

## Amendment No. 845

Assembly Amendment to Senate Bill No. 450 First Reprint (BDR 43-1140)

**Proposed by:** Assembly Committee on Transportation**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

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: 5/21/2007

S.B. No. 450—Makes various changes to provisions relating to the regulation of oversized and overweight vehicles. (BDR 43-1140)



SENATE BILL NO. 450—COMMITTEE ON TRANSPORTATION  
AND HOMELAND SECURITY

MARCH 26, 2007

Referred to Committee on Transportation and Homeland Security

SUMMARY—Makes various changes to provisions relating to the regulation of oversized and overweight vehicles. (BDR 43-1140)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
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; establishing a regional advisory committee in each county whose population is 400,000 or more to advise the Department of Transportation on certain issues relating to oversized and overweight vehicles; removing the authority of a city or county to issue permits to operate oversized or overweight vehicles on the highways of this State; **requiring the Department to notify a city or county when an oversized or overweight vehicle has been issued a permit to proceed upon any highway that is under the jurisdiction of the city or county; requiring the Department to adopt regulations regarding the issuance of permits to oversized or overweight vehicles or equipment to proceed upon any highway that is under the jurisdiction of certain cities and counties;** providing that the Department may adopt regulations limiting the movement of oversized or overweight vehicles ~~in~~ **in certain cities and counties;** prohibiting a local authority from enacting an ordinance requiring a permit to operate a vehicle; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the Department of Transportation and the governing body of a county or a city to issue a permit to operate a vehicle that exceeds the maximum width, length, height or weight as prescribed by law. (NRS 484.7631, 484.765) **Section 2** of this bill establishes a regional advisory committee in every county in this State whose population is 400,000 or more to advise the Department and affected cities and counties on issues regarding oversized and overweight vehicles. **Section 3** of this bill provides that the regional advisory committees shall make certain recommendations to the Department, and the Department may adopt regulations, regarding routes for oversized and overweight vehicles as well as the hours of the day and days of the week that best facilitate the safe movement of oversized and overweight vehicles. **Section 4** of this bill grants the Department the authority to issue certain permits for oversized and overweight vehicles. **Section 5 of this bill requires the Department, upon request, to notify a city or county when a permit has been issued**

authorizing an oversized or overweight vehicle to use a highway under the jurisdiction of the city or county. Section 5 also requires the Department to adopt regulations regarding the issuance of permits to oversized or overweight vehicles or equipment to be driven, occupy or proceed upon any highway that is under the jurisdiction of a county whose population is less than 400,000 or a city in a county whose population is less than 400,000. Sections 9 and 12 of this bill remove the authority of a governing body of a city or county to issue a permit to operate a vehicle that exceeds the maximum width, length, height or weight as prescribed by law. Section 9 also requires the Department to consider the recommendation of a city or county regarding the issuance of a continuous or multiple trip-limited time permit.

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

**Section 1.** Chapter 484 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

**Sec. 2. 1.** *There is hereby created in each county whose population is 400,000 or more a regional advisory committee to make recommendations to the Department of Transportation and to affected cities and counties, as applicable, regarding the movement of oversized or overweight vehicles in this State.*

*2. The membership of such a committee must consist of:*

*(a) One member appointed by the Department of Transportation who shall serve as the chair of the committee;*

*(b) One member appointed by the board of county commissioners;*

*(c) One member appointed by the city council of every incorporated city within the county;*

*(d) One member appointed by the largest construction industry association in the county; and*

*(e) One member appointed by the largest motor transport association in the county.*

*3. Each member of such a committee must be appointed for a term of 2 years. A vacancy in the membership of the committee must be filled in the same manner as the original appointment for the remainder of the unexpired term. A member who is appointed to fill a vacancy must possess the same general qualifications as his predecessor.*

*4. Members of such a committee shall serve without compensation.*

**Sec. 3. 1.** *Each committee established pursuant to section 2 of this act:*

*(a) Shall recommend to the Department of Transportation and the affected cities and counties establishment of certain routes by which oversized or overweight vehicles may proceed through a city or county and any modifications to those routes; and*

*(b) Shall recommend regulations that the Department of Transportation may adopt to limit the movement of oversized or overweight vehicles to certain:*

*(1) Routes;*

*(2) Hours of the day; or*

*(3) Days of the week,*

*↳ to ensure public safety.*

*2. The Department of Transportation and the affected cities and counties shall consider any recommendations concerning the movement of oversized or overweight vehicles made by a committee established pursuant to section 2 of this act.*

