

CHAPTER.....

AN ACT relating to highways; authorizing the Department of Transportation to designate lanes on highways for the use of high-occupancy vehicles in certain circumstances; restricting the use of farm tractors and other implements of husbandry on certain highways; revising provisions concerning the formula to determine the allowable gross weight carried by any group of axles on certain highways; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides extensive regulation of the highways in this State and imposes various laws regulating traffic. (Chapter 484 of NRS)

This bill authorizes the Department of Transportation to designate a lane on a highway to be used for high-occupancy vehicles, commonly referred to as car pool lanes, in certain circumstances. This bill further requires the Department of Transportation to establish the conditions for the use of any such car pool lane, including the number of occupants required in a vehicle to use the lane and the hours of the day in which the use of the lane is restricted. The bill makes the unlawful use of a designated car pool lane a misdemeanor punishable by a fine of \$250.

Existing law regulates the size, weight and load of certain vehicles operated on the highways and roads in this State. (NRS 484.737-484.775) To operate a vehicle that exceeds the size, weight and load limits on Nevada highways and roads, a special permit is generally required. However, the restriction on size, weight and load do not apply to certain vehicles, including a farm tractor or other implement of husbandry which is temporarily moved upon a highway. (NRS 484.737)

This bill requires farm tractors and other implements of husbandry to comply with the restrictions on size, weight and load and special permits on an interstate highway and controlled-access highway.

This bill also changes the way in which certain weight limitations on vehicles are calculated. The allowable weight on any group of two or more consecutive axles would be calculated to the nearest 500 pounds. This bill also applies the weight calculation formula to licensed haulers of garbage and refuse.

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

Section 1. Chapter 484 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *“Interstate highway” means a portion of the Dwight D. Eisenhower National System of Interstate and Defense Highways located within this State as officially designated pursuant to the provisions of Title 23 of the United States Code.*

Sec. 3. 1. *The Department of Transportation, with respect to highways under its jurisdiction, may designate a lane on a highway for the preferential or exclusive use of high-occupancy vehicles.*

2. The Department of Transportation shall, for each lane that it designates pursuant to this section for the use of high-occupancy vehicles:

(a) Determine the conditions for use of the lane, including, without limitation:

(1) The number of occupants required per vehicle; and

(2) The hours of the day that the use of the lane is restricted.

(b) Place and maintain signs and other official traffic-control devices that:

(1) Identify the lane as designated for the use of high-occupancy vehicles; and

(2) Advise operators of vehicles of the required conditions for the use of the lane.

3. A person shall not operate a vehicle in a lane designated for the use of high-occupancy vehicles except in conformity with the established conditions which are placed and maintained on signs and other official traffic-control devices pursuant to subsection 2 or established by regulation.

4. A person who violates subsection 3 is guilty of a misdemeanor and shall be fined \$250 for each offense.

5. The Department of Transportation may adopt regulations necessary to carry out the provisions of this section.

6. As used in this section, "high-occupancy vehicle" means:

(a) A vehicle that is transporting more than one person;

(b) A motorcycle, regardless of the number of passengers;

(c) A bus, regardless of the number of passengers; and

(d) Any other vehicle designated by regulation.

Sec. 4. NRS 484.013 is hereby amended to read as follows:

484.013 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 484.014 to 484.217, inclusive, *and section 2 of this act* have the meanings ascribed to them in those sections.

Sec. 5. NRS 484.737 is hereby amended to read as follows:

484.737 1. Except as otherwise provided in this section, a person shall not drive, move, stop or park any vehicle or combination of vehicles, and an owner shall not cause or knowingly permit any vehicle or combination of vehicles to be driven, moved, stopped or parked, on any highway if the vehicle or combination of vehicles exceeds in size or weight or gross loaded weight the maximum limitation specified by law for that size, weight and gross loaded weight unless the person or owner is authorized to drive, move, stop or park the vehicle or combination of vehicles by a special permit issued by the proper public authority.

2. If the Department of Transportation or a local law enforcement agency determines that an emergency exists, the

Department or the local law enforcement agency may authorize a person to drive, move, stop or park a vehicle or combination of vehicles without obtaining a special permit pursuant to subsection 1. Such an authorization may be given orally and may, if requested by a local law enforcement agency or a public safety agency, include driving or moving the vehicle or combination of vehicles to and from the site of the emergency. If a person receives such an authorization, he shall, on the next business day after receiving the authorization, obtain a special permit pursuant to subsection 1.

3. This section does not apply to ~~fire~~ :

(a) *Fire* apparatus, highway machinery or snowplows ~~for to a farm tractor or other implement of husbandry~~ temporarily moved upon a highway.

(b) *A farm tractor or other implement of husbandry temporarily moved upon a highway other than an interstate highway or a controlled-access highway.*

Sec. 6. NRS 484.739 is hereby amended to read as follows:

484.739 1. Except as otherwise provided in subsection 2, the length of a bus may not exceed 45 feet and the length of a motortruck may not exceed 40 feet.

