

SENATE BILL NO. 470—COMMITTEE ON TRANSPORTATION  
AND HOMELAND SECURITY

MARCH 29, 2005

Referred to Committee on Transportation and Homeland Security

SUMMARY—Requires governmental entities which govern airports to ensure that certain pedestrian and mechanized traffic is not impeded by persons forming lines at boarding gates. (BDR 44-1340)

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 airports; requiring governmental entities which govern airports to ensure that certain pedestrian and mechanized traffic is not impeded by persons forming lines at boarding gates; 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.** NRS 494.030 is hereby amended to read as follows:  
2     494.030 1. The State is authorized, out of ~~{moneys}~~ *money*  
3     made available for the purposes of this chapter:  
4     (a) To plan, establish, develop, construct, enlarge, improve,  
5     maintain and operate airports and air navigation facilities either  
6     within or without the territorial boundaries of this State. *The State*  
7     *shall ensure that, within any designated walkway or thoroughway*  
8     *in a terminal of an airport, pedestrian and mechanized traffic*  
9     *remains unimpeded by persons forming lines at boarding gates.*  
10    (b) To contract or otherwise provide, by condemnation if  
11    necessary, for the removal or the relocation of all private structures,  
12    railways, mains, pipes, conduits, wires, cables, poles and all other  
13    facilities and equipment which may interfere with the location,  
14    expansion, development or improvement of such airports, restricted



1 landing areas, and other air navigation facilities, or with the safe  
2 approach thereto or takeoff therefrom by aircraft.

3 (c) To pay the cost of removal or relocation.

4 (d) To pay the cost of construction, installation, equipment,  
5 maintenance and operation at such airports of buildings and other  
6 facilities for the servicing of aircraft or for the comfort and  
7 accommodation of air travelers and the purchase and sale of  
8 supplies, goods and commodities as an incident to the operation of  
9 its airport properties.

10 2. For such purposes the State may use any available property  
11 that it may now or hereafter own or control and may, by purchase,  
12 gift, devise, lease, eminent domain proceedings or otherwise,  
13 acquire property, real or personal, or any interest therein, including  
14 easements in airport hazards or land outside the boundaries of an  
15 airport or airport site, as are necessary to permit safe and efficient  
16 operation of the airport or to permit the removal, elimination,  
17 obstruction, marking and lighting of airport hazards, or to prevent  
18 the establishment of airport hazards.

19 **Sec. 2.** NRS 495.030 is hereby amended to read as follows:

20 495.030 In connection with the erection or maintenance of any  
21 ~~airport or~~ airports or air navigation facilities, any city, county,  
22 town or any municipal corporation ~~shall have~~ :

23 1. *Has* the power and jurisdiction:

24 ~~[1-]~~ (a) To regulate the receipt, deposit and removal, the  
25 embarkation or debarkation of passengers or property for and from  
26 such landing places or moorage as may be provided.

27 ~~[2-]~~ (b) To exact and require charges, fees and tolls, together  
28 with a lien to enforce their payment.

29 ~~[3-]~~ (c) To lease or assign for operation such space or area,  
30 appurtenances, appliances or other conveniences necessary or useful  
31 in connection therewith.

32 ~~[4-]~~ (d) To own and operate municipal aircraft.

33 ~~[5-]~~ (e) To employ pilots.

34 ~~[6-]~~ (f) To provide rules and regulations ~~covering~~ *governing*  
35 the use of such *an* airport ~~and facilities~~ *or facility* and the use of  
36 other property or means of transportation within or over ~~the airport.~~  
37 ~~—7-]~~ *such an airport.*

38 (g) To perform any duties necessary or convenient for the  
39 regulation of air traffic.

40 ~~[8-]~~ (h) To enter into contracts or otherwise cooperate with the  
41 Federal Government or other public or private agencies.

42 ~~[9-]~~ (i) To exercise such powers as may be required or  
43 convenient in the promotion of aeronautics and the furtherance of  
44 commerce and navigation by air.



