

ASSEMBLY BILL NO. 490—ASSEMBLYMEN GIUNCHIGLIANI, OCEGUERA, MANENDO, WILLIAMS, OHRENSCHALL, ARBERRY, BACHE, BUCKLEY, CEGAVSKE, CHOWNING, CLABORN, COLLINS, GOLDWATER, KOIVISTO, LEE, MCCLAIN, MORTENSON, PARKS, PERKINS AND PRICE

MARCH 19, 2001

Referred to Committee on Government Affairs

SUMMARY—Requires certain counties to establish committee on abatement of noise attributable to flight of certain helicopters and certain other aircraft and to enact ordinances concerning certain helicopters. (BDR 20-154)

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

CONTAINS UNFUNDED MANDATE (§§ 2, 3, 4)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to counties; requiring certain counties to establish a committee on the abatement of noise attributable to the flight of helicopters and other aircraft; excluding from the purview of the committee the operation of certain types of aircraft; requiring certain counties, to the extent allowed by federal law, to enact and enforce certain ordinances concerning helicopters; excluding certain helicopters from the application of such ordinances; requiring the imposition of penalties for violations of such ordinances; 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 244 of NRS is hereby amended by adding thereto  
2     the provisions set forth as sections 2, 3 and 4 of this act.  
3     **Sec. 2. 1. *The board of county commissioners of each county***  
4     ***whose population is 400,000 or more shall establish by ordinance a***  
5     ***committee on the abatement of noise attributable to the flight of***  
6     ***helicopters and other aircraft in the county.***  
7     ***2. The board of county commissioners shall appoint to the committee***  
8     ***eleven members as follows:***  
9     ***(a) Four members who live in neighborhoods affected by the noise***  
10    ***described in subsection 1;***



- 1 (b) Three members who live in neighborhoods that are located
- 2 adjacent to an airport;
- 3 (c) One member who represents commercial operators of fixed-wing
- 4 aircraft;
- 5 (d) One member who represents commercial operators of helicopters;
- 6 (e) One member who represents the county airport; and
- 7 (f) One member who represents a federal or county agency that
- 8 regulates airports.
- 9 3. The members of the committee shall serve terms of 2 years. A
- 10 vacancy on the committee must be filled in the same manner as the
- 11 original appointment for the remainder of the unexpired term.
- 12 4. The board of county commissioners shall appoint one of the
- 13 members as chairman of the committee, who shall serve as chairman for
- 14 a term of 1 year. If a vacancy occurs in the chairmanship, the vacancy
- 15 must be filled in the same manner as the original selection for the
- 16 remainder of the unexpired term.
- 17 5. The members of the committee serve without compensation.
- 18 6. The committee shall:
- 19 (a) Meet upon the call of the chairman; and
- 20 (b) Comply with the provisions of chapter 241 of NRS.
- 21 **Sec. 3. 1.** Except as otherwise provided in subsection 2, the
- 22 committee established pursuant to section 2 of this act shall:
- 23 (a) Examine all laws and other matters that may be of significance in
- 24 the abatement of noise attributable to the flight of helicopters and other
- 25 aircraft;
- 26 (b) Recommend changes for consideration by the Federal Aviation
- 27 Administration to:
- 28 (1) Other local governments;
- 29 (2) The regional planning coalition established pursuant to NRS
- 30 278.02514;
- 31 (3) Relevant departments, agencies and officers of this state; and
- 32 (4) The Senators and Representatives from the State of Nevada to
- 33 the Congress of the United States; and
- 34 (c) Advise the board of county commissioners on issues relating to the
- 35 abatement of the noise described in paragraph (a) of subsection 1,
- 36 including, without limitation:
- 37 (1) Recommendations concerning the use of airport facilities,
- 38 including, without limitation:
- 39 (I) The expansion of airport facilities;
- 40 (II) The creation of a facility for commercial helicopters and
- 41 other aircraft that is not located in an urban area;
- 42 (III) The creation, expansion and maintenance of adequate areas
- 43 to buffer noise surrounding airport facilities; and
- 44 (IV) Environmental impacts created by the use of airport
- 45 facilities;
- 46 (2) The determination of flight paths for helicopters and other
- 47 aircraft; and
- 48 (3) Complaints from persons who live in neighborhoods affected by
- 49 the noise described in paragraph (a) of subsection 1.



1     2. The provisions of this section do not authorize the committee  
2     established pursuant to section 2 of this act to make any  
3     recommendations or take any other action with respect to:  
4     (a) Fixed-wing aircraft operated in commercial aviation pursuant to  
5     14 C.F.R. Part 121 or 14 C.F.R. Part 135, or both; or  
6     (b) Any helicopter that is operated:  
7         (1) As an air ambulance, as that term is defined in NRS 450B.030;  
8         (2) By a law enforcement agency; or  
9         (3) By a branch of the Armed Forces of the United States.  
10    Sec. 4. 1. Except as otherwise provided in subsection 2, the board  
11    of county commissioners of each county whose population is 400,000 or  
12    more shall, to the extent allowed by federal law, enact and enforce  
13    ordinances:  
14    (a) Fixing the permissible hours of operation for commercial  
15    helicopters. Such hours of operation must not commence earlier than  
16    8 a.m. or extend later than 9 p.m.  
17    (b) Determining flight paths for commercial helicopters. The flight  
18    paths must, to the extent practicable, avoid residential neighborhoods,  
19    especially those neighborhoods that are considered to be impoverished.  
20    (c) Requiring that all nongovernmental helicopters bear identification  
21    numbers on the left side, right side and underside of the helicopter of  
22    sufficient size and clarity to be legible to persons on the ground at a  
23    distance of not less than 900 feet.  
24    (d) Imposing penalties for violations of the ordinances. The penalties  
25    must include a fine of \$10,000 for the fifth or subsequent violation of an  
26    ordinance enacted pursuant to this section.  
27    (e) Requiring the county airport to:  
28         (1) Establish a toll-free telephone number for persons to report  
29         information regarding alleged violations of an ordinance enacted  
30         pursuant to this section; and  
31         (2) Compile and maintain a record of each complaint that alleges a  
32         violation of an ordinance enacted pursuant to this section.  
33    2. An ordinance enacted pursuant to this section must not apply to  
34    any helicopter that is operated:  
35         (a) As an air ambulance, as that term is defined in NRS 450B.030;  
36         (b) By a law enforcement agency; or  
37         (c) By a branch of the Armed Forces of the United States.  
38    Sec. 5. The board of county commissioners of each county whose  
39    population is 400,000 or more shall encourage the Federal Aviation  
40    Administration to adopt with respect to that county a Special Federal  
41    Aviation Regulation that is substantially similar to Special Aviation  
42    Regulation No. 71, prohibiting the operator of an air tour from conducting  
43    such a tour below an altitude of 1,500 feet.  
44    Sec. 6. The provisions of subsection 1 of NRS 354.599 do not apply  
45    to any additional expenses of a local government that are related to the  
46    provisions of this act.

