

Amendment No. 266

Senate Amendment to Senate Bill No. 48 (BDR 43-485)

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

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of S.B. 48 (§§ 19, 35).

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 underlining* is newly added transitory language.

MSM/BJE



Date: 4/25/2011

S.B. No. 48—Revises provisions relating to permitting and enforcement of standards for oversize and overweight vehicles operating on Nevada highways. (BDR 43-485)



SENATE BILL NO. 48—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF TRANSPORTATION)

PREFILED DECEMBER 15, 2010

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to permitting and enforcement of standards for oversize and overweight vehicles operating on Nevada highways. (BDR 43-485)

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 vehicles; revising provisions relating to the issuance of permits for travel on the highways of this State for certain oversize or overweight vehicles; revising provisions regarding administrative fines and penalties for certain violations of such permits; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Department of Transportation to issue permits for travel on the highways of this State by vehicles that exceed certain limits regarding size or weight, and provides criminal penalties for the failure to obtain such a permit or to misuse such a permit. (NRS 484D.600, 484D.620, 484D.680, 484D.745) **Sections 25, 26 and 35** of this bill require the Department of Motor Vehicles to issue permits for vehicles that exceed certain length requirements. **Section 25** also authorizes the Department of Transportation to issue permits that further restrict size or weight limits in certain circumstances, and to allow reciprocity with other states regarding various vehicle permits. **Section 19** of this bill authorizes the Department of Transportation to impose an administrative fine for certain violations of a permit, and **sections 27 and 35** of this bill give the Department of Motor Vehicles similar authority. **Section 19** also requires the Department of Transportation to issue, free of charge, a replacement for a permit that has been lost or stolen, and **section 35** also authorizes the Department of Motor Vehicles to charge a fee for a similar replacement permit. **Section 20** of this bill authorizes both the Department of Transportation and the Department of Motor Vehicles to impose certain penalties for repeated permit violations within 1 year. **Section 32** of this bill authorizes **a city, a county,** the Department of Transportation and any other agency involved to charge the holder of certain permits for any costs incurred in the travel of the permitted vehicle, such as traffic escorts, movement of various utilities to allow travel and damage done to any highway of this State.

Sections 15, 8, 15 and 22 of this bill provide for or amend the definitions of farm and ranch equipment and vehicles for consistency and to comport with certain federal regulations. Sections 2, 14 and 17 of this bill also provide various definitions to comport with certain federal regulations.

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

Section 1. ~~(Deleted by amendment.)~~

Sec. 2. ~~(Deleted by amendment.)~~

Sec. 3. ~~(Deleted by amendment.)~~

Sec. 4. ~~(Deleted by amendment.)~~

Sec. 5. ~~(Deleted by amendment.)~~

Sec. 6. ~~(Deleted by amendment.)~~

Sec. 7. ~~(Deleted by amendment.)~~

Sec. 8. ~~(Deleted by amendment.)~~

Sec. 9. ~~(Deleted by amendment.)~~

Sec. 10. ~~(Deleted by amendment.)~~

Sec. 11. ~~(Deleted by amendment.)~~

Sec. 12. ~~(Deleted by amendment.)~~

Sec. 13. Chapter 484D of NRS is hereby amended by adding thereto the provisions set forth as sections 14 to 20, inclusive, of this act.

Sec. 14. *“Divisible” means capable of being separated into smaller loads or vehicle combinations without:*

1. *Compromising the intended use of the load or vehicles;*

2. *Destroying the value of the load or a vehicle; or*

3. *Requiring more than 8 hours of work, using appropriate equipment, to separate.*

Sec. 15. ~~[1. “Farm or ranch vehicle” means any vehicle or combination of vehicles, including trailers, which is:~~

~~(a) Controlled and operated by a farmer or rancher, or a relative or employee of a farmer or rancher;~~

~~(b) Engaged in operations of a family farm as that term is defined in 7 C.F.R. § 761.2; and~~

~~(c) Used to transport on the highways of the State livestock, agricultural products, farm or ranch equipment or supplies of the farm or ranch between properties owned by, or leased or granted to the farmer or rancher.~~

~~2. The term does not include farm or ranch equipment as defined in NRS 484D.015, special mobile equipment as defined in NRS 484A.245 or any vehicle being used on a highway of this State for personal transportation.] (Deleted by amendment.)~~