1       2. *Shall ensure that, within any designated walkway or*  
2 *throughway in a terminal of an airport, pedestrian and*  
3 *mechanized traffic remains unimpeded by persons forming lines at*  
4 *boarding gates.*

5       **Sec. 3.** NRS 496.130 is hereby amended to read as follows:

6       496.130 1. A municipality that establishes or acquires an  
7 airport or air navigation facility ~~may~~:

8       (a) *May* adopt, amend and repeal such reasonable ordinances,  
9 resolutions, rules, regulations or orders as it deems necessary for the  
10 management, government and use of the airport or air navigation  
11 facility under its control, whether situated within or outside of the  
12 territorial limits of the municipality ~~;~~ **and**

13       (b) *Shall ensure that, within any designated walkway or*  
14 *throughway in a terminal of an airport, pedestrian and*  
15 *mechanized traffic remains unimpeded by persons forming lines at*  
16 *boarding gates.*

17       2. For the enforcement thereof, the municipality may, by  
18 ordinance or resolution, as appropriate, appoint airport guards or  
19 police with full police powers which must be performed in  
20 compliance with the provisions of NRS 171.1223, and fix penalties,  
21 within the limits prescribed by law, for the violation of the  
22 ordinances, resolutions, rules, regulations and orders. Penalties must  
23 be enforced in the same manner in which penalties prescribed by  
24 other ordinances or resolutions of the municipality are enforced.

25       3. A rule, regulation or ordinance must not be adopted,  
26 amended or repealed under this chapter, except by action of the  
27 governing body of the municipality after a public hearing in relation  
28 thereto at which public utilities owning facilities in the areas  
29 involved, and other interested persons, have an opportunity to be  
30 heard. At least 15 days' notice of the hearing must:

31       (a) Be given to all public utilities owning facilities in the area  
32 involved; and

33       (b) Be published in an official paper or a paper of general  
34 circulation in the municipality or municipalities in which the airport  
35 is located.

36       ➤ This subsection does not apply to ordinances adopted pursuant to  
37 NRS 350.579.

38       4. All ordinances, resolutions, rules, regulations or orders  
39 which are issued by the municipality must be kept in substantial  
40 conformity with the laws of this State, or any regulations adopted or  
41 standards established pursuant thereto, and, as nearly as possible,  
42 with the federal laws governing aeronautics and the rules,  
43 regulations or standards duly issued thereunder.

44       5. To the extent that an airport or other air navigation facility  
45 controlled and operated by a municipality is located outside the



1 territorial limits of the municipality, it is subject to federal and state  
2 laws, rules or regulations, and under the jurisdiction and control of  
3 the municipality controlling or operating it. No other municipality  
4 has any authority to charge or exact a license fee or occupation tax  
5 for operations thereon.

6 **Sec. 4.** Section 10 of the Airport Authority Act for Battle  
7 Mountain, being Chapter 458, Statutes of Nevada 1983, as amended  
8 by Chapter 230, Statutes of Nevada 1991, at page 508, is hereby  
9 amended to read as follows:

10 Sec. 10. The Authority may do all things necessary to  
11 accomplish the purposes of this act. The Authority may, by  
12 reason of example and not of limitation:

13 1. Have perpetual succession and sue and be sued.

14 2. Plan, establish, acquire, construct, improve and  
15 operate an airport within Lander County. *The Authority shall*  
16 *ensure that, within any designated walkway or throughway*  
17 *in a terminal of an airport, pedestrian and mechanized*  
18 *traffic remains unimpeded by persons forming lines at*  
19 *boarding gates.*

20 3. Acquire real or personal property or any interest  
21 therein by gift, lease or purchase for any of the purposes  
22 provided in this section, including the elimination, prevention  
23 or marking of airport hazards.

24 4. Sell, lease or otherwise dispose of any real property.

25 5. Acquire real property or any interest therein in areas  
26 most affected by aircraft noise for the purpose of resale or  
27 lease thereof, subject to restrictions limiting its use to  
28 industrial or other purposes least affected by aircraft noise.

29 6. Enter into agreements with Lander County and Battle  
30 Mountain to acquire, by lease, gift, purchase or otherwise,  
31 any airport of the county or municipality and to operate the  
32 airport.

33 7. Exercise the power of eminent domain and dominant  
34 eminent domain in the manner provided by law for the  
35 condemnation by a town of private property for public use to  
36 take any property necessary to the exercise of the powers  
37 granted, within the designated district in Lander County.

38 8. Apply directly to the proper federal, state, county and  
39 municipal officials and agencies or to any other source, public  
40 or private, for loans, grants, guarantees or other financial  
41 assistance in aid of airports operated by it, and accept the  
42 same.

