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SENATE BILL NO. 48—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF TRANSPORTATION)

PREFILED DECEMBER 15, 2010

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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.

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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:**

1 Existing law requires the Department of Transportation to issue permits for  
2 travel on the highways of this State by vehicles that exceed certain limits regarding  
3 size or weight, and provides criminal penalties for the failure to obtain such a  
4 permit or to misuse such a permit. (NRS 484D.600, 484D.620, 484D.680,  
5 484D.745) **Sections 25, 26 and 35** of this bill require the Department of Motor  
6 Vehicles to issue permits for vehicles that exceed certain length requirements.  
7 **Section 25** also authorizes the Department of Transportation to issue permits that  
8 further restrict size or weight limits in certain circumstances, and to allow  
9 reciprocity with other states regarding various vehicle permits. **Section 19** of this  
10 bill authorizes the Department of Transportation to impose an administrative fine  
11 for certain violations of a permit, and **sections 27 and 35** of this bill give the  
12 Department of Motor Vehicles similar authority. **Section 19** also requires the  
13 Department of Transportation to issue, free of charge, a replacement for a permit  
14 that has been lost or stolen, and **section 35** also authorizes the Department of Motor  
15 Vehicles to charge a fee for a similar replacement permit. **Section 20** of this bill  
16 authorizes both the Department of Transportation and the Department of Motor  
17 Vehicles to impose certain penalties for repeated permit violations within 1 year.  
18 **Section 32** of this bill authorizes 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 5, 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.

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

**Section 1.** Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

**Sec. 2.** *“Commercial enterprise” means the activity of producing goods for profit or providing 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. 3.** *“Commercial equipment” means any equipment designed, used primarily or adapted exclusively for the production of property, equipment or goods in furtherance of a commercial enterprise as defined in section 2 of this act.*

**Sec. 4.** *“Commercial vehicle” has the meaning ascribed to it in NRS 484A.055.*

**Sec. 5.** *“Farm or ranch equipment” has the meaning ascribed to it in NRS 484D.015.*

**Sec. 6.** NRS 482.010 is hereby amended to read as follows:  
482.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 482.0105 to 482.137, inclusive, *and sections 2 to 5, inclusive, of this act* have the meanings ascribed to them in those sections.

**Sec. 7.** NRS 482.023 is hereby amended to read as follows:  
482.023 “Declared gross weight” means the maximum gross weight at which a motor vehicle or combination of vehicles will be operated, except the term does not include the weight of:

1. Another vehicle which is being carried or towed by a tow car, as that term is defined in NRS 706.131;

2. ~~Implements of husbandry;~~ *Farm or ranch equipment;*

3. A trailer or other towed vehicle which is not used for a commercial enterprise;

4. Towable tools or equipment, as that term is defined in NRS 484D.055; or

5. The load on a farm *or ranch* vehicle which has an unladen weight of 10,000 pounds or more.



1     **Sec. 8.** NRS 482.036 is hereby amended to read as follows:

2     482.036 1. "Farm *or ranch* vehicle" means any vehicle or  
3 combination of vehicles, *including trailers*, which is:

4     ~~[(1)]~~ (a) Controlled and operated by a farmer or rancher ~~[(1)]~~, *or a*  
5 *relative or employee of a farmer or rancher;*

6     ~~[(2)]~~ (b) Used to transport ~~[his or her own]~~ *on the highways of*  
7 *the State* livestock, agricultural products, *farm* or ranch ~~[or farm~~  
8 ~~machinery]~~ *equipment*, or supplies ~~[to or from a ranch or farm;]~~ *of*  
9 *the farm or ranch between properties owned by, or leased or*  
10 *granted to the farmer or rancher;* and

11     ~~[(3. — Not used in the operation of a common or contract carrier.)]~~

12     (c) *Engaged in operations of a family farm as that term is*  
13 *defined in 7 C.F.R. § 761.2.*

14     2. *The term does not include farm or ranch equipment as*  
15 *defined in NRS 484D.015, special mobile equipment as defined in*  
16 *NRS 484A.245 or any vehicle being used on a highway of this*  
17 *State for personal transportation.*

18     **Sec. 9.** NRS 482.043 is hereby amended to read as follows:

19     482.043 "Franchise" means a written agreement between a  
20 manufacturer or distributor and a dealer by which:

21     1. A commercial relationship of definite duration or continuing  
22 indefinite duration is established.

