services or his representative shall prescribe the size and location of the label for all such automobiles.

4. The governor may permit automobiles and any other motor vehicles which are owned or operated by the state to be used to transport persons to and from their places of employment. The department of general services shall charge and collect from persons so transported the actual cost of the transportation.

5. Any officer or employee of the State of Nevada who violates any provision of this section is guilty of a misdemeanor.

Sec. 10. Chapter 392 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The board of trustees of a school district may permit school buses or vehicles belonging to the school district to be used for the transportation of the general public. Such a use must not interfere with the use of the buses and vehicles for school purposes.

2. The board of trustees shall adopt regulations governing the use of school buses and vehicles for general transportation and the reimbursement of the school district by the user.

Sec. 11. NRS 392.360 is hereby amended to read as follows:

392.360 1. [A] In addition to the uses permitted in NRS 392.300, 392.370 and section 10 of this act, a board of trustees of a school district [shall have the power to] may permit school buses or vehicles belonging to the school district to be used for the transportation of public school pupils to and from:

(a) Interscholastic contests; [or]

(b) School festivals; or

(c) Other activities properly a part of a school program.

2. The use of school buses or vehicles belonging to the school district for the purposes enumerated in subsection 1 [shall] must be governed by [rules and] regulations made by the board of trustees . [, which rules and regulations shall] These regulations must not conflict with regulations of the state board of education. [Proper supervision for each vehicle so used shall be furnished by school authorities,] School authorities shall furnish proper supervision for each vehicle while it is so used and each vehicle [shall] must be operated by a

driver [qualified under the provisions of NRS 392.300 to 392.410, inclusive.] who meets the qualifications prescribed in NRS 392.380.

Sec. 12. Chapter 608 of NRS is hereby amended by adding thereto a new section which shall read as follows:

An employer's participation in a program to urge his employees to share rides to and from their place of employment does not qualify the time spent by an employee in that travel as time for which wages must be paid.

Sec. 13. NRS 616.270 is hereby amended to read as follows:

616.270 1. Every employer within the provisions of this chapter, and those employers who [shall] accept the terms of this chapter and [be] are governed by its provisions, as provided in this chapter , [provided,] shall provide and secure compensation according to the terms, conditions and provisions of this chapter for any and all personal injuries by accident sustained by an employee arising out of and in the course of the employment.

2. Travel for which an employee receives wages shall, for the purposes of this chapter, be deemed in the course of employment. The transportation of an employee to and from his place of employment is not in the course of his employment unless the employer owns, leases or contracts for the motor vehicles used in that transportation.

3. In such cases the employer [shall be] is relieved from other liability for recovery of damages or other compensation for such personal injury, unless by the terms of this chapter otherwise provided.

Sec. 14. NRS 706.036 is hereby amended to read as follows:

706.036 1. "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, a common motor carrier of property, and a taxicab motor carrier.

2. "Common motor carrier" does not include a person who transports a passenger to or from his place of employment when that transportation is incidental to another purpose of the driver, such as going to or from his own place of employment.

Sec. 15. NRS 706.041 is hereby amended to read as follows:

706.041 1. "Common motor carrier of passengers" means any person or operator, including 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.

2. "Common motor carrier of passengers" does not include a person who transports a passenger to or from his place of employment when that transportation is incidental to another purpose of the driver, such as going to or from his own place of employment.

Sec. 16. NRS 706.051 is hereby amended to read as follows:

706.051 1. "Contract motor carrier" means any person or operator engaged in transportation by motor vehicle of passengers or property for compensation under continuing contracts with one person or a limited number of persons:

[1.] (a) For the furnishing of transportation services through the assignment of motor vehicles for a continuing period of time to the exclusive use of each person served;

[2.] (b) For the furnishing of transportation services designed to meet the distinct need of each individual customer; and

[3.] (c) Not operating as a common carrier of passengers or property.

2. "Contract motor carrier" does not include a person who transports a passenger to or from his place of employment when that transportation is incidental to another purpose of the driver, such as going to or from his own place of employment.