43 9. Prepare and adopt a comprehensive, long-term  
44 general plan for the physical development of all property  
45 owned and operated by the Authority for submission to the



Board of County Commissioners of Lander County. The Authority may prepare and adopt for approval by the Board of County Commissioners of Lander County a comprehensive zoning plan of all property owned or operated by the Authority. The zoning plan must be consistent with the requirements of chapter 497 of NRS and any applicable federal laws and regulations.

10. Have control of its airports with the right and duty to establish and charge fees, rentals, rates and other charges, and collect revenues therefrom, not inconsistent with the rights of the holders of its bonds, and enter into agreements with carriers for the payment of landing fees, rental rates and other charges.

11. Use in the performance of its functions the officers, agents, employees, services, facilities, records and equipment of Lander County or Battle Mountain, with the consent of the county or municipality and subject to such terms and conditions as may be agreed upon.

12. Enter upon such lands, waters or premises as in the judgment of the Authority may be necessary for the purpose of making surveys, soundings, borings and examinations to accomplish any purpose authorized by this act. The Authority is liable for actual damage done.

13. Provide its own fire protection, police and crash and rescue service.

14. Contract with carriers with regard to landings and the accommodations of the employees and passengers of such carriers.

15. Contract with persons or corporations to provide goods and services for the use of the employees and passengers of the carriers and the employees of the Authority, as necessary or incidental to the operation of the airports.

16. Hire and retain officers, agents and employees, including a fiscal adviser, engineers, attorneys or other professional or specialized personnel.

17. Adopt regulations governing vehicular traffic on its airports relating but not limited to speed restrictions, stopping, standing and parking, loading zones, turning movements and parking meters. It is unlawful for any person to do any act forbidden or fail to perform any act required in such regulations.



1     **Sec. 5.** Section 9 of the Airport Authority Act for Carson City,  
2 being Chapter 844, Statutes of Nevada 1989, at page 2026, is hereby  
3 amended to read as follows:

4         Sec. 9. **1.** The Board may:

5         ~~11-1~~ (a) Acquire real and personal property by gift or  
6         devise for the purposes provided in this act.

7         ~~12-1~~ (b) With the approval of the Board of Supervisors:

8         ~~13-1~~ (1) Acquire real and personal property by purchase  
9         or lease for the purposes provided in this act.

10        ~~14-1~~ (2) Lease, sell or otherwise dispose of any property.

11        ~~15-1~~ (c) Recommend to the Board of Supervisors any  
12        changes in the laws governing zoning necessary to comply  
13        with the regulations of the Federal Aviation Administration or  
14        to limit the uses of the area near the airport to those least  
15        affected by noise.

16        ~~16-1~~ (d) Use, in the performance of its functions, the  
17        officers, employees, facilities and equipment of Carson City,  
18        with the consent of Carson City and subject to such terms and  
19        conditions as may be agreed upon by the Board and the Board  
20        of Supervisors.

21        ~~17-1~~ (e) Provide emergency services for the Authority.

22        ~~18-1~~ (f) Contract with any person, including any person  
23        who transports passengers or cargo by air, to provide goods  
24        and services as necessary or desirable to the operation of the  
25        airport. Any contract between the Board and a fixed base  
26        operator must be submitted for approval by the Board of  
27        Supervisors.

28        ~~19-1~~ (g) Employ a manager of the airport, fiscal advisers,  
29        engineers, attorneys and other personnel necessary to the  
30        discharge of its duties.

31        ~~20-1~~ (h) Apply to any public or private source for loans,  
32        grants, guarantees or other financial assistance.

33        ~~21-1~~ (i) Establish fees, rates and other charges for the use  
34        of the airport.

35        ~~22-1~~ (j) Regulate vehicular traffic at the airport.

36        ~~23-1~~ (k) Adopt, enforce, amend and repeal any rules and  
37        regulations necessary for the administration and use of the  
38        airport.

39        ~~24-1~~ (l) Take such other action as is necessary to comply  
40        with any statute or regulation of this State or of the Federal  
41        Government.