1        **Sec. 4.** *Upon receipt of the necessary application in writing, the*  
2 *Department of Transportation shall issue a permit to operate or move a vehicle*  
3 *on the highways of this State which has a load that:*

- 4        1. *Exceeds 14 feet in height;*
- 5        2. *Exceeds 70 feet in length; or*
- 6        3. *Exceeds 102 inches in width,*

7        *unless the Department of Transportation determines that the operation of the*  
8 *vehicle would be a safety hazard or impede the flow of traffic.*

9        **Sec. 5.** NRS 484.471 is hereby amended to read as follows:

10        484.471 1. A procession, except a funeral procession, or parade, except the  
11 forces of the United States Armed Services, the military forces of this State and the  
12 forces of the police and fire departments, must not occupy, march or proceed along  
13 any highway except in accordance with the permit issued by the proper public  
14 authority.

15        2. A sound truck or other vehicle equipped with an amplifier or loudspeaker  
16 must not be driven upon any highway for the purpose of selling, offering for sale or  
17 advertising in any fashion except in accordance with a permit issued by the proper  
18 public authority.

19        3. An oversized or overweight vehicle or equipment must not be driven,  
20 occupy or proceed upon any highway except in accordance with a permit issued by  
21 the ~~proper public authority~~ *Department of Transportation.*

22        4. *The Department of Transportation, upon request, shall notify a city or*  
23 *county immediately after a permit has been issued for an oversized or overweight*  
24 *vehicle or equipment to be driven, occupy or proceed upon any highway under*  
25 *the jurisdiction of that city or county.*

26        5. *Nothing in this chapter prohibits a city or county affected by the issuance*  
27 *of permits pursuant to this section from:*

28        (a) *Recommending to the Department of Transportation the establishment of*  
29 *certain routes by which oversized or overweight vehicles may proceed through the*  
30 *city or county and any modifications to those routes; or*

31        (b) *Notifying the Department of Transportation if the issuance of a permit*  
32 *authorizing an oversized or overweight vehicle or equipment to be driven, occupy*  
33 *or proceed upon a certain highway would negatively impact traffic safety or flow*  
34 *of traffic due to unique conditions in the city or county.*

35        6. *The Department of Transportation shall adopt regulations regarding the*  
36 *issuance of permits for oversized or overweight vehicles or equipment to be*  
37 *driven, occupy or proceed upon any highway that is under the jurisdiction of a*  
38 *county whose population is less than 400,000, or a city in a county whose*  
39 *population is less than 400,000. The regulations may limit the movement of*  
40 *oversized or overweight vehicles to certain:*

41        (a) *Routes;*

42        (b) *Hours of the day; or*

43        (c) *Days of the week.*

44        *to ensure public safety.*

45        7. Any person who violates any provision of this section is guilty of a  
46 misdemeanor.

47        **Sec. 6.** NRS 484.759 is hereby amended to read as follows:

48        484.759 1. As used in this section and NRS 484.760, "special mobile  
49 equipment" means a vehicle, not self-propelled, not designed or used primarily for  
50 the transportation of persons or property, and only incidentally operated or moved  
51 over a highway, excepting implements of husbandry.

52        2. The Department of Transportation with respect to highways under its  
53 jurisdiction and governing bodies of cities and counties with respect to roads under

1 their jurisdiction may, upon application in writing, authorize the applicant to  
2 operate or move a vehicle, combination of vehicles, special mobile equipment, or  
3 load thereon of a size or weight exceeding the legal maximum, or to use  
4 corrugations on the periphery of the movable tracks on a traction engine or tractor,  
5 the propulsive power of which is not exerted through wheels resting on the roadway  
6 but by means of a flexible band or chain, or, under emergency conditions, to  
7 operate or move a type of vehicle otherwise prohibited by law, upon any highway  
8 under the jurisdiction of the Department of Transportation or governing body  
9 granting that permit.

10 3. Except as otherwise provided in NRS 484.7595 to ~~484.7631~~ **484.7625**,  
11 inclusive, the legal maximum width of any vehicle, combination of vehicles, special  
12 mobile equipment or load thereon is 102 inches.

13 4. If a vehicle is equipped with pneumatic tires, the maximum width from the  
14 outside of one wheel and tire to the outside of the opposite outer wheel and tire  
15 must not exceed 108 inches, and the outside width of the body of the vehicle or the  
16 load thereon must not exceed 102 inches.

