

Senate Bill No. 56—Senators O'Donnell,
Amodei and Carlton

CHAPTER.....

AN ACT relating to transportation; creating the legislative oversight committee on transportation; prescribing the membership and powers of the committee; revising certain provisions concerning the board of directors of the department of 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 218 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. *As used in sections 2 to 5, inclusive, of this act, unless the context otherwise requires, "committee" means the legislative oversight committee on transportation.*

Sec. 3. 1. *There is hereby created a legislative oversight committee on transportation. The committee consists of:*

(a) Two members appointed by the majority leader of the senate, at least one of whom must have served on the senate standing committee which had jurisdiction of issues relating to transportation during the immediately preceding session of the legislature.

(b) Two members appointed by the speaker of the assembly, at least one of whom must have served on the assembly standing committee which had jurisdiction of issues relating to transportation during the immediately preceding session of the legislature.

2. The members of the committee shall elect a chairman and vice chairman from among their members. The chairman must be elected from one house of the legislature and the vice chairman from the other house. After the initial election of a chairman and vice chairman, each of those officers holds office for a term of 2 years commencing on July 1 of each odd-numbered year. If a vacancy occurs in the chairmanship or vice chairmanship, the members of the committee shall elect a replacement for the remainder of the unexpired term.

3. Any member of the committee who is not a candidate for reelection or who is defeated for reelection continues to serve until the convening of the next session of the legislature.

4. Vacancies on the committee must be filled in the same manner as the original appointments.

Sec. 4. 1. *The members of the committee shall meet at least quarterly and at the times and places specified by a call of the chairman. The director of the legislative counsel bureau or a person he has designated shall act as the nonvoting recording secretary. Three members of the committee constitute a quorum, and a quorum may exercise all the power and authority conferred on the committee.*

2. Except during a regular or special session of the legislature, the members of the committee are entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding session, the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218.2207 for each day or portion of a day of attendance

at a meeting of the committee and while engaged in the business of the committee. The salaries and expenses of the members of the committee and any other expenses incurred by the committee in carrying out its duties must be paid from the state highway fund.

Sec. 5. *The committee may:*

- 1. Evaluate, review and comment upon issues related to transportation within this state.*
- 2. Receive from the department of transportation reports concerning the money deposited in, and any expenditures made from:*
 - (a) The state highway fund; and*
 - (b) The state general fund or any other fund, to the extent that the money deposited in the funds or expenditures made from the funds, or both, are related to transportation.*
- 3. Consult with and make recommendations to the board of directors of the department of transportation on matters concerning transportation within this state.*
- 4. Request the legislative counsel bureau to assist in its research, investigations, hearings and reviews.*
- 5. Recommend to the legislature as a result of the activities of the committee any appropriate state legislation or corrective federal legislation. The committee shall not request the preparation of more than five legislative measures pursuant to this subsection for a regular legislative session.*

Sec. 6. NRS 408.100 is hereby amended to read as follows:

408.100 Recognizing that safe and efficient highway transportation is a matter of important interest to all the people of the state, and that an adequate highway system is a vital part of the national defense, the legislature hereby determines and declares that:

1. An integrated system of state highways and roads is essential to the general welfare of the state.
2. Providing such a system of facilities, its efficient management, maintenance and control is recognized as a problem and as the proper prospective of highway legislation.
3. Inadequate highways and roads obstruct the free flow of traffic, resulting in undue cost of motor vehicle operation, endangering the health and safety of the citizens of the state, depreciating property values, and impeding general economic and social progress of the state.
4. In designating the highways and roads of the state as provided in this chapter, the legislature places a high degree of trust in the hands of those officials whose duty it is, within the limits of available funds, to plan, develop, operate, maintain, control and protect the highways and roads of this state, for present as well as for future use.
5. To this end, it is the express intent of the legislature to make the board ~~of directors of the department of transportation~~, *in consultation with the legislative oversight committee on transportation created pursuant to section 3 of this act*, custodian of the state highways and roads and to provide sufficiently broad authority to enable the board to function adequately and efficiently in all areas of appropriate jurisdiction, subject to the limitations of the constitution and the legislative mandate proposed in this chapter.

6. The legislature intends:

(a) To declare, in general terms, the powers and duties of the board, ~~of directors,~~ leaving specific details to be determined by reasonable regulations and declarations of policy which the board may promulgate.

(b) By general grant of authority to the board ~~of directors~~ to delegate sufficient power and authority to enable the board to carry out, *in consultation with the legislative oversight committee on transportation created pursuant to section 3 of this act*, the broad objectives contained in this chapter.

7. The problem of establishing and maintaining adequate highways and roads, eliminating congestion, reducing accident frequency and taking all necessary steps to ensure safe and convenient transportation on these public ways is no less urgent.

8. The legislature hereby finds, determines and declares that this chapter is necessary for the preservation of the public safety, the promotion of the general welfare, the improvement and development of facilities for transportation in the state, and other related purposes necessarily included therein, and as a contribution to the system of national defense.

9. The words "construction," "maintenance" and "administration" used in section 5 of Article 9 of the constitution of the State of Nevada are broad enough to be construed to include and as contemplating the construction, maintenance and administration of the state highways and roads as established by this chapter and the landscaping, roadside improvements and planning surveys of the state highways and roads.

Sec. 7. NRS 408.203 is hereby amended to read as follows:

408.203 The director shall:

1. Compile a comprehensive report outlining the requirements for the construction and maintenance of highways for the next 10 years, including anticipated revenues and expenditures of the department, and submit it to the *legislative oversight committee on transportation created pursuant to section 3 of this act and to the* director of the legislative counsel bureau for transmittal to the chairmen of the senate and assembly standing committees on transportation.

2. Compile a comprehensive report of the requirements for the construction and maintenance of highways for the next 3 years, including anticipated revenues and expenditures of the department, no later than October 1 of each even-numbered year, and submit it to the *legislative oversight committee on transportation created pursuant to section 3 of this act and to the* director of the legislative counsel bureau for transmittal to the chairmen of the senate and assembly standing committees on transportation.

3. Report to the legislature by February 1 of odd-numbered years the progress being made in the department's 12-year plan for the resurfacing of state highways. The report must include an accounting of revenues and expenditures in the preceding 2 fiscal years, a list of the projects which have been completed, including mileage and cost, and an estimate of the adequacy of projected revenues for timely completion of the plan.

Sec. 8. This act becomes effective on July 1, 2001, and expires by limitation on July 1, 2005.