

ASSEMBLY BILL NO. 516—COMMITTEE ON TAXATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON LOCAL  
GOVERNMENT TAXES AND FINANCE)

MARCH 24, 2003

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Referred to Committee on Taxation

SUMMARY—Makes various changes to provisions governing  
taxes on motor vehicle fuels. (BDR 32-622)

FISCAL NOTE: Effect on Local Government: Yes.  
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.

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AN ACT relating to taxation; revising the formula for the  
distribution among counties of revenue from a certain  
additional tax on certain motor vehicle fuel; and providing  
other matters properly relating thereto.

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

- 1     **Section 1.** NRS 365.196 is hereby amended to read as follows:  
2     365.196 1. The receipts of the tax as levied in NRS 365.192  
3     must be allocated monthly by the Department to the counties in  
4     proportion to the number of gallons of fuel that are sold to the  
5     retailers in each county pursuant to the information contained in the  
6     statements provided to the Department pursuant to NRS 365.192.  
7     2. ~~Each county~~ *The Department* must apportion the receipts  
8     of that tax among the county, for unincorporated areas of the county,  
9     and each incorporated city in the county. The county and each city  
10    are respectively entitled to receive each month that proportion of  
11    those receipts which its total population bears to the total population  
12    of the county.  
13    3. ~~During the month immediately preceding each January 1~~  
14    ~~and July 1, the county treasurer of each county shall, when~~  
15    ~~necessary and after a hearing, adopt a regulation which provides for~~



1 ~~the accurate apportionment of those receipts in the county during the~~  
2 ~~ensuing 6 months.~~

3 ~~—4.]~~ The money apportioned to the county or a city must be used  
4 by it solely to repair or restore existing paved roads, streets and  
5 alleys, other than those maintained by the Federal Government and  
6 this state, by resurfacing, overlaying, resealing or other such  
7 customary methods.

8 **Sec. 2.** NRS 365.550 is hereby amended to read as follows:

9 365.550 1. ~~[The]~~ *Except as otherwise provided in subsection*  
10 *2, the receipts of the tax levied pursuant to NRS 365.180 must be*  
11 *allocated monthly by the Department to the counties using the*  
12 *following formula:*

13 (a) Determine the average monthly amount each county received  
14 in the fiscal year ending on June 30, ~~[2001,]~~ *2003*, and allocate to  
15 each county that amount, or if the total amount to be allocated is less  
16 than that amount, allocate to each county a percentage of the total  
17 amount to be allocated that is equal to the percentage of the total  
18 amount allocated to that county in the fiscal year ending on June 30,  
19 ~~[2001;~~

20 ~~—(b) Determine for each county an amount from the total amount~~  
21 ~~to be allocated using the following formula:~~

22 ~~—(1) Two thirds in proportion to population; and~~

23 ~~—(2) One third in proportion to road mileage and street~~  
24 ~~mileage of improved roads or streets maintained by the county or an~~  
25 ~~incorporated city located within the county;~~  
26 ~~and compare that amount to the amount allocated to the county~~  
27 ~~pursuant to paragraph (a);~~

28 ~~—(c) Identify each county for which the amount determined~~  
29 ~~pursuant to paragraph (b) is greater than the amount allocated to the~~  
30 ~~county pursuant to paragraph (a); and~~

31 ~~—(d) Allocate to any county which is identified pursuant to~~  
32 ~~paragraph (c), using the formula set forth in paragraph (b), any~~  
33 ~~amount from the tax levied pursuant to NRS 365.180 that remains~~  
34 ~~after the allocation required pursuant to paragraph (a).~~

35 ~~—2. Within 10 calendar days after June 1] 2003;~~

36 *(b) If the total amount to be allocated is greater than the*  
37 *average monthly amount all counties received in the fiscal year*  
38 *ending on June 30, 2003, determine for each county an amount*  
39 *from the total amount to be allocated using the following formula:*

40 *(1) Multiply the county's percentage share of the total state*  
41 *population by 2;*

42 *(2) Add the percentage determined pursuant to*  
43 *subparagraph (1) to the county's percentage share of total mileage*  
44 *of improved roads or streets maintained by the county or an*  
45 *incorporated city located within the county;*