Sec. 16. *“Longer combination vehicle” means a truck-tractor, coupled with two or three trailers and any load that is divisible, which is longer than 70 feet and has been issued a permit by the Department of Motor Vehicles, in cooperation with the Department of Transportation, to operate, or to operate at a gross vehicle weight that is over 80,000 pounds but under 129,001 pounds.*

Sec. 17. *“Over-dimensional vehicle” means a vehicle, including its load, that is nondivisible as defined in 23 C.F.R. § 658.5, and exceeds the weight or size requirements of this chapter.*

Sec. 18. *“Special mobile equipment” has the meaning ascribed to it in NRS 484A.245.*

Sec. 19. 1. *Except as otherwise provided in subsection 3, the Department of Transportation shall issue, free of charge, a replacement permit to any original purchaser of a permit issued by the Department of Transportation pursuant to this chapter upon receipt from the purchaser of a signed and notarized statement that the original permit was lost or stolen.*

2. The Department of Motor Vehicles shall issue replacement permits for longer combination vehicles for a fee of \$50 upon receipt from the purchaser of a signed and notarized statement that the original permit was lost or stolen.

3. Any person who uses or attempts to use a permit issued pursuant to this chapter that has been reported lost or stolen is guilty of a misdemeanor and subject to an administrative fine of \$2,500. The Department of Transportation or the Department of Motor Vehicles shall afford to any person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121.

4. All administrative fines and fees for replacement permits that are collected by the Department of Transportation or the Department of Motor Vehicles pursuant to this section must be deposited with the State Treasurer to the credit of the State Highway Fund.

5. The administrative remedy provided in this section is not exclusive and is in addition to any other remedy provided by law.

Sec. 20. 1. If a person to whom a permit is issued pursuant to this chapter receives more than one citation within 12 months for violations of the permit conditions or restrictions, the Department of Transportation or the Department of Motor Vehicles may take the following actions:

(a) After the second citation within 12 months, the issuance of a warning letter.

(b) After the third citation within 12 months, suspension of permit privileges for 14 days from the date of receipt of written notification of the suspension.

(c) After the fourth and any subsequent citations within 12 months, suspension of permit privileges for 30 days from the date of receipt of written notification of the suspension.

2. The Department of Transportation or the Department of Motor Vehicles shall afford to any person receiving a suspension pursuant to this section an opportunity for a hearing pursuant to the provisions of NRS 233B.121.

3. As used in this section, "suspension of permit privileges" means that the permittee may not operate a vehicle under any permit issued pursuant to this chapter for the duration of the suspension.

Sec. 21. NRS 484D.010 is hereby amended to read as follows:

484D.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 484D.015 to 484D.055, inclusive, *and sections 14 to 18, inclusive, of this act* have the meanings ascribed to them in those sections.

Sec. 22. ~~(Deleted by amendment.)~~

Sec. 23. ~~(Deleted by amendment.)~~

Sec. 24. NRS 484D.445 is hereby amended to read as follows:

484D.445 1. Every motor vehicle, except motorcycles or mopeds, equipped with a windshield ~~{shall}~~ **must** be equipped with a self-operating windshield wiper system which ~~{shall}~~ **must** be so constructed as to be controlled by the driver.

2. The windshield wiper system with which the vehicle is equipped ~~{shall}~~ **must** be maintained in good operating condition and capable of effectively clearing the windshield so as to provide clear vision through the windshield for the driver under all ordinary conditions of rain, snow or other moisture.

3. The wiper system ~~{shall}~~ **must** be operated while the vehicle is being driven during conditions of rain, snow or other moisture which obstruct or reduce the driver's clear view through the windshield.

4. ~~Subsection 1 does not apply to highway maintenance vehicles, special mobile equipment, implements of husbandry, or vehicles manufactured before July 1, 1935, with adequate manually operated windshield wipers.~~

1 **Sec. 25.** NRS 484D.600 is hereby amended to read as follows:

2 484D.600 1. Except as otherwise provided in this section, a person shall not
3 drive, move, stop or park any vehicle or combination of vehicles, and an owner
4 shall not cause or knowingly ~~[permit]~~ **allow** any vehicle or combination of vehicles
5 to be driven, moved, stopped or parked, on any highway if the vehicle or
6 combination of vehicles exceeds in size or weight or gross loaded weight the
7 maximum limitation specified by law for that size, weight and gross loaded weight
8 unless the person or owner is authorized to drive, move, stop or park the vehicle or
9 combination of vehicles by ~~[a special]~~ **an oversize or overweight vehicle** permit
10 issued by the ~~[proper public authority]~~ **Department of Transportation or the**
11 **Department of Motor Vehicles.**

