
ASSEMBLY BILL NO. 18—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE DEPARTMENT OF TRANSPORTATION)

PREFILED DECEMBER 19, 2012

Referred to Committee on Transportation

SUMMARY—Revises provisions governing the relinquishment of state highways to local governments and the relinquishment of local roads to the Department of Transportation. (BDR 35-363)

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; authorizing the Department of Transportation, under certain circumstances, to relinquish a state highway to a county or city and authorizing a county or city, under certain circumstances, to relinquish a local road to the Department; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, any relinquishment of a portion of any state highway by the
2 Department of Transportation to a county or city requires a consenting resolution
3 from the legislative body of that county or city. (NRS 408.527) This bill allows for
4 the relinquishment of: (1) any portion of a state highway to a county or city with
5 such a consenting resolution if the highway is either in good repair or the
6 Department provides equitable compensation to the county or city for bringing the
7 highway into good repair; and (2) any portion of a local road to the Department
8 with the consent of the Board of Directors of the Department if the road is either in
9 good repair or the county or city provides equitable compensation to the
10 Department for bringing the road into good repair.



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

1 **Section 1.** NRS 408.527 is hereby amended to read as follows:
2 408.527 1. Whenever the Department and the county or city
3 concerned have entered into an agreement providing therefor, and
4 the legislative body of the county or city has adopted a resolution
5 consenting thereto, the Board may relinquish to the county or city
6 any portion of any state highway which has been deleted from the
7 state highway system by legislative enactment. The Department may
8 likewise relinquish any portion of any state highway which has been
9 superseded by relocation or which the Department determines
10 exceeds its needs.

11 2. *Whenever the county or city concerned and the*
12 *Department have entered into an agreement providing therefor,*
13 *and the Board has adopted a resolution consenting thereto, the*
14 *county or city may relinquish to the Department any portion of*
15 *any county or city road which the Department agrees qualifies to*
16 *join the state highway system.*

17 3. By resolution of the Board, the Department may upon
18 request relinquish to the Division of State Lands of the State
19 Department of Conservation and Natural Resources for the public
20 use of another state agency any portion of any state highway which
21 has been superseded by relocation or which the Department
22 determines exceeds its needs.

23 ~~13-1~~ 4. Relinquishment must be made by a resolution. A
24 certified copy of the resolution must be filed with the legislative
25 body of the county or city concerned. The resolution must be
26 recorded in the office of the county recorder of the county where the
27 land is located and, upon recordation, all right, title and interest of
28 the State in and to that portion of any state highway vests in the
29 county, city or division, as the case may be.

30 ~~14-1~~ 5. Nothing in NRS 408.523 limits the power of the Board
31 to relinquish abandoned or vacated portions of a state highway to a
32 county, city or the Division.

33 ~~15-1~~ 6. If the Board relinquishes property pursuant to
34 subsection ~~14-1~~ 5, and the purpose for which the property was
35 relinquished is abandoned or ceases to exist, then:

36 (a) If the interest of the Department in the property before it was
37 relinquished was held in fee simple, all right, title and interest of the
38 county, city or Division reverts to the Department.

39 (b) If the interest of the Department in the property before it was
40 relinquished was an easement or other lesser interest, the county,
41 city or Division may abandon or vacate the property without
42 reversion to the Department.



1 7. *The Board may accept from the county or city any portion*
2 *of any county or city road which has changed in function such*
3 *that it has risen to the level of functioning as a state highway.*
4 *Such a road may be traded for any portion of any state highway*
5 *relinquished by the Department or accepted by the Department*
6 *after equitable compensation or trade values have been negotiated*
7 *and agreed to.*

8 8. *The county or city may accept from the Department any*
9 *portion of any state highway which no longer functions to support*
10 *the state highway system and which exceeds the needs of the*
11 *Department. Such a highway may be traded for any portion of any*
12 *county or city road relinquished by the county or city or accepted*
13 *by the county or city after equitable compensation or trade values*
14 *have been negotiated and agreed to.*

15 9. *Any portion of a state highway or county or city road*
16 *relinquished or traded pursuant to this section must be placed in*
17 *good repair before the relinquishment or trade takes place. If the*
18 *highway or road, or portion thereof, to be traded is not of*
19 *comparable value, equitable monetary compensation or equitable*
20 *trade considerations are required.*

21 ~~16.1~~ 10. The vesting of all right, title and interest of the
22 Department in and to portions of any state highways relinquished
23 previously by the Department in the city, county or state agency to
24 which it was relinquished is hereby confirmed.

