

ASSEMBLY BILL NO. 553—ASSEMBLYMAN PARKS

MARCH 15, 1999

Referred to Committee on Transportation

SUMMARY—Authorizes governing bodies of certain governmental entities to use expedited process for executing certain written agreements relating to certain highway projects in certain circumstances. (BDR 32-1572)

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

~

EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to transportation; authorizing the governing bodies of certain governmental entities to create and use an expedited process for executing certain written agreements relating to certain highway projects in certain circumstances; 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 373.140 is hereby amended to read as follows:
2 373.140 1. After the enactment of an ordinance as authorized in NRS
3 373.030, all street and highway construction, surfacing or resurfacing
4 projects in the county which are proposed to be financed from the county
5 motor vehicle fuel tax must first be submitted to the regional transportation
6 commission.
7 2. Where the project is within the area covered by a regional plan for
8 transportation established pursuant to NRS 373.1161, the commission shall
9 evaluate it in terms of:
10 (a) The priorities established by the plan;
11 (b) The relation of the proposed work to other projects already
12 constructed or authorized;
13 (c) The relative need for the project in comparison with others
14 proposed; and
15 (d) The money available.
16 If the commission approves the project, the board may authorize the
17 project, using all or any part of the proceeds of the county motor vehicle

1 fuel tax authorized by this chapter, except to the extent any such use is
2 prevented by the provisions for direct distribution required by NRS
3 373.150 or is prevented by any pledge to secure the payment of outstanding
4 bonds, other securities or other obligations incurred hereunder, and other
5 contractual limitations appertaining to such obligations as authorized by
6 NRS 373.160, and the proceeds of revenue bonds or other securities issued
7 or to be issued as provided in NRS 373.130. ~~[[4]]~~ *Except as otherwise*
8 *provided in subsection 3, if* the board authorizes the project, the
9 responsibilities for letting construction and other necessary contracts,
10 contract administration, supervision and inspection of work and the
11 performance of other duties related to the acquisition of the project must be
12 specified in written agreements executed by the board and the governing
13 bodies of the cities and towns within the area covered by a regional plan for
14 transportation established pursuant to NRS 373.1161.

15 3. *In a county in which two or more governmental entities are*
16 *represented on the commission, the governing bodies of those*
17 *governmental entities may enter into a written master agreement that*
18 *allows a written agreement described in subsection 2 to be executed by*
19 *only the commission and the governmental entity that receives funding*
20 *for the approved project. The provisions of a written master agreement*
21 *must not be used until the governing body of each governmental entity*
22 *represented on the commission ratifies the written master agreement.*

23 4. Where the project is outside the area covered by a plan, the
24 commission shall evaluate it in terms of:

25 (a) Its relation to the regional plan for transportation established
26 pursuant to NRS 373.1161 if any;

27 (b) The relation of the proposed work to other projects constructed or
28 authorized;

29 (c) The relative need for the proposed work in relation to others
30 proposed by the same city or town; and

31 (d) The availability of money.

32 If the commission approves the project, the board shall direct the county
33 treasurer to distribute the sum approved to the city or town requesting the
34 project, in accordance with NRS 373.150.

35 ~~[[4]]~~ 5. In counties whose population is less than 100,000, the
36 commission shall certify the adoption of the plan in compliance with
37 subsections 2 and ~~[[3]]~~ 4.