

SENATE BILL NO. 66—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF ESMERALDA COUNTY)

PREFILED DECEMBER 20, 2012

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the powers and duties of counties. (BDR 20-225)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 counties; authorizing, under certain circumstances, the board of county commissioners of certain smaller counties to authorize the use of county equipment on the property of a local government or a private road located within the county; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that a board of county commissioners may authorize the
2 use of county highway patrols and snowplows on private roads under certain
3 circumstances. (NRS 244.273) **Section 1** of this bill authorizes, under certain
4 circumstances, the board of county commissioners in a county whose population is
5 less than 15,000 (currently Esmeralda, Eureka, Lander, Lincoln, Mineral, Pershing,
6 Storey and White Pine Counties) to authorize the use of county equipment on the
7 property of any local government that is located within the county.
8 **Section 1** also authorizes, under certain circumstances, the board of county
9 commissioners of such a county to authorize the use of county highway patrols and
10 county equipment on any private road that is located within the county and to
11 require the owner of the road to pay the county for the use of the equipment and
12 related labor costs.



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

1 **Section 1.** Chapter 244 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *In a county whose population is less than 15,000, the board of*
4 *county commissioners may authorize the use of:*

5 1. *County equipment on the property of any local government*
6 *that is located within the county if:*

7 (a) *The board adopts an ordinance which sets forth its*
8 *determination that such use is in the best interest of the county.*

9 (b) *The board and the governing body of the local government*
10 *enter into an interlocal agreement providing for the*
11 *reimbursement of the county for the use of such equipment and*
12 *related labor costs.*

13 (c) *An employee of the county operates the equipment.*

14 2. *County highway patrols and county equipment on any*
15 *private road that is located within the county if:*

16 (a) *The board declares an emergency; or*

17 (b) *The board adopts an ordinance which sets forth its*
18 *determination that such use is in the best interest of the county in*
19 *the absence of a contractor that is licensed to perform the work.*

20 ↪ *If the board authorizes the use of a county highway patrol or*
21 *county equipment on a private road pursuant to this subsection,*
22 *the equipment must be operated by an employee of the county. The*
23 *board may require the owner of the road to pay the county for the*
24 *use of the equipment and related labor costs.*

25 **Sec. 1.5.** (Deleted by amendment.)

26 **Sec. 2.** NRS 244.273 is hereby amended to read as follows:

27 244.273 ~~The~~ *Except as otherwise provided in section 1 of*
28 *this act, the* board of county commissioners of each county may
29 authorize the use of county highway patrols and snowplows on
30 private roads if:

31 1. The board declares an emergency; or

32 2. The board deems such use to be in the best interest of the
33 county ~~H~~ *in the absence of a contractor that is licensed to perform*
34 *the work.* The board shall not deem such use to be in the best
35 interest of the county unless:

36 (a) The equipment is being used for routine county business in
37 the area where the private roads are located; and

38 (b) The use of the equipment on private roads does not interfere
39 with the normal operations of the county.

40 ↪ If the board authorizes the use of a county highway patrol or
41 snowplow on a private road pursuant to this section, the equipment
42 must be operated by an employee of the county. The board may



1 require the owner of the road to pay the county the prevailing rental
2 rate for the use of such equipment.

3 **Sec. 3.** (Deleted by amendment.)

4 **Sec. 4.** (Deleted by amendment.)

5 **Sec. 5.** (Deleted by amendment.)

6 **Sec. 6.** (Deleted by amendment.)

7 **Sec. 7.** (Deleted by amendment.)

8 **Sec. 8.** This act becomes effective on January 1, 2014.