42        **2. The Board shall ensure that, within any designated**  
43        **walkway or thoroughway in a terminal of an airport,**  
44        **pedestrian and mechanized traffic remains unimpeded by**  
45        **persons forming lines at boarding gates.**



1     **Sec. 6.** Section 10 of the Airport Authority Act for Washoe  
2 County, being Chapter 474, Statutes of Nevada 1977, as last  
3 amended by Chapter 359, Statutes of Nevada 1997, at page 1299, is  
4 hereby amended to read as follows:

5         Sec. 10. The Authority may do all things necessary to  
6 accomplish the purposes of this act. The Authority has  
7 perpetual succession and may, by way of example and not of  
8 limitation:

9             1. Sue and be sued.

10            2. Plan, establish, acquire, construct, improve and  
11 operate one or more airports within Washoe County. *The*  
12 *Authority shall ensure that, within any designated walkway*  
13 *or thoroughway in a terminal of an airport, pedestrian and*  
14 *mechanized traffic remains unimpeded by persons forming*  
15 *lines at boarding gates.*

16            3. Acquire real or personal property or any interest  
17 therein by gift, lease or purchase for any of the purposes  
18 provided in this section, including the elimination, prevention  
19 or marking of airport hazards.

20            4. Sell, lease or otherwise dispose of any real property in  
21 such manner and upon such terms and conditions as the  
22 Board deems proper and in the best interests of the Authority.

23            5. Acquire real property or any interest therein in areas  
24 most affected by the noise of aircraft for the purpose of resale  
25 or lease thereof, subject to restrictions limiting its use to  
26 industrial or other purposes least affected by aircraft noise.

27            6. Enter into agreements with Washoe County and the  
28 cities of Reno and Sparks to acquire, by lease, gift, purchase  
29 or otherwise, any airport of such county or municipality and  
30 to operate that airport.

31            7. Exercise the power of eminent domain and dominant  
32 eminent domain in the manner provided by law for the  
33 condemnation by a city of private property for public use to  
34 take any property necessary to the exercise of the powers  
35 granted, within Washoe County.

36            8. Apply directly to the proper federal, state, county and  
37 municipal officials and agencies or to any other source, public  
38 or private, for loans, grants, guarantees or other financial  
39 assistance in aid of airports operated by it, and accept the  
40 same.

41            9. Study and recommend to the Board of County  
42 Commissioners of Washoe County and the city councils of  
43 the cities of Reno and Sparks zoning changes in the area of  
44 any airport operated by the Authority with respect to noise,  
45 height and aviation obstructions in order to enable the



Authority to meet the requirements of any regulations of the Federal Aviation Administration.

10. Control its airports with the right and duty to establish and charge fees, rentals, rates and other charges, and collect revenues therefrom, not inconsistent with the rights of the holders of its bonds, and enter into agreements with carriers for the payment of landing fees, rental rates and other charges.

11. Use in the performance of its functions the officers, agents, employees, services, facilities, records and equipment of Washoe County or the cities of Reno and Sparks, with the consent of the respective county or municipality, and subject to such terms and conditions as may be agreed upon.

12. Enter upon such lands, waters or premises as in the judgment of the Authority may be necessary for the purpose of making surveys, soundings, borings and examinations to accomplish any purpose authorized by this act. The Authority is liable for actual damage done.

13. Provide its own fire protection, police and crash and rescue service. A person employed by the Authority to provide police service to the Authority has the powers and must have the training required of a law enforcement officer pursuant to Part 107 of Title 14 of the Code of Federal Regulations, as those provisions existed on January 1, 1997. A person employed by the Authority to provide police service shall be deemed to be a peace officer for the purposes of determining retirement benefits under the Public Employees' Retirement System.

14. Contract with carriers with regard to landings and the accommodations of the employees and passengers of those carriers.

15. Contract with persons or corporations to provide goods and services for the use of the employees and passengers of the carriers and the employees of the Authority, as necessary or incidental to the operation of the airports.

16. Hire and retain officers, agents and employees, including a fiscal adviser, engineers, attorneys or other professional or specialized personnel.

17. Adopt regulations governing vehicular traffic on the public areas of its airports relating to but not limited to speed restrictions, turning movements and other moving violations. It is unlawful for any person to do any act forbidden or fail to perform any act required in such regulations.

18. Adopt regulations governing parking, loading zones and ground transportation operations on its airports and





1 governing traffic on restricted areas of its airports. The  
2 Authority may establish a system of:

3 (a) Administrative procedures for review of alleged  
4 violations of such regulations; and

5 (b) Remedies for violations of such regulations, including  
6 the imposition of administrative fines to be imposed upon and  
7 collected from persons violating such regulations.







