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SECOND REPRINT

S.B. 56

SENATE BILL NO. 56—SENATORS O'DONNELL,
AMODEI AND CARLTON

PREFILED JANUARY 29, 2001

Referred to Committee on Transportation

SUMMARY—Creates legislative oversight committee on transportation. (BDR 17-68)

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

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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 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:

- 1 **Section 1.** Chapter 218 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 to 5, inclusive, of this act.
3 **Sec. 2.** *As used in sections 2 to 5, inclusive, of this act, unless the*
4 *context otherwise requires, "committee" means the legislative oversight*
5 *committee on transportation.*
6 **Sec. 3.** *1. There is hereby created a legislative oversight committee*
7 *on transportation. The committee consists of:*
8 *(a) Two members appointed by the majority leader of the senate, at*
9 *least one of whom must have served on the senate standing committee*
10 *which had jurisdiction of issues relating to transportation during the*
11 *immediately preceding session of the legislature.*
12 *(b) Two members appointed by the speaker of the assembly, at least*
13 *one of whom must have served on the assembly standing committee*
14 *which had jurisdiction of issues relating to transportation during the*
15 *immediately preceding session of the legislature.*
16 *2. The members of the committee shall elect a chairman and vice*
17 *chairman from among their members. The chairman must be elected*
18 *from one house of the legislature and the vice chairman from the other*
19 *house. After the initial election of a chairman and vice chairman, each*
20 *of those officers holds office for a term of 2 years commencing on July 1*



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1 of each odd-numbered year. If a vacancy occurs in the chairmanship or
2 vice chairmanship, the members of the committee shall elect a
3 replacement for the remainder of the unexpired term.

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

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

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

15 2. Except during a regular or special session of the legislature, the
16 members of the committee are entitled to receive the compensation
17 provided for a majority of the members of the legislature during the first
18 60 days of the preceding session, the per diem allowance provided for
19 state officers and employees generally and the travel expenses provided
20 pursuant to NRS 218.2207 for each day or portion of a day of attendance
21 at a meeting of the committee and while engaged in the business of the
22 committee. The salaries and expenses of the members of the committee
23 and any other expenses incurred by the committee in carrying out its
24 duties must be paid from the state highway fund.

25 **Sec. 5.** The committee may:

26 1. Evaluate, review and comment upon issues related to
27 transportation within this state.

28 2. Receive from the department of transportation reports concerning
29 the money deposited in, and any expenditures made from:

30 (a) The state highway fund; and

31 (b) The state general fund or any other fund, to the extent that the
32 money deposited in the funds or expenditures made from the funds, or
33 both, are related to transportation.

34 3. Consult with and make recommendations to the board of directors
35 of the department of transportation on matters concerning transportation
36 within this state.

37 4. Request the legislative counsel bureau to assist in its research,
38 investigations, hearings and reviews.

39 5. Recommend to the legislature as a result of the activities of the
40 committee any appropriate state legislation or corrective federal
41 legislation. The committee shall not request the preparation of more than
42 five legislative measures pursuant to this subsection for a regular
43 legislative session.

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

45 408.100 Recognizing that safe and efficient highway transportation is
46 a matter of important interest to all the people of the state, and that an
47 adequate highway system is a vital part of the national defense, the
48 legislature hereby determines and declares that:



- 1 1. An integrated system of state highways and roads is essential to the
2 general welfare of the state.
- 3 2. Providing such a system of facilities, its efficient management,
4 maintenance and control is recognized as a problem and as the proper
5 prospective of highway legislation.
- 6 3. Inadequate highways and roads obstruct the free flow of traffic,
7 resulting in undue cost of motor vehicle operation, endangering the health
8 and safety of the citizens of the state, depreciating property values, and
9 impeding general economic and social progress of the state.
- 10 4. In designating the highways and roads of the state as provided in
11 this chapter, the legislature places a high degree of trust in the hands of
12 those officials whose duty it is, within the limits of available funds, to plan,
13 develop, operate, maintain, control and protect the highways and roads of
14 this state, for present as well as for future use.
- 15 5. To this end, it is the express intent of the legislature to make the
16 board ~~of directors of the department of transportation~~, *in consultation*
17 *with the legislative oversight committee on transportation created*
18 *pursuant to section 3 of this act*, custodian of the state highways and roads
19 and to provide sufficiently broad authority to enable the board to function
20 adequately and efficiently in all areas of appropriate jurisdiction, subject to
21 the limitations of the constitution and the legislative mandate proposed in
22 this chapter.
- 23 6. The legislature intends:
- 24 (a) To declare, in general terms, the powers and duties of the board, ~~of~~
25 ~~directors,~~ leaving specific details to be determined by reasonable
26 regulations and declarations of policy which the board may promulgate.
- 27 (b) By general grant of authority to the board ~~of directors~~ to delegate
28 sufficient power and authority to enable the board to carry out, *in*
29 *consultation with the legislative oversight committee on transportation*
30 *created pursuant to section 3 of this act*, the broad objectives contained in
31 this chapter.
- 32 7. The problem of establishing and maintaining adequate highways
33 and roads, eliminating congestion, reducing accident frequency and taking
34 all necessary steps to ensure safe and convenient transportation on these
35 public ways is no less urgent.
- 36 8. The legislature hereby finds, determines and declares that this
37 chapter is necessary for the preservation of the public safety, the promotion
38 of the general welfare, the improvement and development of facilities for
39 transportation in the state, and other related purposes necessarily included
40 therein, and as a contribution to the system of national defense.
- 41 9. The words "construction," "maintenance" and "administration" used
42 in section 5 of Article 9 of the constitution of the State of Nevada are broad
43 enough to be construed to include and as contemplating the construction,
44 maintenance and administration of the state highways and roads as
45 established by this chapter and the landscaping, roadside improvements
46 and planning surveys of the state highways and roads.



1 **Sec. 7.** NRS 408.203 is hereby amended to read as follows:
2 408.203 The director shall:

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

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

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

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

