

(Reprinted with amendments adopted on May 24, 2023)

SECOND REPRINT

A.B. 112

ASSEMBLY BILL NO. 112—COMMITTEE
ON GROWTH AND INFRASTRUCTURE(ON BEHALF OF THE JOINT INTERIM STANDING
COMMITTEE ON NATURAL RESOURCES)

PREFILED FEBRUARY 3, 2023

Referred to Committee on Growth and Infrastructure

SUMMARY—Establishes provisions relating to wildlife crossings.
(BDR 35-340)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 wildlife; defining the term “wildlife” for the purposes of wildlife crossings; creating the Wildlife Crossings Account in the State General Fund; requiring the Director of the Department of Transportation to administer the Account; requiring the Department of Transportation, in consultation with the Department of Wildlife, to develop and publish an inventory and list of certain projects relating to wildlife crossings; requiring the Director of the Department of Transportation to review the standards and specifications for the design and construction of highways in this State to determine the standards and specifications necessary for incorporating wildlife crossings and related highway features into the highways of this State; requiring the Department of Transportation and the Department of Wildlife to consult with certain persons regarding locations for wildlife crossings and related highway features; authorizing the Director of the Department of Transportation to adopt regulations; making an appropriation to implement projects relating to wildlife crossings; and providing other matters properly relating thereto.



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Legislative Counsel's Digest:

Existing federal law establishes a wildlife-crossing safety program to provide grants of money to states for projects that seek to reduce wildlife-vehicle collisions and improve wildlife habitat connectivity. (23 U.S.C. § 171) **Section 1.5** of this bill defines the term "wildlife" for the purposes of this bill. **Section 2** of this bill creates the Wildlife Crossings Account in the State General Fund, which is administered by the Director of the Department of Transportation. **Section 2** requires the Department of Transportation to consult with the Department of Wildlife to identify locations and strategies relating to wildlife crossings and prioritize certain areas to fund projects relating to wildlife crossings.

Section 3 of this bill requires the Department of Transportation, in consultation with the Department of Wildlife, to develop, publish and update an inventory of connectivity needs on the state highway system where the implementation of wildlife crossings and other related highway features will improve permeability for wildlife, reduce wildlife-vehicle collisions or enhance wildlife activity.

Section 4 of this bill requires the Director of the Department of Transportation to review the standards and specifications for the design and construction of highways in this State to determine standards and specifications necessary to incorporate wildlife crossings and other related highway features into the highways in this State.

Section 4.5 of this bill requires the Department of Transportation and the Department of Wildlife to consult with holders of grazing permits and private landowners adjacent to any potential locations for wildlife crossings and related highway features.

Section 5 of this bill authorizes the Director of the Department of Transportation to adopt regulations to carry out the provisions of this bill.

Section 6 of this bill makes an appropriation to the Wildlife Crossings Account to implement projects relating to wildlife crossings and other highway features to improve permeability for wildlife.

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

Section 1. Chapter 408 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.5 to 5, inclusive, of this act:

Sec. 1.5. *As used in sections 1.5 to 5, inclusive, of this act, unless the context otherwise requires, "wildlife" has the meaning ascribed to it in NRS 501.097.*

Sec. 2. 1. *The Wildlife Crossings Account is hereby created in the State General Fund. The Director shall administer the Account. The Account is a continuing account without reversion.*

2. *Any proceeds from the issuance of bonds or other securities for the Account must be deposited in the State Treasury for credit to the Account.*

3. *The Director may accept gifts, grants and bequests of money from any public or private source. The money must be deposited in the State Treasury for credit to the Account.*



4. Money in the Account must be used by the Department for the design, construction, identification, restoration and protection of wildlife crossings and other related highway features to improve wildlife permeability in this State, which may include, without limitation:

(a) Matching any federal money for a project to design, construct, identify, restore or protect wildlife crossings and other related highway features;

(b) Conducting studies on wildlife crossings and other related highway features;

(c) Designing or constructing wildlife crossings and other related highway features;

(d) Planning related to wildlife crossings and other related highway features;

(e) Staffing needs related to the design, construction, identification, restoration and protection of wildlife crossings and other related highway features; and

(f) Carrying out the provisions of sections 1.5 to 5, inclusive, of this act, in cooperation with the Department of Wildlife.

5. In administering the Account, the Department shall consult with the Department of Wildlife to:

(a) Identify locations where key wildlife habitat, wildlife migration corridors and highways intersect;

(b) Identify and implement strategies to avoid, minimize and mitigate wildlife-vehicle collisions; and

(c) Prioritize areas to implement projects for wildlife crossings or other related highway features to improve permeability for wildlife while maintaining highway user safety.

6. All claims against the Account must be paid as other claims against the State are paid.

Sec. 3. 1. The Department shall, in consultation with the Department of Wildlife, develop an inventory of connectivity needs on the state highway system where the implementation of wildlife crossings and other related highway features will improve permeability for wildlife, reduce wildlife-vehicle collisions or enhance wildlife connectivity. The inventory may include, without limitation, projects and needs previously identified by the Department, other state agencies, tribal governments and local governments.

2. Not later than December 1, 2023, the Department shall publish:

(a) The inventory required pursuant to subsection 1; and

(b) A list of any funded transportation projects that implemented wildlife crossings or other related highway features



1 to improve permeability for wildlife or addressed wildlife
2 connectivity needs.

3 3. The Department shall update the inventory and list
4 required to be published pursuant to subsection 2 at least once
5 every 2 years.

6 **Sec. 4.** The Director shall review the standards and
7 specifications for the design and construction of highways in this
8 State to determine the standards and specifications necessary for
9 incorporating wildlife crossings and other related highway
10 features to improve permeability for wildlife in the design and
11 construction of highways in this State.

12 **Sec. 4.5.** In carrying out the provisions of sections 1.5 to 5,
13 inclusive, of this act, the Department and the Department of
14 Wildlife shall consult with holders of grazing permits and private
15 landowners of land adjacent to any location identified for the
16 possible implementation of wildlife crossings and related highway
17 features to avoid or mitigate any impacts on livestock management
18 or uses of private land.

19 **Sec. 5.** The Director may adopt regulations to carry out the
20 provisions of sections 1.5 to 5, inclusive, of this act.

21 **Sec. 6.** There is hereby appropriated from the State General
22 Fund to the Wildlife Crossings Account created pursuant to section
23 2 of this act the sum of \$5,000,000 to implement projects to design,
24 construct, identify, restore or protect wildlife crossings and other
25 related highway features to improve permeability for wildlife.

26 **Sec. 7.** This act becomes effective on July 1, 2023.

