

SENATE BILL NO. 322—COMMITTEE ON TRANSPORTATION

MARCH 18, 2013

Referred to Committee on Transportation

SUMMARY—Revises provisions concerning the membership of the Board of Directors of the Department of Transportation. (BDR 35-1075)

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 the Department of Transportation; revising the composition of the Board of Directors of the Department; revising provisions relating to the appointment of persons to the Board; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides for a seven-member Board of Directors that administers
2 the Department of Transportation. (NRS 408.106) The Board includes the
3 Governor, the Lieutenant Governor, the Attorney General and the State Controller,
4 all of whom serve ex officio, and three members who are appointed by the
5 Governor, who must be residents of the State of Nevada and who must each reside
6 in a different highway district. This bill: (1) removes from the Board the Attorney
7 General; (2) adds an additional member who must be appointed by the Governor;
8 and (3) requires that the members appointed by the Governor reside in certain
9 highway districts.

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

1 **Section 1.** NRS 408.106 is hereby amended to read as follows:
2 408.106 1. There is hereby created a Department of
3 Transportation, administered by a seven-member Board of Directors
4 consisting of the Governor, the Lieutenant Governor, ~~the Attorney~~
5 ~~General~~ and the State Controller, who serve ex officio, and ~~three~~
6 *four* members who are appointed by the Governor. If one of the



1 ~~four~~ *three* constitutional offices is vacant, the Secretary of State
2 shall serve ex officio on the Board until the vacancy is filled.

3 2. The Governor shall appoint as members of the Board ~~three~~
4 *four* persons who are residents of Nevada, informed on and
5 interested in the construction and maintenance of highways and
6 other matters relating to transportation. ~~Each of the three~~ *The*
7 members so appointed must ~~reside in a different highway district~~
8 ~~and~~ *be residents of Nevada as follows:*

9 *(a) Two members who must reside in a highway district that*
10 *includes a county whose population is 700,000 or more;*

11 *(b) One member who must reside in a highway district that*
12 *includes a county whose population is 100,000 or more but less*
13 *than 700,000; and*

14 *(c) One member who must reside in a highway district that*
15 *does not include a county whose population is 100,000 or more.*

16 3. *All the members appointed pursuant to subsection 2 must*
17 *be informed on and interested in the construction and*
18 *maintenance of highways and other matters relating to*
19 *transportation, and must* possess at least one of the following
20 qualifications:

21 (a) Knowledge of engineering evidenced by the possession of a
22 bachelor of science degree in civil or structural engineering and
23 licensure in this State as a professional engineer.

24 (b) Demonstrated expertise in financial matters and business
25 administration.

26 (c) Demonstrated expertise in the business of construction
27 evidenced by the possession of a license as a general contractor and
28 experience as a principal officer of a firm licensed in this State.

29 ➔ The Governor shall not appoint *to the Board* any person who is
30 currently employed in the field of or has a substantial financial
31 interest in the construction or maintenance of highways in this State.

32 ~~3-~~ 4. The Governor shall serve as the Chair of the Board and
33 the members of the Board shall elect annually a Vice Chair.

34 ~~4-~~ 5. Each member of the Board who is not a public officer is
35 entitled to receive as compensation \$80 for each day or portion of a
36 day during which the member attends a meeting of the Board or is
37 otherwise engaged in the business of the Board plus the per diem
38 allowance and travel expenses provided for state officers and
39 employees generally.

40 ~~5-~~ 6. After the initial terms, the appointed members of the
41 Board shall serve terms of 4 years.

42 7. *As used in this section, "highway district" means a portion*
43 *of this State designated by the Board as a highway district for the*
44 *purposes of carrying out the duties of the Board.*

45 **Sec. 2.** (Deleted by amendment.)



- 1 **Sec. 3.** (Deleted by amendment.)
2 **Sec. 4.** This act becomes effective on January 1, 2014.