12 2. **The Department of Motor Vehicles shall issue longer combination**
13 **vehicle permits as provided for in this section and pursuant to regulations**
14 **promulgated by the Department of Transportation.**

15 3. If the Department of Transportation, **the Nevada Highway Patrol** or a
16 local law enforcement agency determines that an emergency exists, the Department
17 **of Transportation, the Nevada Highway Patrol** or the local law enforcement
18 agency may authorize, **orally or in writing**, a person to drive, move, stop or park a
19 vehicle or combination of vehicles without obtaining ~~[a special]~~ **an oversize or**
20 **overweight** permit pursuant to subsection 1 ~~[. Such an authorization may be given~~
21 ~~orally and may, if requested by a local law enforcement agency or a public safety~~
22 ~~agency.] in or to the nearest safe location and may~~ include driving or moving the
23 vehicle or combination of vehicles to and from the site of the emergency. If a
24 person receives such an authorization, the person shall, on the next business day
25 after receiving the authorization, obtain a ~~[special]~~ permit pursuant to subsection 1.

26 ~~[3. This section does not apply to:~~

27 ~~—(a) Fire apparatus, highway machinery or snowplows temporarily moved upon~~
28 ~~a highway.~~

29 ~~—(b) A farm tractor or other implement of husbandry temporarily moved upon a~~
30 ~~highway other than an interstate highway or a controlled access highway.]~~

31 4. **The Department of Transportation may issue permits that further limit**
32 **vehicle size, vehicle weight, or the duration or repetition of any authorized**
33 **movement pursuant to this section or impose other vehicle or movement**
34 **restrictions as the Department of Transportation deems necessary for public**
35 **safety and the preservation of the highway infrastructure, in such a manner that**
36 **does not jeopardize the ability of this State to receive federal money for highway**
37 **purposes and does not adversely impede interstate or intrastate commerce.**

38 5. **All vehicles, including, without limitation, any vehicle exempted from**
39 **obtaining an oversize or overweight permit pursuant to this chapter, are subject**
40 **to any highway-specific or bridge-specific size or weight restrictions established**
41 **by the Department of Transportation, except during an emergency as determined**
42 **by the Department of Transportation, the Nevada Highway Patrol or a local law**
43 **enforcement agency.**

44 6. **The Department of Transportation may, by regulation, restrict and**
45 **require permits of those vehicles providing public transit, public safety, military**
46 **and other governmental functions, in such a manner that does not jeopardize the**
47 **ability of this State to receive federal money for highway purposes. The**
48 **Department of Transportation shall issue such permits to government agencies**
49 **without charge.**

50 7. **To facilitate interstate commerce and uniformity and pursuant to this**
51 **chapter, the Department of Transportation may, by regulation and appropriate**
52 **agreements, authorize reciprocity with authorities who issue vehicle permits in**

1 *other states and with the Western Association of State Highway and*
2 *Transportation Officials.*

3 **Sec. 26.** NRS 484D.615 is hereby amended to read as follows:

4 484D.615 1. Except as otherwise provided in subsection 2, the length of a
5 bus may not exceed 45 feet and the length of a motortruck may not exceed 40 feet.

6 2. A passenger bus which has three or more axles and two sections joined
7 together by an articulated joint with a trailer which is equipped with a mechanically
8 steered rear axle may not exceed a length of 65 feet.

9 3. Except as otherwise provided in subsections 4, 7 and 9, no combination of
10 vehicles, including any attachments thereto coupled together, may exceed a length
11 of 70 feet.

12 4. The Department of Transportation, by regulation, shall provide for the
13 operation of ~~combinations of~~ *longer combination vehicles and over-dimensional*
14 vehicles in excess of 70 feet in length. The regulations must establish standards for
15 the operation of such vehicles which must be consistent with their safe operation
16 upon the public highways and with the provisions of 23 C.F.R. § 658.23. Such
17 standards must include:

- 18 (a) Types and number of vehicles to be permitted in combination;
- 19 (b) Horsepower of a motortruck;
- 20 (c) Operating speeds;
- 21 (d) Braking ability; and
- 22 (e) Driver qualifications.