23     2. The dealer is granted the right to offer and sell at retail new  
24 vehicles, other than mopeds, farm ~~[tractors]~~ *or ranch equipment* or  
25 special mobile equipment.

26     3. The dealer constitutes a component of a distribution system  
27 for new vehicles.

28     4. The operation of the dealer's business is substantially  
29 associated with the trademark, trade name, advertising or other  
30 commercial symbol designating a manufacturer or distributor.

31     5. The operation of a portion of the dealer's business is  
32 substantially reliant on the manufacturer or distributor for a  
33 continued supply of new vehicles, parts and accessories.

34     **Sec. 10.** NRS 482.210 is hereby amended to read as follows:

35     482.210 1. The provisions of this chapter requiring the  
36 registration of certain vehicles do not apply to:

37     (a) Special mobile equipment.

38     (b) ~~[Implements of husbandry temporarily drawn, moved or~~  
39 ~~otherwise propelled upon the highways.]~~ *Farm or ranch*  
40 *equipment.*

41     (c) Any mobile home or commercial coach subject to the  
42 provisions of chapter 489 of NRS.

43     (d) Electric bicycles.

44     (e) Golf carts which are:



(1) Traveling upon highways properly designated by the appropriate city or county as permissible for the operation of golf carts; and

(2) Operating pursuant to a permit issued pursuant to this chapter.

(f) Mopeds.

(g) Towable tools or equipment as defined in NRS 484D.055.

(h) Any motorized conveyance for a wheelchair, whose operator is a person with a disability who is unable to walk about.

2. For the purposes of this section, "motorized conveyance for a wheelchair" means a vehicle which:

(a) Can carry a wheelchair;

(b) Is propelled by an engine which produces not more than 3 gross brake horsepower, has a displacement of not more than 50 cubic centimeters or produces not more than 2250 watts final output;

(c) Is designed to travel on not more than three wheels; and

(d) Can reach a speed of not more than 30 miles per hour on a flat surface with not more than a grade of 1 percent in any direction.

➔ The term does not include a tractor.

**Sec. 11.** NRS 482.485 is hereby amended to read as follows:

482.485 1. The provisions of chapter 582 of NRS (Public Weighmasters) are hereby made applicable to this chapter.

2. Except as otherwise provided in subsection 6, all motor vehicles required to be weighed under the provisions of this chapter must be weighed by a public weighmaster under such rules and regulations as may be deemed advisable by the Director and the State Sealer of Weights and Measures, and according to the provisions of chapter 582 of NRS.

3. The Department for registration purposes only may collect a fee, not to exceed \$1, for each vehicle weighed by the Department.

4. From time to time, upon request of the Director, the State Sealer of Weights and Measures shall appoint additional public weighmasters, according to the provisions of chapter 582 of NRS, as may be necessary to effectuate the purposes of this chapter.

5. Public weighmasters' certificates issued in states other than Nevada, when such certificates bear the seal of such weighmaster, may be accepted by the Director as evidence of the weight of the motor vehicle for which a license is applied.

6. In lieu of weighing a farm *or ranch* vehicle pursuant to subsection 2, the farmer or rancher who uses the farm *or ranch* vehicle may:

(a) Weigh the farm *or ranch* vehicle on a scale which has been certified by the State Sealer of Weights and Measures; and



(b) Use a printout from that scale setting forth the declared gross weight of the farm *or ranch* vehicle as proof of the declared gross weight of the farm *or ranch* vehicle for purposes of this chapter.