17 5. Lights or devices which must be mounted upon a vehicle under this chapter  
18 may extend beyond the permissible width of the vehicle to a distance not exceeding  
19 10 inches on each side of the vehicle, but the maximum width must not exceed 126  
20 inches.

21 6. Door handles, hinges, cable cinchers and chain binders may extend 3  
22 inches on each side, but the maximum width of body and door handles, hinges,  
23 cable cinchers or chain binders must not exceed 108 inches.

24 7. A person shall not operate a passenger vehicle on any highway with any  
25 load carried thereon extending beyond the line of the hubcaps on its left side or  
26 more than 6 inches beyond the line of the hubcaps on its right side.

27 **Sec. 7.** NRS 484.7605 is hereby amended to read as follows:

28 484.7605 1. If a vehicle is carrying a load of loosely piled agricultural  
29 products such as hay, straw or leguminous plants in bulk but not crated, baled,  
30 boxed or sacked, the load of loosely piled material and any loading racks retaining  
31 the load must not exceed 120 inches in width.

32 2. The provisions of NRS 484.759 with respect to maximum widths do not  
33 apply to implements of husbandry incidentally operated, transported, moved or  
34 towed over a highway other than an interstate highway or a controlled-access  
35 highway.

36 3. If an implement of husbandry is transported or moved as a load on another  
37 vehicle over:

38 (a) An interstate highway or a controlled-access highway, and the load exceeds  
39 102 inches in width, the movement is subject to the provisions of NRS ~~484.7631~~  
40 **484.7625** and the regulations adopted pursuant thereto.

41 (b) Any highway other than an interstate highway or a controlled-access  
42 highway, and the load exceeds 120 inches in width, the vehicle and load must not  
43 be operated for a distance of more than 25 miles from the point of origin of the trip  
44 and must not be operated at a speed in excess of 30 miles per hour.

45 **Sec. 8.** NRS 484.764 is hereby amended to read as follows:

46 484.764 The application for a permit under NRS 484.759 to ~~484.7631~~  
47 **484.7625**, inclusive, must:

48 1. Specifically describe the vehicle or special mobile equipment and load to  
49 be operated or moved and the particular highways over which the permit to operate  
50 is requested.

51 2. State whether the permit is requested for a single trip, for continuous use or  
52 for multiple trips over a limited time.

1       **Sec. 9.** NRS 484.765 is hereby amended to read as follows:

2       484.765 1. No vehicle operated or moved upon any public highway under  
3 the authority of a continuous or multiple trip-limited time permit may exceed a  
4 maximum weight of 20,000 pounds on any single axle. Before any continuous  
5 permit is issued, the applicant shall pay a reasonable fee to be determined by the  
6 Department of Transportation ~~for the governing body of any city or county~~ to pay  
7 the costs and expenses of conducting an initial investigation of the highway or  
8 highways involved.

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

16       3. The Department of Transportation shall consider the recommendation of  
17 a city or county regarding whether traffic authorized by the issuance of a  
18 continuous or multiple trip-limited time permit has caused substantial distress to  
19 a highway under the jurisdiction of that city or county, and whether the permit  
20 should be revoked.

21       **Sec. 10.** NRS 484.769 is hereby amended to read as follows:

22       484.769 1. It is unlawful for any person to operate or move any vehicle or  
23 equipment described in NRS 484.739 or 484.759 to ~~[484.7631,]~~ 484.7625,  
24 inclusive, over any highway without first obtaining a permit, or to violate or evade  
25 any of the terms or conditions of the permit when issued. A person violating any of  
26 the provisions of NRS 484.759 to 484.767, inclusive, is guilty of a misdemeanor.

27       2. Any person operating or moving any vehicle or equipment described in  
28 NRS 484.739 or 484.759 to ~~[484.7631,]~~ 484.7625, inclusive, over any highway  
29 under the authorization of a permit for continuous use or multiple trips over a  
30 limited time and who violates any weight limitation in excess of the weight  
31 authorized by the permit must be punished, upon conviction, as provided in  
32 NRS 484.757.

33       **Sec. 11.** NRS 484.777 is hereby amended to read as follows:

34       484.777 1. The provisions of this chapter are applicable and uniform  
35 throughout this State on all highways to which the public has a right of access or to  
36 which persons have access as invitees or licensees.

