

SENATE BILL NO. 173—SENATOR LEE

MARCH 4, 2009

Referred to Committee on Government Affairs

SUMMARY—Provides for the construction of bus turnouts at certain locations in certain counties. (BDR 22-584)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to local governmental planning; providing for the construction of bus turnouts at certain locations in certain counties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the regional transportation commission in a county whose population is 400,000 or more (currently Clark County) has the authority to provide for the construction and maintenance of benches and shelters for passengers of public mass transportation. (NRS 373.1183) Additionally, the regional transportation commission is required to work with the regional planning coalition concerning plans for capital improvements. (NRS 278.02584)

Section 1 of this bill requires that the regional transportation commission in a county whose population is 400,000 or more designate, on or before December 31, 2009, 10 bus stops at which a bus turnout—an area for loading and unloading passengers outside of the lanes of traffic—must be constructed by December 31, 2012. Such a bus turnout must be constructed on land owned by the State or a local government. The commission must fund the construction of the bus turnout.

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

Section 1. Chapter 278 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Not later than December 31, 2009:

(a) Except as otherwise provided in subsection 5, the commission shall designate 10 locations in the county that are



* S B 1 7 3 R 2 *

1 owned by the State or by local governments and at which a bus
2 turnout must be constructed pursuant to this section; and

3 (b) For each location designated pursuant to paragraph (a),
4 the commission and the State or the local government that owns
5 the location shall execute an interlocal or cooperative agreement
6 that authorizes the construction of a bus turnout at the location.

7 2. For each location designated pursuant to subsection 1, the
8 commission and the State or the local government that owns the
9 location shall ensure that a bus turnout is constructed not later
10 than December 31, 2012.

11 3. The commission shall fund the construction of a bus
12 turnout built pursuant to this section.

13 4. When determining the locations to be designated pursuant
14 to subsection 1, the commission shall consider, without limitation:

15 (a) The amount of traffic congestion at the location during
16 hours of peak traffic;

17 (b) The extent of improvements to the location that would need
18 to be completed before the bus turnout could be constructed;

19 (c) The proximity of the location to an intersection;

20 (d) The frequency with which buses receive and discharge
21 passengers at the location;

22 (e) The number of bus passengers regularly using the bus stop
23 at the location;

24 (f) The general need for a bus turnout at the location; and

25 (g) Any obstacle that may prevent the completion of the
26 construction of a bus turnout by the date set forth in subsection 2.

27 5. The commission shall not designate more than three
28 locations pursuant to subsection 1 that are owned by the State or
29 by the same local government.

30 6. As used in this section:

31 (a) "Bus" has the meaning ascribed to it in NRS 484.021.

32 (b) "Bus turnout" means a fixed area that is:

33 (1) Adjacent or appurtenant to, or within reasonable
34 proximity of, a public highway; and

35 (2) To be occupied exclusively by buses in receiving or
36 discharging passengers.

37 (c) "Commission" means the regional transportation
38 commission created and organized pursuant to chapter 373 of
39 NRS in a county whose population is 400,000 or more.

40 (d) "Local government" means any political subdivision of the
41 State, including, without limitation, any county, city, town, board,
42 airport authority, fire protection district, irrigation district, school
43 district, hospital district or other special district which performs a
44 governmental function and which is located within the jurisdiction
45 of the commission.



1 (e) "Location" means a parcel of real property which:
2 (1) Is owned by the State or by a local government;
3 (2) Is adjacent to a public highway; and
4 (3) Contains a bench, shelter or transit stop for passengers
5 of public transportation.

6 (f) "Public highway" means any street, road, alley,
7 thoroughfare, way or place of any kind used by the public or open
8 to the use of the public as a matter of right for the purpose of
9 vehicular traffic.

10 Sec. 2. NRS 278.02507 is hereby amended to read as follows:
11 278.02507 The provisions of NRS 278.02507 to 278.02598,
12 inclusive, *and section 1 of this act* apply only to counties whose
13 population is 400,000 or more and cities located within those
14 counties.

15 Sec. 3. (Deleted by amendment.)

16 Sec. 4. (Deleted by amendment.)

17 Sec. 5. The provisions of NRS 354.599 do not apply to any
18 additional expenses of a local government that are related to the
19 provisions of this act.

20 Sec. 6. This act becomes effective on July 1, 2009.