**Sec. 12.** NRS 484A.055 is hereby amended to read as follows:  
484A.055 "Commercial vehicle" means every vehicle *or trailer* designed, maintained or used primarily for the transportation of property, *equipment or goods* in furtherance of commercial enterprise *as defined in section 2 of this act.*

**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.*

**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*



1 *replacement permit to any original purchaser of a permit issued by*  
2 *the Department of Transportation pursuant to this chapter upon*  
3 *receipt from the purchaser of a signed and notarized statement*  
4 *that the original permit was lost or stolen.*

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

9 3. *Any person who uses or attempts to use a permit issued*  
10 *pursuant to this chapter that has been reported lost or stolen is*  
11 *guilty of a misdemeanor and subject to an administrative fine of*  
12 *\$2,500. The Department of Transportation or the Department of*  
13 *Motor Vehicles shall afford to any person so fined an opportunity*  
14 *for a hearing pursuant to the provisions of NRS 233B.121.*

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

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

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

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

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

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

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

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

43 **Sec. 21.** NRS 484D.010 is hereby amended to read as follows:  
44 484D.010 As used in this chapter, unless the context otherwise  
45 requires, the words and terms defined in NRS 484D.015 to



1 484D.055, inclusive, *and sections 14 to 18, inclusive, of this act*  
2 have the meanings ascribed to them in those sections.

3 **Sec. 22.** NRS 484D.015 is hereby amended to read as follows:

4 484D.015 "Farm ~~{tractor}~~" *or ranch equipment*" means ~~{every~~  
5 ~~motor vehicle}~~ *any equipment that is* designed , ~~{and}~~ used  
6 primarily ~~{as a farm implement for drawing plows, mowing~~  
7 ~~machines and other implements of husbandry.}~~ *or adapted*  
8 *exclusively for agricultural, horticultural or livestock-raising*  
9 *operations, including, without limitation, lifting, carrying, towing,*  
10 *plowing or mowing, and may be self-propelled, towed or carried as*  
11 *a load. The term does not include a farm or ranch vehicle as*  
12 *defined in section 15 of this act, special mobile equipment or any*  
13 *other vehicle used on the highways of this State for personal*  
14 *transportation.*

15 **Sec. 23.** NRS 484D.170 is hereby amended to read as follows:

16 484D.170 1. Every ~~{farm tractor and every}~~ self-propelled  
17 unit of farm *or ranch* equipment ~~{or implement of husbandry}~~  
18 manufactured after January 1, 1970, ~~{shall}~~ *must* be equipped with  
19 vehicular hazard-warning lamps of a type described in NRS  
20 484D.205, visible from a distance of not less than 1,000 feet to the  
21 front and rear in normal sunlight, which ~~{shall}~~ *must* be displayed  
22 whenever any such vehicle is operated upon a highway.

23 2. Every ~~{farm tractor and every}~~ self-propelled unit of farm *or*  
24 *ranch* equipment ~~{or implement of husbandry}~~ manufactured after  
25 January 1, 1970, ~~{shall}~~ *must* at all times, and every other such  
26 vehicle ~~{shall.}~~ *must*, during the times mentioned in NRS 484D.100,  
27 be equipped with lamps and reflectors as follows:

28 (a) At least two headlamps meeting the requirements of  
29 NRS 484D.210.

30 (b) At least one red lamp visible when lighted from a distance of  
31 not less than 1,000 feet to the rear, mounted as far to the left of the  
32 center of the vehicle as practicable.

33 (c) At least two red reflectors visible from all distances within  
34 600 feet to 100 feet to the rear when directly in front of lawful lower  
35 beams of headlamps.

36 3. Every combination of ~~{farm tractor and}~~ towed *and self-*  
37 *propelled* farm *or ranch* equipment ~~{or implement of husbandry~~  
38 ~~shall}~~ *must* at all times mentioned in NRS 484D.100 be equipped  
39 with lamps and reflectors as follows:

40 (a) The ~~{farm tractor shall}~~ *self-propelled unit must* be equipped  
41 as required in subsections 1 and 2.