2. A passenger bus which has three or more axles and two sections joined together by an articulated joint with a trailer which is equipped with a mechanically steered rear axle may not exceed a length of 65 feet.

3. Except as otherwise provided in subsections 4, 7 and 9, no combination of vehicles, including any attachments thereto coupled together, may exceed a length of 70 feet.

4. The Department of Transportation, by regulation, shall provide for the operation of combinations of vehicles in excess of 70 feet in length. The regulations must establish standards for the operation of such vehicles which must be consistent with their safe operation upon the public highways and with the provisions of 23 C.F.R. § 658.23. Such standards must include:

(a) Types and number of vehicles to be permitted in combination;

(b) Horsepower of a motortruck;

(c) Operating speeds;

(d) Braking ability; and

(e) Driver qualifications.

➔ The operation of such vehicles is not permitted on highways where, in the opinion of the Department of Transportation, their use would be inconsistent with the public safety because of a narrow roadway, excessive grades, extreme curvature or vehicular congestion.

5. Combinations of vehicles operated under the provisions of subsection 4 may, after obtaining a special permit issued at the

discretion of, and in accordance with procedures established by, the Department of Transportation, carry loads not to exceed the values set forth in the following formula: $W=500 [LN/(N-1) + 12N + 36]$, wherein:

(a) W equals the maximum load in pounds carried on any group of two or more consecutive axles ~~W~~ *computed to the nearest 500 pounds;*

(b) L equals the distance in feet between the extremes of any group of two or more consecutive axles; and

(c) N equals the number of axles in the group under consideration.

➡ The distance between axles must be measured to the nearest foot. If a fraction is exactly one-half foot, the next largest whole number must be used. The permits may be restricted in such manner as the Department of Transportation considers necessary and may, at the option of the Department, be cancelled without notice. No such permits may be issued for operation on any highway where that operation would prevent this State from receiving federal money for highway purposes.

6. Upon approving an application for a permit to operate combinations of vehicles pursuant to subsection 5, the Department of Transportation shall withhold issuance of the permit until the applicant has furnished proof of compliance with the provisions of NRS 706.531.

7. The load upon any motor vehicle operated alone, or the load upon any combination of vehicles, must not extend beyond the front or the rear of the vehicle or combination of vehicles for a distance of more than 10 feet, or a total of 10 feet both to the front or the rear, and a combination of vehicles and load thereon may not exceed a total of 75 feet without having secured a permit pursuant to subsection 4 or NRS 484.737. The provisions of this subsection do not apply to the booms or masts of shovels, cranes or water well drilling and servicing equipment carried upon a vehicle if:

(a) The booms or masts do not extend by a distance greater than two-thirds of the wheelbase beyond the front tires of the vehicle.

(b) The projecting structure or attachments thereto are securely held in place to prevent dropping or swaying.

(c) No part of the structure which extends beyond the front tires is less than 7 feet from the roadway.

(d) The driver's vision is not impaired by the projecting or supporting structure.

8. Lights and other warning devices which are required to be mounted on a vehicle pursuant to this chapter must not be included in determining the length of a vehicle or combination of vehicles and the load thereon.

9. This section does not apply to:

(a) Vehicles used by a public utility for the transportation of poles;

(b) A combination of vehicles consisting of a truck-tractor drawing a semitrailer that does not exceed 53 feet in length;

(c) A combination of vehicles consisting of a truck-tractor drawing a semitrailer and a trailer, neither of which exceeds 28 1/2 feet in length; or

(d) A combination of vehicles consisting of a truck-tractor drawing no more than three saddle-mounted vehicles and one full-mounted vehicle that does not exceed 75 feet in length.

10. As used in this section:

(a) "Full-mounted vehicle" means a smaller vehicle mounted completely on the frame of a saddle-mounted vehicle.

(b) *"Motortruck" has the meaning ascribed to it in NRS 482.073.*

(c) "Saddle-mounted vehicle" means a vehicle forming part of a combination of vehicles used in a driveaway-towaway operation that is connected by a saddle mount to the frame or fifth-wheel coupling of the vehicle in front of it.

Sec. 7. NRS 484.745 is hereby amended to read as follows:

484.745 1. Except as otherwise provided in NRS 484.737, 484.743, 484.748, 484.7485 and 484.752, a vehicle may be operated or moved upon any public highway if:

(a) The maximum weight on any single axle does not exceed 20,000 pounds.

(b) The maximum weight on any tandem axle does not exceed 34,000 pounds.

(c) The maximum weight per tire, measured by pounds per inch of tire width, does not exceed 600 pounds per inch for a steering axle and 500 pounds per inch for all other axles.