- 1           (3) *Divide the sum of the percentages determined pursuant*  
2 *to subparagraph (2) by 3; and*
- 3           (4) *Multiply the total amount to be allocated by the*  
4 *percentage determined pursuant to subparagraph (3);*
- 5           (c) *Identify each county for which the amount determined*  
6 *pursuant to paragraph (b) is greater than the amount allocated to*  
7 *the county pursuant to paragraph (a) and:*
- 8           (1) *Subtract the amount determined pursuant to paragraph*  
9 *(a) from the amount determined pursuant to paragraph (b); and*
- 10           (2) *Add the amounts determined pursuant to subparagraph*  
11 *(1) for all counties;*
- 12           (d) *Identify each county for which the amount determined*  
13 *pursuant to paragraph (b) is less than or equal to the amount*  
14 *allocated to the county pursuant to paragraph (a) and:*
- 15           (1) *Subtract the amount determined pursuant to paragraph*  
16 *(b) from the amount determined pursuant to paragraph (a); and*
- 17           (2) *Add the amounts determined pursuant to subparagraph*  
18 *(1) for all counties;*
- 19           (e) *Subtract the amount determined pursuant to subparagraph*  
20 *(2) of paragraph (d) from the amount determined pursuant to*  
21 *subparagraph (2) of paragraph (c);*
- 22           (f) *Divide the amount determined pursuant to subparagraph*  
23 *(1) of paragraph (c) for each county by the sum determined*  
24 *pursuant to subparagraph (2) of paragraph (c) for all counties to*  
25 *determine each county's percentage share of the sum determined*  
26 *pursuant to subparagraph (2) of paragraph (c); and*
- 27           (g) *In addition to the allocation made pursuant to paragraph*  
28 *(a), allocate to each county that is identified pursuant to*  
29 *paragraph (c) a percentage of the total amount determined*  
30 *pursuant to paragraph (e) that is equal to the percentage*  
31 *determined pursuant to paragraph (f).*
- 32           2. *At the end of each fiscal year, the Department shall:*
- 33           (a) ~~Project~~ *Determine the total amount ~~that each county will~~*  
34 *be allocated to be allocated to all counties pursuant to subsection 1*  
35 *for the current fiscal year ~~;~~; and*
- 36           (b) *Use the proceeds of the tax paid by a dealer, supplier or*  
37 *user for June of the current fiscal year to allocate to each county*  
38 *an amount determined pursuant to subsection 3.*
- 39           3. *If the total amount to be allocated to all the counties ~~will~~*  
40 *determined pursuant to paragraph (a) of subsection 2:*
- 41           (a) *Does not exceed the total amount that was received by all the*  
42 *counties for the fiscal year ending on June 30, ~~2001,~~ 2003, the*  
43 *Department shall adjust the final monthly allocation to be made to*  
44 *each county so that each county is allocated a percentage of the total*  
45 *amount to be allocated that is equal to the percentage of the total*



1 amount allocated to that county in the fiscal year ending on June 30,  
2 ~~[2001.~~

3 ~~—(c) If a county receives an allocation pursuant to paragraph (d)~~  
4 ~~of subsection 1, determine whether the total monthly allocations~~  
5 ~~projected to be made to that county pursuant to subsection 1 for the~~  
6 ~~current fiscal year exceed the total amount the county received in~~  
7 ~~the fiscal year ending on June 30, 2001. If the total monthly~~  
8 ~~allocations projected to be made to the county do not exceed the~~  
9 ~~total amount the county received in the fiscal year ending on June~~  
10 ~~30, 2001, the Department shall adjust the final monthly allocation to~~  
11 ~~be made to the county for the current fiscal year so that the total~~  
12 ~~amount allocated to the county for the current fiscal year equals the~~  
13 ~~total amount the county received in the fiscal year ending on June~~  
14 ~~30, 2001.~~

15 ~~—3.] 2003.~~

16 *(b) Exceeds the total amount that was received by all counties*  
17 *for the fiscal year ending on June 30, 2003, the Department shall:*

18 *(1) Identify the total amount allocated to each county for*  
19 *the fiscal year ending on June 30, 2003, and the total amount for*  
20 *the current fiscal year determined pursuant to paragraph (a) of*  
21 *subsection 2;*