42 (b) If the towed unit extends more than 4 feet to the rear of the  
43 ~~{tractor}~~ *self-propelled unit* or obscures any lamp on the ~~{tractor,}~~  
44 *self-propelled unit*, such unit ~~{shall}~~ *must* be equipped on the  
45 rear with at least two red reflectors visible from all distances within





1 600 feet to 100 feet to the rear when directly in front of lawful lower  
2 beams of headlamps.

3 (c) If the towed unit extends more than 4 feet to the left of the  
4 centerline of the ~~{tractor,}~~ *self-propelled unit*, such unit ~~{shall}~~ *must*  
5 be equipped on the front with an amber reflector visible from all  
6 distances within 600 feet to 100 feet to the front when directly in  
7 front of lawful beams of headlamps. Such reflector ~~{shall}~~ *must* be  
8 so positioned as to indicate, as nearly as practicable, the extreme left  
9 projection of the towed unit.

10 4. The two red reflectors required by subsection 3 ~~{shall}~~ *must*  
11 be so positioned as to show from the rear, as nearly as practicable,  
12 the extreme width of the vehicle or combination carrying them.

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

14 484D.445 1. Every motor vehicle, except motorcycles or  
15 mopeds, equipped with a windshield ~~{shall}~~ *must* be equipped with  
16 a self-operating windshield wiper system which ~~{shall}~~ *must* be so  
17 constructed as to be controlled by the driver.

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

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

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

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

32 484D.600 1. Except as otherwise provided in this section, a  
33 person shall not drive, move, stop or park any vehicle or  
34 combination of vehicles, and an owner shall not cause or knowingly  
35 ~~{permit}~~ *allow* any vehicle or combination of vehicles to be driven,  
36 moved, stopped or parked, on any highway if the vehicle or  
37 combination of vehicles exceeds in size or weight or gross loaded  
38 weight the maximum limitation specified by law for that size,  
39 weight and gross loaded weight unless the person or owner is  
40 authorized to drive, move, stop or park the vehicle or combination  
41 of vehicles by ~~{a special}~~ *an oversize or overweight vehicle* permit  
42 issued by the ~~{proper public authority.}~~ *Department of*  
43 *Transportation or the Department of Motor Vehicles.*

44 2. *The Department of Motor Vehicles shall issue longer*  
45 *combination vehicle permits as provided for in this section and*





1 *pursuant to regulations promulgated by the Department of*  
2 *Transportation.*

3 3. If the Department of Transportation , *the Nevada Highway*  
4 *Patrol* or a local law enforcement agency determines that an  
5 emergency exists, the Department *of Transportation, the Nevada*  
6 *Highway Patrol* or the local law enforcement agency may authorize  
7 *, orally or in writing*, a person to drive, move, stop or park a vehicle  
8 or combination of vehicles without obtaining ~~[a special]~~ *an oversize*  
9 *or overweight* permit pursuant to subsection 1 ~~[. Such an~~  
10 ~~authorization may be given orally and may, if requested by a local~~  
11 ~~law enforcement agency or a public safety agency.]~~ *in or to the*  
12 *nearest safe location and may* include driving or moving the  
13 vehicle or combination of vehicles to and from the site of the  
14 emergency. If a person receives such an authorization, the person  
15 shall, on the next business day after receiving the authorization,  
16 obtain a ~~[special]~~ permit pursuant to subsection 1.

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

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

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

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

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

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



1        *7. To facilitate interstate commerce and uniformity and*  
2 *pursuant to this chapter, the Department of Transportation may,*  
3 *by regulation and appropriate agreements, authorize reciprocity*  
4 *with authorities who issue vehicle permits in other states and with*  
5 *the Western Association of State Highway and Transportation*  
6 *Officials.*

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

8        484D.615 1. Except as otherwise provided in subsection 2,  
9 the length of a bus may not exceed 45 feet and the length of a  
10 motortruck may not exceed 40 feet.