23 ➤ The operation of such vehicles is not permitted on highways where, in the
24 opinion of the Department of Transportation, their use would be inconsistent with
25 the public safety because of a narrow roadway, excessive grades, extreme curvature
26 or vehicular congestion.

27 5. ~~Combinations of~~ *Longer combination vehicles and over-dimensional*
28 vehicles operated under the provisions of subsection 4 may, after obtaining a
29 ~~special~~ permit, ~~issued at the discretion of, and in accordance with procedures~~
30 ~~established by, the Department of Transportation,~~ carry loads not to exceed the
31 values set forth in the following formula: $W=500 [LN/(N-1) + 12N + 36]$, wherein:

- 32 (a) W equals the maximum load in pounds carried on any group of two or more
33 consecutive axles computed to the nearest 500 pounds;
- 34 (b) L equals the distance in feet between the extremes of any group of two or
35 more consecutive axles; and
- 36 (c) N equals the number of axles in the group under consideration.

37 ➤ The distance between axles must be measured to the nearest foot. If a fraction is
38 exactly one-half foot, the next largest whole number must be used. The permits
39 may be restricted in such manner as the Department of Transportation *or the*
40 *Department of Motor Vehicles* considers necessary and may, at the option of the
41 Department ~~that issued the permit,~~ be cancelled without notice. No such permits
42 may be issued for operation on any highway where that operation would prevent
43 this State from receiving federal money for highway purposes.

44 6. ~~Upon approving an application for a permit to operate combinations of~~
45 ~~vehicles pursuant to subsection 5, the Department of Transportation shall withhold~~
46 ~~issuance of the permit until the applicant has furnished proof of compliance with~~
47 ~~the provisions of~~ *The Department of Motor Vehicles shall issue permits for*
48 *longer combination vehicles pursuant to subsection 5 and NRS 706.531.*

49 7. The load upon any motor vehicle operated alone, or the load upon any
50 combination of vehicles, must not extend beyond the front or the rear of the vehicle
51 or combination of vehicles for a distance of more than 10 feet, or a total of 10 feet
52 both to the front or the rear, and a combination of vehicles and load thereon may
53 not exceed a total of 75 feet without having secured a permit pursuant to subsection

4 or NRS 484D.600. The provisions of this subsection do not apply to the booms or masts of shovels, cranes or water well drilling and servicing equipment carried upon a vehicle if:

(a) The booms or masts do not extend by a distance greater than two-thirds of the wheelbase beyond the front tires of the vehicle.

(b) The projecting structure or attachments thereto are securely held in place to prevent dropping or swaying.

(c) No part of the structure which extends beyond the front tires is less than 7 feet from the roadway.

(d) The driver's vision is not impaired by the projecting or supporting structure.

8. Lights and other warning devices which are required to be mounted on a vehicle pursuant to this chapter must not be included in determining the length of a vehicle or combination of vehicles and the load thereon.

9. This section does not apply to:

(a) Vehicles used by a public utility for the transportation of poles;

(b) A combination of vehicles consisting of a truck-tractor drawing a semitrailer that does not exceed 53 feet in length;

(c) A combination of vehicles consisting of a truck-tractor drawing a semitrailer and a trailer, neither of which exceeds 28 1/2 feet in length; or

(d) A driveway saddle mount with full mount vehicle transporter combination that does not exceed 97 feet in length.

10. As used in this section:

(a) "Driveaway saddle mount with full mount vehicle transporter combination" means a vehicle combination designed and specifically used to tow up to three trucks or truck-tractors, each connected by a saddle to the frame or fifth wheel of the forward vehicle of the truck-tractor in front of it.

(b) "Motortruck" has the meaning ascribed to it in NRS 482.073.

Sec. 27. NRS 484D.620 is hereby amended to read as follows:

484D.620 1. Any person operating or moving any vehicle or equipment over any highway who violates any ~~length~~ *size* limitation in this chapter is guilty of a misdemeanor.