22 *(2) Apply the formula set forth in paragraph (b) of*  
23 *subsection 1 using the amounts in subparagraph (1), instead of*  
24 *the monthly amounts, to determine the total allocations to be made*  
25 *to the counties for the current fiscal year; and*

26 *(3) Adjust the final monthly allocation to be made to each*  
27 *county to ensure that the total allocations for the current fiscal*  
28 *year equal the amounts determined pursuant to subparagraph (2).*

29 **4.** Of the money allocated to each county pursuant to the  
30 provisions of subsections 1 ~~[and 2:]~~, **2 and 3:**

31 (a) An amount equal to that part of the allocation which  
32 represents 1.25 cents of the tax per gallon must be used exclusively  
33 for the service and redemption of revenue bonds issued pursuant to  
34 chapter 373 of NRS, for the construction, maintenance and repair of  
35 county roads, and for the purchase of equipment for that  
36 construction, maintenance and repair, under the direction of the  
37 boards of county commissioners of the several counties, and must  
38 not be used to defray expenses of administration; and

39 (b) An amount equal to that part of the allocation which  
40 represents 2.35 cents of the tax per gallon must be allocated to the  
41 county, if there are no incorporated cities in the county, or to the  
42 county and any incorporated cities in the county, if there is at least  
43 one incorporated city in the county, pursuant to the following  
44 formula:

45 (1) One-fourth in proportion to total area.



- 1 (2) One-fourth in proportion to population.
- 2 (3) One-fourth in proportion to road mileage and street
- 3 mileage of nonfederal aid primary roads.
- 4 (4) One-fourth in proportion to vehicle miles of travel on
- 5 nonfederal aid primary roads.

6 For the purpose of applying the formula, the area of the county  
7 excludes the area included in any incorporated city.

8 ~~[4.]~~ 5. The amount allocated to the counties and incorporated  
9 cities pursuant to subsections 1 ~~[, 2 and 3]~~ to 4, *inclusive*, must be  
10 remitted monthly. The State Controller shall draw his warrants  
11 payable to the county treasurer of each of the several counties and  
12 the city treasurer of each of the several incorporated cities, as  
13 applicable, and the State Treasurer shall pay the warrants out of the  
14 proceeds of the tax levied pursuant to NRS 365.180.

15 ~~[5.]~~ 6. The formula computations must be made as of July 1 of  
16 each year by the Department, based on estimates which must be  
17 furnished by the Department of Transportation and, if applicable,  
18 any adjustments to the estimates determined to be appropriate by the  
19 Committee pursuant to subsection ~~[9.]~~ 10. Except as otherwise  
20 provided in subsection ~~[9.]~~ 10, the determination made by the  
21 Department is conclusive.

22 ~~[6.]~~ 7. The Department of Transportation shall complete:

23 (a) The estimates of the total mileage of improved roads or  
24 streets maintained by each county and incorporated city on or before  
25 August 31 of each year.

26 (b) A physical audit of the information submitted by each  
27 county and incorporated city pursuant to subsection ~~[7.]~~ 8 at least  
28 once every 10 years.

29 ~~[7.]~~ 8. Each county and incorporated city shall, not later than  
30 March 1 of each year, submit a list to the Department of  
31 Transportation setting forth:

32 (a) Each improved road or street that is maintained by the  
33 county or city; and

34 (b) The beginning and ending points and the total mileage of  
35 each of those improved roads or streets.

36 Each county and incorporated city shall, at least 10 days before the  
37 list is submitted to the Department of Transportation, hold a public  
38 hearing to identify and determine the improved roads and streets  
39 maintained by the county or city.

40 ~~[8.]~~ 9. If a county or incorporated city does not agree with the  
41 estimates prepared by the Department of Transportation pursuant to  
42 subsection ~~[6.]~~ 7, the county or incorporated city may request that  
43 the Subcommittee examine the estimates and recommend an  
44 adjustment to the estimates. Such a request must be submitted to the  
45 Subcommittee not later than October 15.



1 ~~9.~~ 10. The Subcommittee shall review any request it receives  
2 pursuant to subsection ~~8.~~ 9 and report to the Committee its findings  
3 and any recommendations for an adjustment to the estimates it  
4 determines is appropriate. The Committee shall hold a public  
5 hearing and determine whether an adjustment to the estimates is  
6 appropriate on or before December 31 of the year it receives a  
7 request pursuant to subsection ~~8.~~ 9. Any determination made by  
8 the Committee pursuant to this subsection is conclusive.