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

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

18        4. The Department of Transportation, by regulation, shall  
19 provide for the operation of ~~combinations of~~ *longer combination*  
20 *vehicles and over-dimensional* vehicles in excess of 70 feet in  
21 length. The regulations must establish standards for the operation of  
22 such vehicles which must be consistent with their safe operation  
23 upon the public highways and with the provisions of 23 C.F.R. §  
24 658.23. Such standards must include:

25        (a) Types and number of vehicles to be permitted in  
26 combination;

27        (b) Horsepower of a motortruck;

28        (c) Operating speeds;

29        (d) Braking ability; and

30        (e) Driver qualifications.

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

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

42        (a) W equals the maximum load in pounds carried on any group  
43 of two or more consecutive axles computed to the nearest 500  
44 pounds;



(b) L equals the distance in feet between the extremes of any group of two or more consecutive axles; and

(c) N equals the number of axles in the group under consideration.

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

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

7. The load upon any motor vehicle operated alone, or the load upon any combination of vehicles, must not extend beyond the front or the rear of the vehicle or combination of vehicles for a distance of more than 10 feet, or a total of 10 feet both to the front or the rear, and a combination of vehicles and load thereon may 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;



\* S B 4 8 \*

(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 driveaway 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 ~~fa~~ any vehicle, combination of vehicles, special mobile equipment, *farm or ranch equipment* 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



1 prohibited by law, upon any highway under the jurisdiction of the  
2 Department of Transportation or governing body granting that  
3 permit.

4 ~~[3.]~~ 2. Except as otherwise provided in *this section and* NRS  
5 ~~[484D.690 to 484D.725, inclusive,]~~ *484D.700*, the legal maximum  
6 ~~[width of any vehicle, combination of vehicles, special mobile~~  
7 ~~equipment or load thereon is]~~ *size of any vehicle, including*  
8 *combinations of vehicles, special mobile equipment or farm or*  
9 *ranch equipment, or load thereon, is:*

10 (a) *Width of 102 inches.*

11 (b) *Height of 14 feet.*

12 (c) *Length of 70 feet.*

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

14 ~~[4.]~~ 3. If a vehicle is equipped with pneumatic tires, the  
15 maximum width from the outside of one wheel and tire to the  
16 outside of the opposite outer wheel and tire must not exceed 108  
17 inches, and the outside width of the body of the vehicle or the load  
18 thereon must not exceed 102 inches.

19 ~~[5.]~~ 4. Lights ~~[or]~~, *mirrors or other* devices *for safety* which  
20 must be mounted upon a vehicle under this chapter may extend  
21 beyond the permissible width of the vehicle to a distance not  
22 exceeding 10 inches on each side of the vehicle, but the maximum  
23 width must not exceed 126 inches.

24 ~~[6.]~~ 5. Door handles, hinges, cable cinchers and chain binders  
25 may extend 3 inches on each side, but the maximum width of body  
26 and door handles, hinges, cable cinchers or chain binders must not  
27 exceed 108 inches.

28 ~~[7.]~~ 6. A person shall not operate a passenger vehicle on any  
29 highway with any load carried thereon extending beyond the line of  
30 the hubcaps on its left side or more than 6 inches beyond the line of  
31 the hubcaps on its right side.

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

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

38 484D.700 1. Subject to the provisions of subsection ~~[2.]~~ 1 of  
39 NRS 484D.685, the following vehicles must not exceed a width of  
40 120 inches:

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

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

45 ~~[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 or ranch equipment 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 or farm or ranch equipment* on the highways of this State which has a load that ~~is~~:

~~1.]~~ *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; ~~or~~

~~3.]~~ (c) Exceeds 102 inches in width ~~is~~;

(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 farm or ranch equipment at no cost to any farmer or rancher who is not engaged in a commercial enterprise as defined in section 2 of this act.*

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 ~~is~~ *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 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. NRS 366.203 is hereby amended to read as follows:

366.203 1. Special fuel, other than compressed natural gas, liquefied petroleum gas or kerosene, which is exempt from the tax pursuant to subsection 3 or 4 of NRS 366.200 must be dyed before it is removed for distribution from a rack. The dye added to the exempt special fuel must be of the color and concentration required by the regulations adopted by the Secretary of the Treasury pursuant to 26 U.S.C. § 4082.