2. *Any size violation of an oversize permit issued pursuant to this chapter is subject to an administrative fine to be administered by the Department of Motor Vehicles in the amount of \$100 for each foot and fraction thereof that the size exceeds permit limits. The Department shall afford to any person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121.*

3. *All administrative fines collected by the Department of Motor Vehicles pursuant to this section must be deposited with the State Treasurer to the credit of the State Highway Fund.*

4. *The administrative remedy provided in this section is not exclusive and is in addition to any other remedy provided by law.*

Sec. 28. NRS 484D.685 is hereby amended to read as follows:

484D.685 1. ~~[As used in this section and NRS 484D.700, "special mobile equipment" means a vehicle, not self-propelled, not designed or used primarily for the transportation of persons or property, and only incidentally operated or moved over a highway, excepting implements of husbandry.~~

~~2.]~~ The Department of Transportation with respect to highways under its jurisdiction and governing bodies of cities and counties with respect to roads under their jurisdiction may, upon application in writing, authorize the applicant to operate or move ~~to~~ *any* vehicle, combination of vehicles, special mobile equipment, ~~farm~~ ~~for ranch equipment~~ *tractor, implement of husbandry* or load thereon of a size or weight exceeding the legal maximum, or to use corrugations on

the periphery of the movable tracks on a traction engine or tractor, the propulsive power of which is not exerted through wheels resting on the roadway but by means of a flexible band or chain, or, under emergency conditions, to operate or move a type of vehicle otherwise prohibited by law, upon any highway under the jurisdiction of the Department of Transportation or governing body granting that permit.

~~[3.]~~ 2. Except as otherwise provided in *this section and NRS 484D.690 to 484D.725, inclusive,* **484D.700**, the legal maximum ~~[width of any vehicle, combination of vehicles, special mobile equipment or load thereon is]~~ *size of any vehicle, including combinations of vehicles, special mobile equipment ~~for~~, a farm ~~for ranch equipment,~~ tractor, implement of husbandry, or load thereon, is:*

(a) *Width of 102 inches.*

(b) *Height of 14 feet.*

(c) *Length of 70 feet.*

(d) *Overhang, front or rear, from the vehicle of 10 feet.*

~~[4.]~~ 3. If a vehicle is equipped with pneumatic tires, the maximum width from the outside of one wheel and tire to the outside of the opposite outer wheel and tire must not exceed 108 inches, and the outside width of the body of the vehicle or the load thereon must not exceed 102 inches.

~~[5.]~~ 4. Lights ~~for~~, *mirrors or other devices for safety* which must be mounted upon a vehicle under this chapter may extend beyond the permissible width of the vehicle to a distance not exceeding 10 inches on each side of the vehicle, but the maximum width must not exceed 126 inches.

~~[6.]~~ 5. Door handles, hinges, cable cinchers and chain binders may extend 3 inches on each side, but the maximum width of body and door handles, hinges, cable cinchers or chain binders must not exceed 108 inches.

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

7. *An awning attached to a recreational vehicle and any hardware required for the awning may extend beyond the permissible width of the vehicle to a distance not exceeding 10 inches on either side of the vehicle, but the maximum width must not exceed 126 inches.*

Sec. 29. NRS 484D.700 is hereby amended to read as follows:

484D.700 **1.** Subject to the provisions of subsection ~~[2]~~ **1** of NRS 484D.685, the following vehicles must not exceed a width of 120 inches:

~~[1. Any trailer or semitrailer, including lift carriers and tip bed trailers, used exclusively for the transportation of implements of husbandry by farmers or implement dealers;~~

~~— 2.]~~ (a) Special mobile equipment.

~~[3. Highway construction or maintenance equipment.]~~

(b) *Fire apparatus.*

(c) *Snow removal equipment.*

2. *A vehicle carrying a load of loosely piled agricultural products, including, without limitation, hay or leguminous plants, that are in bulk but not crated, boxed, baled or sacked, the load and any racks or other structures or devices retaining the load must not exceed 120 inches in width.*

3. *~~[Farm]~~ A farm tractor or ~~[ranch equipment]~~ implement of husbandry operated, towed or moved as a load on another vehicle over any highway other than an interstate highway or a controlled-access highway may travel during daylight hours only, must travel as far to the right side of the highway as is practicable, and may not:*

(a) *Exceed 14 feet in width;*

- (b) *Travel for a distance of more than 25 miles from the point of origin; and*
 (c) *Exceed a speed of 30 miles per hour.*

Sec. 30. NRS 484D.725 is hereby amended to read as follows:

484D.725 1. Upon receipt of the necessary application in writing, the Department of Transportation shall issue a permit to operate or move a vehicle, including, without limitation, a combination of vehicles, special mobile equipment ~~for~~, a farm tractor or ranch equipment, implement of husbandry on the highways of this State which has a load that ~~it~~ meets the definition of nondivisible in 23 C.F.R. § 658.5 and:

- (a) Exceeds 14 feet in height;
~~(2.)~~ (b) Exceeds 70 feet in length; ~~for~~
~~—3.)~~ (c) Exceeds 102 inches in width ~~it~~;
 (d) *Exceeds 10 feet of front or rear overhang; or*
 (e) *Exceeds 80,000 pounds of gross weight,*

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

2. *The Department of Transportation shall issue a permit pursuant to subsection 1 for a farm tractor or ranch equipment implement of husbandry at no cost to any farmer or rancher who is not engaged in a commercial enterprise, as defined in section 2 of this act.*

3. *As used in this section, the term “commercial enterprise” means the activity of producing goods or services for profit. The term does not include operation of a family farm as that term is defined in 7 C.F.R. § 761.2, or the vehicles and equipment used in that operation.*

Sec. 31. NRS 484D.730 is hereby amended to read as follows:

484D.730 The application for a permit under NRS 484D.685 to 484D.725, inclusive, must ~~it~~ specifically identify:

1. ~~{Specifically describe the vehicle or special mobile equipment and load to be operated or moved and the particular highways over which the permit to operate is requested.} The vehicle to be operated;~~

2. ~~{State whether the permit is requested for a single trip, for continuous use or for multiple trips over a limited time.} Any load to be moved; and~~

3. *The intended route for movement.*

Sec. 32. NRS 484D.735 is hereby amended to read as follows:

484D.735 1. ~~{No vehicle operated or moved upon any public highway under the authority of a continuous or multiple trip limited time permit may exceed a maximum weight of 20,000 pounds on any single axle. Before any continuous permit is issued,} Upon a determination by the Department of Transportation that the potential exists for significant traffic impact or damage to the highway or highways based on an application for a permit issued pursuant to this chapter,~~ the applicant shall pay a reasonable fee to be determined by the Department of Transportation to pay the costs and expenses of conducting ~~{an initial investigation of} a movement impact survey of~~ the highway or highways involved.

2. If, after issuance of a ~~{continuous or multiple trip limited time}~~ permit, the Department of Transportation finds that the traffic authorized by such ~~{continuous or multiple trip limited time}~~ permit has caused substantial highway distress, the permit may be revoked summarily, but the revocation does not operate to prevent a subsequent filing of a new application for another ~~{continuous or multiple trip limited time}~~ permit.

3. The Department of Transportation shall consider the recommendation of a city or county regarding whether traffic authorized by the issuance of a ~~{continuous or multiple trip limited time}~~ permit has caused substantial distress to a highway

under the jurisdiction of that city or county, and whether the permit should be revoked.

~~4. *[The] A county or city, the Department of Transportation and any other agencies involved, including, without limitation, the Nevada Highway Patrol, may charge the permittee for the actual costs incurred by the agency for preparation for, participation in and any damages caused by the traffic authorized by the permit.*~~

Sec. 33. ~~(Deleted by amendment.)~~

Sec. 34. ~~(Deleted by amendment.)~~

Sec. 35. NRS 706.531 is hereby amended to read as follows:

706.531 1. The Department ~~{of Transportation}~~ shall approve an application for a permit pursuant to the provisions of subsection 5 of NRS 484D.615. The permit must be carried and displayed in such a manner as the Department determines on every combination so operating. The permit issued may be transferred from one combination to another, under such conditions as the Department may by regulation prescribe, but must not be transferred from one person or operator to another without prior approval of the Department. The permit may be used only on motor vehicles regularly licensed pursuant to the provisions of NRS 482.482.

2. The annual fee for each permit for a *longer* combination ~~{of vehicles}~~ *vehicle* is \$60 for each 1,000 pounds or fraction thereof of gross weight in excess of 80,000 pounds. The fee must be reduced one-twelfth for each month *or portion thereof* that ~~has elapsed since the beginning of each calendar year.~~ *the permit is valid*, rounded to the nearest dollar, but must not be less than \$50. The annual fee for each permit for a *longer* combination ~~{of vehicles}~~ *vehicle* not exceeding 80,000 pounds is \$10. The fee must be paid in addition to all other fees required by the provisions of this chapter.

3. Any person operating a *longer* combination ~~{of vehicles}~~ *vehicle* licensed pursuant to the provisions of subsection 2 who is apprehended operating a combination in excess of the gross weight for which the fee in subsection 2 has been paid is, in addition to all other penalties provided by law, liable for the difference between the fee for the load being carried and the fee paid, for the full licensing period.

