

Amendment No. 209

Senate Amendment to Senate Bill No. 128 (BDR 43-211)

Proposed by: Senate Committee on Transportation and Homeland Security**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date		SENATE ACTION				Initial and Date	
Adopted	☐	Lost	☐	_____		Adopted	☐	Lost	☐	_____	
Concurred In	☐	Not	☐	_____		Concurred In	☐	Not	☐	_____	
Receded	☐	Not	☐	_____		Receded	☐	Not	☐	_____	

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

EAH/SGW



Date: 4/15/2007

S.B. No. 128—Requires the Department of Transportation to fix a reduced maximum weight limit for vehicles traveling on certain highways. (BDR 43-211)



SENATE BILL NO. 128—COMMITTEE ON TRANSPORTATION
AND HOMELAND SECURITY(ON BEHALF OF THE LEGISLATIVE COMMISSION'S
SUBCOMMITTEE TO STUDY THE
PROTECTION OF NATURAL TREASURES)

FEBRUARY 21, 2007

Referred to Committee on Transportation and Homeland Security

SUMMARY—~~[Requires the Department of Transportation to fix a reduced maximum weight limit for vehicles traveling on certain highways.]~~ **Prohibits certain vehicles from traveling on that portion of State Route 159 that is designated as a scenic route and requiring the Department of Transportation to erect suitable markers along that portion of the Route.** (BDR 43-211)

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 ~~[highways; requiring the Department of Transportation to fix a reduced maximum weight limit for vehicles traveling on certain highways that have been designated as scenic routes; requiring the imposition of a fine for violations thereof;]~~ **transportation; prohibiting certain vehicles from traveling on that portion of State Route 159 that is designated as a scenic route; requiring the Department of Transportation to erect suitable markers along that portion of the Route; requiring the Department to consider certain factors and to receive approval from the Board of Directors of the Department before reducing the maximum weight limits on certain highways; and providing other matters properly relating thereto.**

Legislative Counsel's Digest:

~~[Existing law authorizes the Director of the Department of Transportation to designate a highway as a scenic route if the route meets the requirements established by regulation for such a designation. (NRS 408.213) Existing law also establishes maximum weight limits for vehicles operated or moved upon public highways. (NRS 484.745, 484.748, 484.749) Under existing law, the Department is authorized to fix a reduced maximum weight limit for vehicles passing over a highway if the Department determines that conforming with the maximum weight limits otherwise set by law is likely to cause substantial stress to the highway. (NRS 484.752) A person who is convicted of a violation of certain vehicular limitations on weight is~~

~~required to be punished by a fine that is based on the pounds of excess weight. (NRS 484.757)]~~

~~This bill requires the Department to fix a reduced maximum weight limit for vehicles passing over a highway that has been designated as a scenic route if the Department determines that conforming with the maximum weight limits otherwise set by law is likely to result in conditions that are dangerous or hazardous to the safety of the public. The same fine imposed in existing law for violations of the maximum vehicular weight limits applies to violations of a reduced maximum weight limit on a scenic route.] prohibits oversized vehicles which do not have a point of origin or destination on that portion of State Route 159 that is designated as a scenic route to travel on that portion of the Route and requires the Department of Transportation to erect suitable markers along that portion of the Route. Further, this bill requires the Department to consider certain factors and receive approval from the Board of Directors of the Department before reducing the maximum weight limits for oversized vehicles as prescribed by existing law on a highway under its jurisdiction. (NRS 484.745, 484.748, 484.7485)~~

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

Delete existing section 1 of this bill and replace with the following new sections 1 through 4:

Section 1. The Legislature hereby finds and declares that:

1. Because of its unique character, the restrictions imposed on certain large vehicles pursuant to this act are necessary for the protection of the Red Rock Canyon National Conservation Area and the safety and protection of the residents and visitors who enjoy the scenic beauty and recreational opportunities of the Red Rock Canyon.

2. The enactment of this act is not intended to encourage the imposition of similar restrictions on other designated scenic routes in this State.

Sec. 2. Chapter 484 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 and 4 of this act.

Sec. 3. 1. Except as otherwise provided in subsection 3, it is unlawful for an operator or driver of any vehicle which:

(a) Is registered pursuant to the provisions of NRS 706.801 to 706.861, inclusive; or

(b) Has a declared gross weight in excess of 26,000 pounds,

and which does not have a point of origin or destination on State Route 159 from mile post 0.0 to mile post 14.0 to travel on such Route.

2. The Department of Transportation shall erect suitable markers along State Route 159 and may locate them at such points as the Department of Transportation deems appropriate.

3. This section does not apply to:

(a) An authorized emergency vehicle;

(b) A vehicle being used in the service of a public utility as defined in NRS 704.020;

(c) A school bus; or

(d) A charter bus.

Sec. 4. 1. Except as otherwise provided in NRS 484.752, before the Department of Transportation reduces the maximum weight limits as prescribed in NRS 484.745, 484.748 and 484.7485 on a highway under its jurisdiction, the Department of Transportation shall:

(a) Consider:

- (1) The average number of vehicles traveling on the highway each day;
- (2) The number of vehicles that have a declared gross weight in excess of 26,000 pounds that are included in the average number pursuant to subparagraph (1);
- (3) The availability of alternate routes to the highway;
- (4) The impact on each alternate route of increased traffic consisting of vehicles that have a declared gross weight in excess of 26,000 pounds;
- (5) The number of traffic accidents involving a vehicle that has a declared gross weight in excess of 26,000 pounds on the highway in the past 5 years;
- (6) Any projected adverse economic or environmental impact resulting from reducing the maximum weight limits on the highway; and
- (7) Any other factors the Department of Transportation deems appropriate; and
- (b) Present such considerations to the Board of Directors of the Department of Transportation to receive the Board's approval to reduce the maximum weight limits pursuant to this section.