Sec. 17. NRS 706.126 is hereby amended to read as follows:

706.126 1. "Taxicab motor carrier" means any person who operates a vehicle or vehicles which do not operate over a fixed route and are designated or constructed to accommodate and transport not more than six passengers, including the driver, and:

(a) Fitted with taximeters or having some other device, method or system to indicate and determine the passenger fare charged for distance traveled;

(b) Used in the transportation of passengers or light express or both for which a charge or fee is received; or

(c) Operated in any service which is held out to the public as being available for the transportation of passengers from place to place in the State of Nevada.

2. "Taxicab motor carrier" does not include:

(a) Any common motor carrier of passengers.

(b) Any contract motor carrier conducting operations along fixed routes.

(c) Any employer operating a vehicle for the transportation of his employees, whether or not the employees pay for the transportation.

(d) Any person who transports a passenger to or from his place of employment when that transportation is incidental to another purpose of the driver, such as going to or from his own place of employment.



SUMMARY--Authorizes expenditure of money in taxicab authority fund to subsidize transportation for elderly. (BDR 58-13)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to taxicabs; authorizing the use of money in the taxicab authority fund to subsidize transportation for the elderly under certain circumstances; authorizing expenditures therefor by the taxicab authority for the fiscal years beginning July 1, 1983, and July 1, 1984; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND  
ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 706.8825 is hereby amended to read as follows:

706.8825 1. All fees collected pursuant to NRS 706.881 to 706.885, inclusive, must be deposited with the state treasurer to the credit of the taxicab authority fund, which is hereby created as a special revenue fund. The transactions for each county subject to those sections must be accounted for separately within the fund.

2. The revenues received pursuant to subsection 1 of NRS 706.8826 are hereby appropriated for the purpose of defraying the cost of regulating taxicabs in the county or the city, respectively, making the deposit under that subsection.

3. The fees received pursuant to NRS 706.8827, 706.8841, 706.8848 to 706.885, inclusive, and subsection 3 of NRS 706.8826 are hereby appropriated for the purpose of defraying the cost of regulating taxicabs in the county in which the certificate holder operates a taxicab business.

4. Any balance remaining in the fund does not revert to the state general fund . [, but any] Any balance over \$100,000 remaining in the fund which is attributable to a county must be used to refund certificate holders of the county a pro rata portion of the \$100 paid pursuant to NRS 706.8826, not to exceed \$95. If after refunding the maximum amount allowed a balance over \$100,000 still remains, the administrator may use that balance and any interest earned on the fund, within the limits of legislative authorization for each fiscal year, to subsidize transportation for the elderly.

5. The administrator may establish a petty cash account not to exceed \$100 for the support of undercover investigation and if the account is created the administrator shall reimburse the account from the taxicab authority fund in the same manner as other claims against the state are paid.

Sec 2. There are hereby authorized for expenditure by the taxicab authority for the fiscal years beginning July 1, 1983, and ending June 30, 1984, and beginning July 1, 1984, and ending June 30, 1985, the following sums not appropriated from the state general fund or the state highway fund:

For the fiscal year 1983-84.....	\$70,000
For the fiscal year 1984-85.....	70,000.

SUMMARY--Urges board of county commissioners of Clark County to place ordinance imposing tax for public mass transportation before voters of Clark County. (BDR 482)

CONCURRENT RESOLUTION--Urging the board of county commissioners of Clark County to place its ordinance which imposes a tax for public mass transportation before the voters of Clark County.

WHEREAS, There are numerous reasons for the establishment and continuation of adequate systems for mass transit; and

WHEREAS, The existing system of mass transit in Clark County does not adequately serve the people in that county; and

WHEREAS, The legislature through its enactment of chapter 377A of NRS provided a means for collecting additional revenue for the local support of mass transit; and

WHEREAS, To collect that necessary additional revenue action is required by the board of county commissioners of Clark County; now, therefore, be it

RESOLVED BY THE                      OF THE STATE OF NEVADA, THE                      CON-  
CURRING, That the legislature hereby urges the board of county commissioners to take all necessary steps to place an ordinance which imposes a tax for public mass transportation before the voters of Clark County for their approval; and be it further

RESOLVED, That a copy of this resolution be immediately transmitted by the legislative counsel to the board of county commissioners for Clark County.