

Amendment No. 132

Assembly Amendment to Assembly Bill No. 305 (BDR 35-1030)

Proposed by: Assembly Committee on Transportation

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date
Adopted	☐	Lost	☐ _____	Adopted	☐	Lost	☐ _____
Concurred In	☐	Not	☐ _____	Concurred In	☐	Not	☐ _____
Receded	☐	Not	☐ _____	Receded	☐	Not	☐ _____

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.

DLJ/MSM



Date: 4/5/2013

A.B. No. 305—Revises provisions relating to highways. (BDR 35-1030)



ASSEMBLY BILL NO. 305—ASSEMBLYMEN HORNE
AND CARRILLO (BY REQUEST)

MARCH 15, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions relating to highways. (BDR 35-1030)

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 outdoor advertising; revising provisions relating to the promulgation of regulations by the Board of Directors of the Department of Transportation ~~regarding permits~~ ***specifying the operational requirements*** for certain signs; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the Board of Directors of the Department of Transportation is required to prescribe regulations governing the issuance of permits for advertising signs, displays or devices and the inspection and surveillance of such signs, displays or devices. (NRS 410.400) This bill requires the Board to prescribe regulations ~~following the issuance of permit~~ ***specifying the operational requirements*** for signs known as commercial electronic variable message signs which conform to ***any*** regulations promulgated by the Secretary of the United States Department of Transportation.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:**Section 1.** NRS 410.400 is hereby amended to read as follows:

410.400 1. The Board shall prescribe:

(a) ~~Regulations~~ ***Except as otherwise provided in paragraph (b), regulations*** governing the issuance of permits for advertising signs, displays or devices and for the inspection and surveillance of advertising signs, displays or devices; ~~and~~

(b) ***Regulations following the issuance of permits specifying the operational requirements for commercial electronic variable message signs which conform to any national standards promulgated by the Secretary of Transportation pursuant to 23 U.S.C. § 131; and***

(c) Such other regulations as it deems necessary to implement the provisions of NRS 410.220 to 410.410, inclusive.

2. The Department shall assess a reasonable annual fee for each permit issued to recover administrative costs incurred by the Department in the issuance of the

permits, and the inspection and surveillance of advertising signs, displays or devices.

3. No fee may be collected for any authorized directional sign, display or device, or for authorized signs, displays or devices erected by chambers of commerce, civic organizations or local governments, advertising exclusively any city, town or geographic area.

4. No fee may be collected for any temporary sign, display or device advertising for or against a candidate, political party or ballot question in an election if the sign, display or device is:

(a) Erected not more than 60 days before a primary election and concerns a candidate, party or question for that primary or the ensuing general election; and

(b) Removed within 30 days after:

(1) The primary election if the candidate, party or question is not to be voted on at the ensuing general election.

(2) The general election in any other case.

➔ The Department may summarily remove any temporary political sign for which no fee has been paid if the sign is erected before or remains after the times prescribed.

5. All fees collected pursuant to this section must be deposited with the State Treasurer for credit to the State Highway Fund.

6. *As used in this section, "commercial electronic variable message sign" means a self-luminous or externally illuminated advertising sign which ~~uses electronic or digital technology to depict changes of light, color or message and which may include, without limitation, static images, image sequences or full motion video.~~ contains only static messages or copy which may be changed electronically.*

Sec. 2. This act becomes effective upon passage and approval for the purpose of adopting regulations and on January 1, 2014, for all other purposes.