

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 specifying the operational requirements for certain signs; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the Board of Directors of the Department of Transportation
2 is required to prescribe regulations governing the issuance of permits for
3 advertising signs, displays or devices and the inspection and surveillance of such
4 signs, displays or devices. (NRS 410.400) This bill requires the Board to prescribe
5 regulations specifying the operational requirements for signs known as commercial
6 electronic variable message signs which conform to any regulations promulgated
7 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:

1 **Section 1.** NRS 410.400 is hereby amended to read as follows:
2 410.400 1. The Board shall prescribe:
3 (a) ~~Regulations~~ *Except as otherwise provided in paragraph*
4 *(b), regulations* governing the issuance of permits for advertising
5 signs, displays or devices and for the inspection and surveillance of
6 advertising signs, displays or devices; ~~and~~
7 (b) *Regulations specifying the operational requirements for*
8 *commercial electronic variable message signs which conform to*



1 *any national standards promulgated by the Secretary of*
2 *Transportation pursuant to 23 U.S.C. § 131; and*

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

5 2. The Department shall assess a reasonable annual fee for each
6 permit issued to recover administrative costs incurred by the
7 Department in the issuance of the permits, and the inspection and
8 surveillance of advertising signs, displays or devices.

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

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

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

20 (b) Removed within 30 days after:

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

23 (2) The general election in any other case.

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

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

29 6. *As used in this section, "commercial electronic variable*
30 *message sign" means a self-luminous or externally illuminated*
31 *advertising sign which contains only static messages or copy*
32 *which may be changed electronically.*

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