37       2. ~~[Unless]~~ Except as otherwise provided in subsection 3 and unless  
38 otherwise provided by specific statute, any local authority may enact by ordinance  
39 traffic regulations which cover the same subject matter as the various sections of  
40 this chapter if the provisions of the ordinance are not in conflict with this chapter ~~[ ]~~  
41 or regulations adopted pursuant thereto. It may also enact by ordinance  
42 regulations requiring the registration and licensing of bicycles.

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

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

45       (b) Governing the duties and obligations of persons involved in traffic  
46 accidents, other than the duties to stop, render aid and provide necessary  
47 information; ~~for]~~

48       (c) Providing a penalty for an offense for which the penalty prescribed by this  
49 chapter is greater than that imposed for a misdemeanor ~~[ ]~~; or

50       (d) Requiring a permit for a vehicle, or to operate a vehicle, on a highway in  
51 this State.

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

- 1       **Sec. 12.** NRS 484.7631 is hereby repealed.  
2       **Sec. 13.** This act becomes effective on July 1, 2007.

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### TEXT OF REPEALED SECTION

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**484.7631 Permit to operate oversized vehicle; coordination with affected entities; regulations limiting hours, days or routes for movement of oversized vehicle; meetings with affected industries; expedited procedure.**

1. In a county whose population is less than 400,000, the Department of Transportation with respect to highways under its jurisdiction and the governing body of the county or a city in the county with respect to roadways under the jurisdiction of the county or city may, upon request, issue a permit to operate a vehicle, or a vehicle with a load that exceeds the legal maximum width, length or height for the vehicle, unless the Department or governing body determines that the operation would be a safety hazard or would unduly impede the flow of traffic.

2. In a county whose population is 400,000 or more:

(a) If the operation of a vehicle specified in subsection 1 will not include operation on the state highway system established pursuant to chapter 408 of NRS, the governing body of the county and each city in the county may, upon request, issue a permit to operate the vehicle on a roadway in that city or county:

(1) If the governing body has jurisdiction over the roadway at the point of origination of the route of the vehicle; and

(2) Unless the governing body determines that the operation would be a safety hazard or would unduly impede the flow of traffic; or

(b) If the operation of the vehicle will include operation on the state highway system established pursuant to chapter 408 of NRS, the Department of Transportation shall, upon request, issue a permit to operate the vehicle on a highway in that county, unless the Department of Transportation determines that the operation would be a safety hazard or would unduly impede the flow of traffic. A holder of a permit issued pursuant to this paragraph is not required to obtain a permit pursuant to paragraph (a) before operating the vehicle in accordance with the permit issued pursuant to this paragraph.

3. Before issuing a permit pursuant to subsection 2, the Department of Transportation or the governing body shall coordinate the issuance of the permit with each entity that will be affected by the issuance of the permit.

4. A governing body shall issue single-trip permits and annual permits pursuant to subsection 2 that are consistent, to the greatest extent practicable, with the regulations adopted by the Department of Transportation pursuant to subsection 5.

5. Except as otherwise provided in this section, the Department of Transportation with respect to highways under its jurisdiction and the governing body of a city or county with respect to roadways 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 102 inches in width, 14 feet in height or 70 feet in length, 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. If the Department of Transportation and a governing body of a city or county adopt regulations pursuant to this section, the regulations adopted by the governing body must be consistent, to the greatest extent practicable, with the regulations adopted by the Department of Transportation.

6. The Department of Transportation and each governing body specified in subsection 2 shall:

(a) Periodically meet with persons who represent industries that are affected by any regulations adopted by the Department of Transportation or the governing body relating to the issuance of permits pursuant to this section, including, but not limited to, regulations concerning fees for those permits;

(b) At each meeting specified in paragraph (a), review and consider the regulations specified in that paragraph and any proposed amendments to the regulations; and

(c) To the greatest extent practicable, ensure that the regulations are consistent.

7. The Department of Transportation and each governing body that issues a permit pursuant to subsection 2 shall, to the greatest extent practicable, establish an expedited procedure for issuing a permit for a vehicle or a vehicle with a load that does not exceed 15 feet in height or 110 feet in length:

(a) Within 1 working day after the Department of Transportation or the governing body receives a request for the permit, if the vehicle or the vehicle with a load for which the permit is submitted has a width of 144 inches or less; or

(b) Within 2 working days after the Department of Transportation or the governing body receives a request for the permit, if the vehicle or the vehicle with a load for which the permit is submitted has a width of more than 144 inches but not more than 168 inches.