

ASSEMBLY BILL NO. 374—ASSEMBLYMAN OCEGUERA

MARCH 16, 2007

Referred to Committee on Transportation

SUMMARY—Requires the Department of Transportation to construct and operate permanent port of entry inspection stations. (BDR 35-930)

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; requiring the Department of Transportation to construct and operate permanent ports of entry on certain borders of the State; authorizing the Department to enter into agreements with other states for joint operation of ports, enter into contracts or agreements for the construction or operation of the ports, charge commercial motor vehicles a fee to cover the cost of inspection; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law allows the Nevada Highway Patrol to conduct vehicle safety
- 2 inspections and size, weight and load inspections on commercial vehicles traveling
- 3 on Nevada's highways. (NRS 484.701, 484.755)
- 4 This bill requires the Department of Transportation to construct and operate
- 5 four permanent ports of entry where Interstate Highway No. 15 and Interstate
- 6 Highway No. 80 enter the State. This bill authorizes the Department to do all things
- 7 necessary and appropriate to construct and operate such ports of entry, including,
- 8 without limitation: (1) entering into agreements with other states to operate joint
- 9 ports of entry; (2) accepting gifts and grants for the construction or operation of the
- 10 ports of entry from any governmental or private source; (3) continuing to use its
- 11 portable ports of entry, as necessary; (4) acquiring property; (5) entering into
- 12 contracts for the construction or operation of the ports of entry; (6) entering into
- 13 partnerships with any public or private entities for the construction or operation of
- 14 the ports of entry; and (7) charging a fee to vehicles which are inspected at the ports
- 15 of entry, which must be not more than the cost of inspection. Finally, this bill
- 16 requires the Department to adopt regulations to carry out its provision.



* A B 3 7 4 *

WHEREAS, Inspection of vehicles at certain state borders would enable Nevada to better enforce size and weight restrictions, safety regulations and fees for commercial motor vehicles, enforce payment of the sales and use tax and monitor the transport of dyed fuel or hazardous materials; and

WHEREAS, Inspection of vehicles at certain state borders would reduce the likelihood of human trafficking or the transport of drugs through the State; and

WHEREAS, Inspection of vehicles at certain state borders would assist in limiting the introduction of noxious plants and diseased animals into the State; and

WHEREAS, Inspection of vehicles at certain state borders would increase the ability of the State to keep the residents of the State safe from terrorism; now, therefore,

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

Section 1. Chapter 408 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall undertake the construction of four ports of entry on Interstate Highway No. 15 and Interstate Highway No. 80, one near each location where the Interstate Highways cross the state border.

2. The Department may:

(a) Enter into interstate agreements for joint operation of ports of entry with the states that border Nevada at the location of the ports of entry;

(b) Accept gifts and grants from federal and other governmental sources or from any private entity for the construction and operation of the ports of entry pursuant to this section;

(c) Continue the use of portable ports of entry as deemed appropriate by the Director;

(d) Acquire, hold and dispose of property for the construction and operation of the ports of entry;

(e) Enter into contracts or agreements necessary or incidental to the construction or operation of the ports of entry;

(f) Enter into partnerships with any public or private entity to construct or operate the ports of entry;

(g) Take any action necessary or appropriate to carry out the provisions of subsection 1; and

(h) Charge a fee for each vehicle inspected at the ports of entry, but in no event may the fee be more than the cost of the inspection.



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- 1 **3. *The Department shall adopt regulations necessary for the***
- 2 ***operation of the ports of entry.***
- 3 **Sec. 2.** This act becomes effective on July 1, 2007.

