

SENATE BILL NO. 392—SENATOR NOLAN

MARCH 19, 2007

Referred to Committee on Transportation and Homeland Security

SUMMARY—Directs the Legislative Commission to appoint a legislative committee to conduct an interim study on tolling projects. (BDR S-815)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
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 transportation; directing the Legislative Commission to appoint a legislative committee to conduct an interim study on tolling projects; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 This bill authorizes the creation of a legislative committee to conduct an
2 interim study on the implementation of toll roads, toll lands and high-occupancy
3 lanes in this State.

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

- 1 **Section 1.** 1. The Legislative Commission is hereby directed
2 to appoint an interim committee to conduct a study on the feasibility
3 of implementing toll roads, toll lanes and high-occupancy lanes in
4 this State.
5 2. The interim committee must be composed of six Legislators,
6 one of whom must be appointed as chairman of the committee, as
7 follows:
8 (a) The Chairman of the Senate Committee on Transportation
9 and Homeland Security;
10 (b) The Chairman of the Assembly Committee on
11 Transportation;



(c) One member of the Senate Committee on Finance appointed by the Majority Leader of the Senate;

(d) One member of the Assembly Committee on Ways and Means appointed by the Speaker of the Assembly;

(e) One member of the Senate Committee on Taxation appointed by the Majority Leader of the Senate; and

(f) One member of the Assembly Committee on Taxation appointed by the Speaker of the Assembly.

3. The study must include, without limitation:

(a) The proposal of definitions for "governmental entity," "municipality," "toll project," "toll system," "tolling facility" and "toll district" as these terms apply to tolling endeavors.

(b) A determination of the basis for creating a toll district and how it will be governed.

(c) An examination of how a governmental entity may exercise tolling authority as a function of government instead of in a proprietary manner.

(d) A determination of who shall approve a toll project and the establishment of the procedures for approving the project.

(e) The establishment of the criteria which must be considered before a toll project is approved, including, without limitation, the feasibility of integrating the project into the existing highway system and other existing roads and streets or existing plans for a new highway, road or street.

(f) The establishment of guidelines for the conversion of a tolling facility into a nontolling facility and for connecting a private toll road to the state highway system.

(g) A determination of the authority to be granted to a governmental entity participating in a toll project, including, without limitation, the authority to enter into a contract with other governmental entities and with public or private entities, and the authority to develop rules and regulations concerning safety and procurement issues regarding the toll project.

(h) The establishment of guidelines for transferring a toll project from one governmental entity to another governmental entity.

(i) An examination of the reasonableness of giving public or private entities the ability to fund feasibility studies relating to a toll project or toll system.

(j) A determination of when audits should be performed.

(k) A determination of how tolls may be set.

(l) A determination of how to use toll project revenues and any surplus revenues.

(m) A determination of appropriate penalties for toll violations, exemptions from paying tolls and the administrative hearing process relating to violations and exemptions.



1 (n) A determination of what costs should be included in the
2 construction, maintenance and improvement of a toll facility.

3 (o) The establishment of guidelines for the issuance of bonds to
4 fund a toll project, to retire debt relating to a toll project and any tax
5 exemptions which may apply.

6 4. In conducting the study, the committee shall receive periodic
7 reports from the Director of the Department of Transportation
8 concerning innovative financing and project delivery of tolling
9 endeavors.

10 5. Any recommended legislation proposed by the interim
11 committee must be approved by a majority of the members of the
12 Senate and a majority of the members of the Assembly appointed to
13 the committee.

14 6. The Legislative Commission shall submit a report of the
15 results of the study and recommended legislation to the 75th Session
16 of the Nevada Legislature.

