

SENATE BILL NO. 219—SENATOR CARE

MARCH 21, 2005

Referred to Committee on Transportation and Homeland Security

SUMMARY—Requires Department of Transportation to establish regional advisory committee in certain cities and prohibits local authorities from issuing permits to operate certain oversized vehicles on highways in this State. (BDR 43-642)

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

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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 traffic; requiring the Department of Transportation to establish a regional advisory committee in certain cities; requiring a regional advisory committee to make recommendations and assist the Department in establishing a network of certain truck routes for oversized or overweight vehicles; prohibiting local authorities from issuing permits to operate certain oversized vehicles on highways in this State; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Department of Transportation or a city or county to issue permits to operate oversized vehicles on the highways under its control and for vehicles with a maximum weight on a single axle in excess of 20,000 pounds. (NRS 484.7631, 484.765) The Department or a city or county may also adopt regulations concerning the movement of oversized vehicles on the highways under its control. (NRS 484.7631)

This bill removes the authority of a city or county to issue such permits or adopt such regulations thereby leaving the Department of Transportation as the only entity with authority to do so.

However, this bill requires the Department of Transportation to establish a regional advisory committee in each city whose population is 100,000 or more (currently Clark and Washoe Counties) consisting of six members. The governing body of the city, the county in which the city is located and the Department each must appoint two members.



15 This bill authorizes a regional advisory committee to make recommendations to
16 the Department concerning limits on the hours, days and routes for the movement
17 of oversized or overweight vehicles within the city or county. The bill also requires
18 the advisory committee to make recommendations and assist the Department,
19 through interlocal agreements, in establishing a network of truck routes using the
20 roads and highways under the control of the city, county or Department, to promote
21 commerce by allowing the movement of oversized or overweight vehicles through
22 the city or county.

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

1 **Section 1.** Chapter 484 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. In each city whose population is 100,000 or more, the*
4 *Department of Transportation shall, in cooperation with the*
5 *governing body of the city and the board of county commissioners*
6 *of the county in which the city is located, establish a regional*
7 *advisory committee consisting of six members. The committee*
8 *must be composed of:*

9 *(a) Two members appointed by the governing body of the city*
10 *to represent the governing body of the city;*

11 *(b) Two members appointed by the board of county*
12 *commissioners to represent the board of county commissioners;*
13 *and*

14 *(c) Two members appointed by the Department of*
15 *Transportation to represent industries in the city that may be*
16 *affected by regulation of the movement of oversized or overweight*
17 *vehicles in the city.*

18 *2. The members of the committee serve without*
19 *compensation.*

20 *3. A vacancy occurring in the membership of the committee*
21 *must be filled in the same manner as the original appointment. A*
22 *member who is appointed to fill a vacancy must possess the same*
23 *general qualifications as his predecessor.*

24 *4. Each regional advisory committee established pursuant to*
25 *this section:*

26 *(a) Shall make recommendations and assist, through interlocal*
27 *agreements, the Department of Transportation in establishing a*
28 *network of truck routes, using the highways under the jurisdiction*
29 *of the Department, the city or the county, to promote commerce by*
30 *allowing the movement of oversized or overweight vehicles*
31 *through the city or county; and*

32 *(b) May recommend regulations, not in conflict with the*
33 *provisions of this chapter, to the Department of Transportation*



concerning limits on the hours, days and routes for the movement of oversized or overweight vehicles within the city or county.

Sec. 2. NRS 484.7631 is hereby amended to read as follows:

484.7631 1. The Department of Transportation with respect to highways under its jurisdiction ~~{and}~~ *or under the jurisdiction of the governing body of {a} any city or county {with respect to highways under its jurisdiction}* shall, upon application in writing, issue a permit to operate a vehicle, or a vehicle with a load, having a width exceeding the legal maximum width but not exceeding 120 inches in width on a highway, unless the Department ~~{or governing body}~~ determines that the operation would be a safety hazard or would unduly impede the flow of traffic.

2. The Department of Transportation with respect to highways under its jurisdiction ~~{and}~~ *or under the jurisdiction of the governing body of {a} any city or county {with respect to highways under its jurisdiction}* may adopt regulations providing for an annual permit or a permit for a single trip for a vehicle, or a vehicle with a load exceeding 120 inches in width and limiting the movement of the vehicle to certain hours of the day, days of the week or routes considered necessary to protect public safety.

3. The Department of Transportation shall consider any recommendations concerning the movement of oversized or overweight vehicles made by a regional advisory committee established pursuant to section 1 of this act.

Sec. 3. NRS 484.765 is hereby amended to read as follows:

484.765 1. No vehicle operated or moved upon any public highway under the authority of a continuous or multiple trip-limited time permit may exceed a maximum weight of 20,000 pounds on any single axle. Before any continuous permit is issued, the applicant shall pay a reasonable fee to be determined by the Department of Transportation ~~{or the governing body of any city or county}~~ to pay the costs and expenses of conducting an initial investigation of the highway or highways involved.

2. If, after issuance of a continuous or multiple trip-limited time permit by the Department of Transportation, ~~{or the governing body of any city or county,}~~ the Department ~~{or governing body}~~ finds that the traffic authorized by ~~{such}~~ *the* continuous or multiple trip-limited time permit has caused substantial highway distress, the permit may be revoked summarily, but the revocation does not operate to prevent a subsequent filing of a new application for another continuous or multiple trip-limited time permit.

Sec. 4. NRS 484.777 is hereby amended to read as follows:

484.777 1. The provisions of this chapter are applicable and uniform throughout this State on all highways to which the public



1 has a right of access or to which persons have access as invitees or
2 licensees.

3 2. Unless otherwise provided by **a** specific statute, any local
4 authority may enact by ordinance traffic regulations which cover the
5 same subject matter as the various sections of this chapter if the
6 provisions of the ordinance are not in conflict with this chapter. It
7 may also enact by ordinance regulations requiring the registration
8 and licensing of bicycles.

9 3. A local authority shall not enact an ordinance:

10 (a) Governing the registration of vehicles and the licensing of
11 drivers;

12 (b) Governing the duties and obligations of persons involved in
13 traffic accidents, other than the duties to stop, render aid and provide
14 necessary information; ~~for~~

15 (c) Providing a penalty for an offense for which the penalty
16 prescribed by this chapter is greater than that imposed for a
17 misdemeanor ~~for~~ ; **or**

18 ***(d) Requiring a permit for a vehicle, or to operate a vehicle, on***
19 ***a highway in this State.***

20 4. No person convicted or adjudged guilty of a violation of a
21 traffic ordinance may be charged or tried in any other court in this
22 State for the same offense.

23 **Sec. 5.** This act becomes effective on July 1, 2005.