(d) Except for a steering axle and axles that weigh less than 10,000 pounds, each axle has at least four tires if the tire width of each tire on the axle is less than or equal to 14 inches. If the maximum weight per tire does not exceed 500 pounds per inch of tire width, an axle may be equipped with tires that have a width of more than 14 inches.

(e) Except as otherwise provided in subsection 2, the maximum overall gross weight on any group of two or more consecutive axles does not exceed the values set forth in the following formula: $W=500 [LN/(N-1) + 12N + 36]$ wherein:

(1) W equals the maximum load in pounds carried on any group of two or more consecutive axles ~~is~~ *computed to the nearest 500 pounds;*

(2) L equals the distance in feet between the extremes of any group of two or more consecutive axles; and

(3) N equals the number of axles in the group under consideration.

2. Two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the distance between the first and last axles of the consecutive sets of axles is 36 feet or more.

3. As used in this section, "tire width" means the width set by the manufacturer of the tire and inscribed on the sidewall of the tire.

Sec. 8. NRS 484.748 is hereby amended to read as follows:

484.748 1. Except as otherwise provided in subsection 2, a vehicle used by a licensed hauler of garbage and refuse may be operated or moved upon a public highway, if the weight of the vehicle does not exceed:

(a) On a single axle, 22,000 pounds; or

(b) On a tandem axle, 40,000 pounds.

2. A vehicle must not be operated or moved upon a highway within the designated interstate system, if the weight of the vehicle exceeds:

(a) On a single axle, 20,000 pounds; ~~for~~

(b) On a tandem axle, 34,000 pounds ~~+~~ ; or

(c) On any group of two or more consecutive axles, the values set forth in the following formula: $W=500 [LN/(N-1) + 12N + 36]$ wherein:

(1) W equals the maximum load in pounds carried on any group of two or more consecutive axles computed to the nearest 500 pounds;

(2) L equals the distance in feet between the extremes of any group of two or more consecutive axles; and

(3) N equals the number of axles in the group under consideration.

3. As used in this section , "licensed hauler of garbage and refuse" means a person who holds the licenses and permits required to operate a business of collecting and disposing of garbage and refuse. The term includes a person who is licensed to operate a business of collecting recyclable materials.

Sec. 9. NRS 484.751 is hereby amended to read as follows:

484.751 The distance between axles ~~shall~~ *must* be measured to the nearest ~~even~~ *whole* foot. When a fraction is exactly one-half foot the next larger whole number ~~shall~~ *must* be used.

Sec. 10. NRS 484.752 is hereby amended to read as follows:

484.752 1. The provisions of NRS 484.745 , *484.748 and 484.7485* do not apply to any highway ~~which~~ *that* is a part of the Federal-Aid Primary System, Federal-Aid Urban System, Federal-Aid Secondary System or Interstate System if their application would prevent this State from receiving any federal funds for highway purposes under section 127 of Title 23, U.S.C.

2. The Department of Transportation, with respect to highways under its jurisdiction, and the governing bodies of cities and counties, with respect to roads and streets under their jurisdiction, after determining that use by vehicles otherwise conforming with the maximum weight limits prescribed in NRS 484.745 , *484.748 and 484.7485* is likely to cause substantial stress to any highway, road, street, or portion or structure thereof, may, by proper notice, fix a reduced maximum weight limit for vehicles which may pass over any such highway, road, street, or portion or structure thereof.

Sec. 11. NRS 484.7605 is hereby amended to read as follows:

484.7605 1. If a vehicle is carrying a load of loosely piled agricultural products such as hay, straw or leguminous plants in bulk but not crated, baled, boxed or sacked, the load of loosely piled material and any loading racks retaining the load must not exceed 120 inches in width.

2. The provisions of NRS 484.759 with respect to maximum widths do not apply to implements of husbandry incidentally operated, transported, moved or towed over a highway ~~[-]~~ *other than an interstate highway or a controlled-access highway.*

3. If an implement of husbandry is transported or moved as a load on another vehicle over:

(a) ~~[-A highway which is a part of the National System of Interstate and Defense Highways, as described in subsection (e) of section 103 of Title 23, U.S.C., -if]~~ *An interstate highway or a controlled-access highway, and* the load exceeds 102 inches in width ~~[-; or]~~ , *the movement is subject to the provisions of NRS 484.7631 and the regulations adopted pursuant thereto.*

(b) Any *highway* other *than an interstate highway or a controlled-access* highway, ~~[-if]~~ *and* the load exceeds 120 inches in width, the vehicle and load must not be operated for a distance of more than 25 miles from the point of origin of the trip and must not be operated at a speed in excess of 30 miles per hour.

Sec. 12. NRS 410.060 is hereby amended to read as follows:

410.060 "Interstate highway" means a portion of the *Dwight D. Eisenhower* National System of Interstate and Defense Highways located within this State as officially designated pursuant to the provisions of Title 23 of the United States Code.

