

SENATE BILL NO. 236—COMMITTEE ON NATURAL RESOURCES

MARCH 14, 2011

Referred to Committee on Transportation

SUMMARY—Provides for the increased use of recycled materials in certain road and highway projects. (BDR 35-766)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to highways; declaring that it is the policy of this State to encourage and promote the use of recycled aggregate, recycled bituminous pavement and recycled rubber from tires in the construction, reconstruction, improvement, maintenance and repair of public highways in this State; requiring the Director of the Department of Transportation to adopt policies to optimize the use of such materials in highway projects; requiring a local government that undertakes certain road or highway projects to adopt policies that optimize the use of such materials in the projects; requiring certain reporting to the Legislature concerning such projects; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 1.5** of this bill declares it to be the policy of this State to encourage and
2 promote the use of recycled aggregate, recycled bituminous pavement and recycled
3 rubber from tires in the construction, reconstruction, improvement, maintenance
4 and repair of public highways in this State. **Section 2** of this bill requires the
5 Director of the Department of Transportation to adopt policies that optimize the use
6 of recycled aggregate, recycled bituminous pavement and recycled rubber from
7 tires in projects for the construction, reconstruction, improvement, maintenance or
8 repair of highways and to submit certain reports to the Legislature concerning the
9 Department’s use of such materials in those projects. **Section 2.5** of this bill
10 imposes comparable requirements on local governments that undertake public
11 works projects for the construction, reconstruction, improvement, maintenance or
12 repair of a public road or public highway.



* S B 2 3 6 R 1 *

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 1.5.** The Legislature hereby declares that it is the policy
3 of this State to encourage and promote the use of recycled
4 aggregate, recycled bituminous pavement and recycled rubber from
5 tires in the construction, reconstruction, improvement, maintenance
6 and repair of public roads and highways in this State.

7 **Sec. 2.** Chapter 408 of NRS is hereby amended by adding
8 thereto a new section to read as follows:

9 *The Director shall:*

10 1. *Adopt policies to optimize the use of recycled aggregate,*
11 *recycled bituminous pavement and recycled rubber from tires in*
12 *projects for the construction, reconstruction, improvement,*
13 *maintenance and repair of highways undertaken by the*
14 *Department pursuant to this chapter; and*

15 2. *Not later than January 31 of each odd-numbered year,*
16 *submit to the Governor and to the Director of the Legislative*
17 *Counsel Bureau for transmittal to the Legislature a report*
18 *concerning the use of recycled aggregate, recycled bituminous*
19 *pavement and recycled rubber from tires in each project for the*
20 *construction, reconstruction, improvement, maintenance or repair*
21 *of a highway undertaken by the Department pursuant to this*
22 *chapter during the immediately preceding 2 calendar years.*

23 **Sec. 2.5.** Chapter 338 of NRS is hereby amended by adding
24 thereto a new section to read as follows:

25 *The governing body of a local government that undertakes a*
26 *project pursuant to this chapter for the construction,*
27 *reconstruction, improvement, maintenance or repair of a public*
28 *road or public highway shall:*

29 1. *Adopt policies to optimize the use of recycled aggregate,*
30 *recycled bituminous pavement and recycled rubber from tires in*
31 *the project; and*

32 2. *Not later than January 31 of each odd-numbered year,*
33 *submit to the Governor and to the Director of the Legislative*
34 *Counsel Bureau for transmittal to the Legislature a report*
35 *concerning the use of recycled aggregate, recycled bituminous*
36 *pavement and recycled rubber from tires in each such project*
37 *undertaken by the local government during the immediately*
38 *preceding 2 calendar years.*

39 **Sec. 3.** NRS 338.1373 is hereby amended to read as follows:

40 338.1373 1. A local government or its authorized
41 representative shall award a contract for a public work pursuant to
42 the provisions of:



- 1 (a) NRS 338.1377 to 338.139, inclusive;
 - 2 (b) NRS 338.143 to 338.148, inclusive;
 - 3 (c) NRS 338.169 to 338.1699, inclusive; or
 - 4 (d) NRS 338.1711 to 338.1727, inclusive.
- 5 2. The provisions of NRS 338.1375 to 338.1382, inclusive,
6 338.1386, 338.13862, 338.13864, 338.139, 338.142, 338.169 to
7 338.1699, inclusive, and 338.1711 to 338.1727, inclusive, do not
8 apply with respect to contracts for the construction, reconstruction,
9 improvement and maintenance of highways that are awarded by the
10 Department of Transportation pursuant to NRS 408.313 to 408.433,
11 inclusive ~~§~~, *and section 2 of this act.*
- 12 **Sec. 4.** This act becomes effective on July 1, 2011.