9 ~~10.~~ 11. The Subcommittee shall monitor the fiscal impact of  
10 the formula set forth in this section on counties and incorporated  
11 cities and report regularly to the Committee concerning its findings  
12 and recommendations regarding that fiscal impact.

13 ~~11.~~ 12. As used in this section:

14 (a) "Committee" means the Legislative Committee for Local  
15 Government Taxes and Finance established pursuant to NRS  
16 218.53881.

17 (b) "Construction, maintenance and repair" includes the  
18 acquisition, operation or use of any material, equipment or facility  
19 that is used exclusively for the construction, maintenance or repair  
20 of a county or city road and is necessary for the safe and efficient  
21 use of that road, including, without limitation:

- 22 (1) Grades and regrades;
- 23 (2) Graveling, oiling, surfacing, macadamizing and paving;
- 24 (3) Sweeping, cleaning and sanding roads and removing  
25 snow from a road;
- 26 (4) Crosswalks and sidewalks;
- 27 (5) Culverts, catch basins, drains, sewers and manholes;
- 28 (6) Inlets and outlets;
- 29 (7) Retaining walls, bridges, overpasses, underpasses,  
30 tunnels and approaches;
- 31 (8) Artificial lights and lighting equipment, parkways,  
32 control of vegetation and sprinkling facilities;
- 33 (9) Rights-of-way;
- 34 (10) Grade and traffic separators;
- 35 (11) Fences, cattle guards and other devices to control access  
36 to a county or city road;
- 37 (12) Signs and devices for the control of traffic; and
- 38 (13) Facilities for personnel and the storage of equipment  
39 used to construct, maintain or repair a county or city road.

40 (c) "Improved road or street" means a road or street that is, at  
41 least:

- 42 (1) Aligned and graded to allow reasonably convenient use  
43 by a motor vehicle; and



1 (2) Drained sufficiently by a longitudinal and transverse  
2 drainage system to prevent serious impairment of the road or street  
3 by surface water.

4 (d) "Subcommittee" means the Subcommittee appointed  
5 pursuant to NRS 218.53884.

6 (e) *"Total mileage of an improved road or street" means the*  
7 *total mileage of the length of an improved road or street, without*  
8 *regard to the width of that road or street or the number of lanes it*  
9 *has for vehicular traffic.*

10 **Sec. 3.** NRS 365.550 is hereby amended to read as follows:

11 365.550 1. ~~The~~ *Except as otherwise provided in subsection*  
12 *2, the* receipts of the tax levied pursuant to NRS 365.180 must be  
13 allocated monthly by the Department to the counties using the  
14 following formula:

15 (a) Determine the average monthly amount each county received  
16 in the fiscal year ending on June 30, ~~2001,~~ *2003*, and allocate to  
17 each county that amount, or if the total amount to be allocated is less  
18 than that amount, allocate to each county a percentage of the total  
19 amount to be allocated that is equal to the percentage of the total  
20 amount allocated to that county in the fiscal year ending on June 30,  
21 ~~2001;~~

22 ~~—(b) Determine for each county an amount from the total amount~~  
23 ~~to be allocated using the following formula:~~

24 ~~—(1) Two-thirds in proportion to population; and~~

25 ~~—(2) One-third in proportion to road mileage and street~~  
26 ~~mileage of improved roads or streets maintained by the county or an~~  
27 ~~incorporated city located within the county;~~

28 ~~and compare that amount to the amount allocated to the county~~  
29 ~~pursuant to paragraph (a);~~

30 ~~—(c) Identify each county for which the amount determined~~  
31 ~~pursuant to paragraph (b) is greater than the amount allocated to the~~  
32 ~~county pursuant to paragraph (a); and~~

33 ~~—(d) Allocate to any county which is identified pursuant to~~  
34 ~~paragraph (c), using the formula set forth in paragraph (b), any~~  
35 ~~amount from the tax levied pursuant to NRS 365.180 that remains~~  
36 ~~after the allocation required pursuant to paragraph (a).~~