4. Any person apprehended operating a *longer* combination ~~{of vehicles}~~ *vehicle* without having complied with the provisions of this section and NRS 484D.615 is, in addition to all other penalties provided by law, liable for the payment of the fee which would be due pursuant to the provisions of subsection 2 for the balance of the calendar year for the gross load being carried at the time of apprehension.

5. The holder of an original permit may, ~~{upon surrendering the permit to the Department or}~~ upon delivering to the Department a signed and notarized statement that the permit was lost or stolen and such other documentation as the Department may require, apply to the Department ~~for~~:

~~—(a) For a refund of an amount equal to that portion of the fees paid for the permit that is attributable, on a pro rata monthly basis, to the remainder of the calendar year; or~~

~~—(b) To have that amount credited against excise taxes due pursuant to the provisions of chapter 366 of NRS, for a replacement permit. The Department shall issue such a replacement permit and may charge a fee not to exceed \$50.~~

6. Any person who uses or attempts to use a permit issued pursuant to this chapter that has been reported lost or stolen is guilty of a misdemeanor and subject to an administrative fine of \$2,500. The Department shall afford to any

person so fined an opportunity for a hearing pursuant to the provisions of NRS 233B.121.

7. All administrative fines collected by the Department pursuant to this section must be deposited with the State Treasurer to the credit of the State Highway Fund.

8. The administrative remedy provided in this section is not exclusive and is in addition to any other remedy provided by law.

9. As used in this section, "longer combination vehicle" has the meaning ascribed to it in section 16 of this act.

Sec. 36. NRS ~~482.035, 484D.020,~~ 484D.645, 484D.690, 484D.695 and 484D.705 are hereby repealed.

Sec. 37. This act becomes effective upon passage and approval for the purpose of adopting regulations and on July 1, 2011, for all other purposes.

~~(LEADLINES)~~ TEXT OF REPEALED SECTIONS

~~482.035 "Farm tractor" defined. "Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.~~

~~484D.020 "Implement of husbandry" defined. "Implement of husbandry" means every vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.]~~

484D.645 Limitations on weight for vehicle used by regional transportation commission or its contractor to provide public mass transportation; exception for certain vehicles used as part of demonstration project; definitions.

1. Except as otherwise provided in subsection 2, a vehicle that is used by a regional transportation commission or its contractor to provide public mass transportation may be operated or moved upon a public highway, other than a highway within the designated interstate system, if the maximum weight does not exceed, on a single axle with:

- (a) Single tires, 20,000 pounds; or
- (b) Dual tires, 25,000 pounds.

2. A vehicle with a maximum weight on a single axle with single tires of more than 20,000 pounds but not more than 29,000 pounds that is used by a regional transportation commission or its contractor to provide public mass transportation as part of a demonstration project may be operated or moved upon a public highway, other than a highway within the designated interstate system, if the tires are not less than 20 inches in width and the Department of Transportation, after conducting an evaluation of the vehicle:

- (a) Determines that such operation or movement of the vehicle is in the best interest of the Department; and
- (b) In its discretion, issues a permit authorizing such operation or movement of the vehicle.

3. As used in this section:

- (a) "Contractor" means any person or governmental entity that has entered into a contract with a regional transportation commission to provide services related to the provision of public mass transportation, but only during the period in which the contract remains legally effective.

(b) "Regional transportation commission" means any regional transportation commission created and organized in accordance with chapter 277A of NRS, and which provides or sponsors public mass transportation services.

484D.690 Maximum width of bus. The legal maximum width of a bus is 102 inches, excluding mirrors, lights and other devices required for safety.

484D.695 Maximum width of recreational vehicle. The legal maximum width of a recreational vehicle is 102 inches, excluding:

1. Mirrors, lights and other devices required for safety; and
2. An awning and any hardware required for the awning which is attached to the recreational vehicle and which does not extend beyond any mirror specified in subsection 1 which is attached to the side of the recreational vehicle.

484D.705 Width of load of loosely piled agricultural products; restrictions for implement of husbandry moved over highway.

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

2. The provisions of NRS 484D.685 with respect to maximum widths do not apply to implements of husbandry incidentally operated, transported, moved or towed over a highway other than an interstate highway or a controlled-access highway.

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

(a) An interstate highway or a controlled-access highway, and the load exceeds 102 inches in width, the movement is subject to the provisions of NRS 484D.720 and the regulations adopted pursuant thereto.

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