2. Except as otherwise provided in subsections 3 and 4, a person shall not operate or maintain on any highway in this State a motor vehicle which contains dyed special fuel in the fuel tank of





1 that vehicle. A person who operates or maintains a motor vehicle in  
2 violation of this subsection and the registered owner of the motor  
3 vehicle are jointly and severally liable for any taxes, penalties and  
4 interest payable to the Department.

5 3. A person who, pursuant to subsection 2, 3 or 4 of NRS  
6 366.200, is exempt from the tax imposed by this chapter may  
7 operate or maintain a motor vehicle on a highway in this State  
8 which contains dyed special fuel in the fuel tank of that vehicle.

9 4. A person may operate or maintain on a highway in this State  
10 any special mobile equipment that is incidentally operated or moved  
11 upon a highway or farm *or ranch* equipment which contains dyed  
12 special fuel in the fuel tank of the special mobile equipment or farm  
13 *or ranch* equipment. As used in this subsection:

14 (a) "Farm *or ranch* equipment" ~~[means any self-propelled~~  
15 ~~machinery or motor vehicle that is designed solely for tilling soil or~~  
16 ~~for cultivating, harvesting or transporting crops or other agricultural~~  
17 ~~products and which is not required to be registered with the~~  
18 ~~Department. The term includes a tractor, baler or swather, any~~  
19 ~~implement used to retrieve hay, or any special mobile equipment~~  
20 ~~that is used for farming purposes. The term does not include a truck-~~  
21 ~~tractor or any other vehicle primarily used for hauling loads long~~  
22 ~~distances over a public highway.]~~ *has the meaning ascribed to it in*  
23 *NRS 484D.015.*

24 (b) "Highway" does not include a controlled-access highway as  
25 defined in NRS 484A.060.

26 (c) "Truck-tractor" has the meaning ascribed to it in  
27 NRS 482.130.

28 (d) "Vehicle" has the meaning ascribed to it in NRS 482.135.

29 5. There is a rebuttable presumption that all special fuel which  
30 is not dyed special fuel and which is sold or distributed in this State  
31 is for the purpose of propelling a motor vehicle.

32 6. The Department shall, by regulation, define "incidentally  
33 operated or moved upon a highway" for purposes of this section.

34 **Sec. 34.** NRS 706.058 is hereby amended to read as follows:

35 706.058 "Declared gross weight" means the maximum gross  
36 weight at which the vehicle or combination of vehicles will be  
37 operated, except the term does not include the weight of:

38 1. Another vehicle which is being carried or towed by a tow  
39 car;

40 2. ~~[Implements of husbandry;]~~ *Farm or ranch equipment as*  
41 *defined in NRS 484D.015;*

42 3. A trailer or other towed vehicle which is not used for a  
43 commercial enterprise;

44 4. Towable tools or equipment, as that term is defined in NRS  
45 484D.055; or



5. The load on a farm *or ranch* vehicle which has an unladen weight of 10,000 pounds or more.

**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 ~~{:~~

~~—(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~~



~~1 (b) To have that amount credited against excise taxes due~~  
~~2 pursuant to the provisions of chapter 366 of NRS.] for a~~  
~~3 replacement permit. The Department shall issue such a~~  
~~4 replacement permit and may charge a fee not to exceed \$50.~~

5 6. Any person who uses or attempts to use a permit issued  
6 pursuant to this chapter that has been reported lost or stolen is  
7 guilty of a misdemeanor and subject to an administrative fine of  
8 \$2,500. The Department shall afford to any person so fined an  
9 opportunity for a hearing pursuant to the provisions of  
10 NRS 233B.121.

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

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

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

18 Sec. 36. NRS 482.035, 484D.020, 484D.645, 484D.690,  
19 484D.695 and 484D.705 are hereby repealed.

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

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## LEADLINES OF REPEALED SECTIONS

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482.035 "Farm tractor" defined.

484D.020 "Implement of husbandry" defined.

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.

484D.690 Maximum width of bus.

484D.695 Maximum width of recreational vehicle.

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