37 ~~2. Within 10 calendar days after June 1, 2003;~~

38 *(b) If the total amount to be allocated is greater than the*  
39 *average monthly amount all counties received in the fiscal year*  
40 *ending on June 30, 2003, determine for each county an amount*  
41 *from the total amount to be allocated using the following formula:*

42 *(1) Multiply the county's percentage share of the total state*  
43 *population by 2;*

44 *(2) Add the percentage determined pursuant to*  
45 *subparagraph (1) to the county's percentage share of total mileage*



1 of improved roads or streets maintained by the county or an  
 2 incorporated city located within the county;

3 (3) Divide the sum of the percentages determined pursuant  
 4 to subparagraph (2) by 3; and

5 (4) Multiply the total amount to be allocated by the  
 6 percentage determined pursuant to subparagraph (3);

7 (c) Identify each county for which the amount determined  
 8 pursuant to paragraph (b) is greater than the amount allocated to  
 9 the county pursuant to paragraph (a) and:

10 (1) Subtract the amount determined pursuant to paragraph  
 11 (a) from the amount determined pursuant to paragraph (b); and

12 (2) Add the amounts determined pursuant to subparagraph  
 13 (1) for all counties;

14 (d) Identify each county for which the amount determined  
 15 pursuant to paragraph (b) is less than or equal to the amount  
 16 allocated to the county pursuant to paragraph (a) and:

17 (1) Subtract the amount determined pursuant to paragraph  
 18 (b) from the amount determined pursuant to paragraph (a); and

19 (2) Add the amounts determined pursuant to subparagraph  
 20 (1) for all counties;

21 (e) Subtract the amount determined pursuant to subparagraph  
 22 (2) of paragraph (d) from the amount determined pursuant to  
 23 subparagraph (2) of paragraph (c);

24 (f) Divide the amount determined pursuant to subparagraph  
 25 (1) of paragraph (c) for each county by the sum determined  
 26 pursuant to subparagraph (2) of paragraph (c) for all counties to  
 27 determine each county's percentage share of the sum determined  
 28 pursuant to subparagraph (2) of paragraph (c); and

29 (g) In addition to the allocation made pursuant to paragraph  
 30 (a), allocate to each county that is identified pursuant to  
 31 paragraph (c) a percentage of the total amount determined  
 32 pursuant to paragraph (e) that is equal to the percentage  
 33 determined pursuant to paragraph (f).

34 2. At the end of each fiscal year, the Department shall:

35 (a) ~~Project~~ Determine the total amount ~~that each county will~~  
 36 ~~be allocated~~ to be allocated to all counties pursuant to subsection 1  
 37 for the current fiscal year ~~[-]~~; and

38 (b) Use the proceeds of the tax paid by a dealer, supplier or  
 39 user for June of the current fiscal year to allocate to each county  
 40 an amount determined pursuant to subsection 3.

41 3. If the total amount to be allocated to all the counties ~~with~~  
 42 determined pursuant to paragraph (a) of subsection 2:

43 (a) Does not exceed the total amount that was received by all the  
 44 counties for the fiscal year ending on June 30, ~~2001,~~ 2003, the  
 45 Department shall adjust the final monthly allocation to be made to





1 each county so that each county is allocated a percentage of the total  
2 amount to be allocated that is equal to the percentage of the total  
3 amount allocated to that county in the fiscal year ending on June 30,  
4 ~~2001.~~

5 ~~—(c) If a county receives an allocation pursuant to paragraph (d)~~  
6 ~~of subsection 1, determine whether the total monthly allocations~~  
7 ~~projected to be made to that county pursuant to subsection 1 for the~~  
8 ~~current fiscal year exceed the total amount the county received in~~  
9 ~~the fiscal year ending on June 30, 2001. If the total monthly~~  
10 ~~allocations projected to be made to the county do not exceed the~~  
11 ~~total amount the county received in the fiscal year ending on June~~  
12 ~~30, 2001, the Department shall adjust the final monthly allocation to~~  
13 ~~be made to the county for the current fiscal year so that the total~~  
14 ~~amount allocated to the county for the current fiscal year equals the~~  
15 ~~total amount the county received in the fiscal year ending on June~~  
16 ~~30, 2001.~~

17 ~~—3.] 2003.~~

18 *(b) Exceeds the total amount that was received by all counties*  
19 *for the fiscal year ending on June 30, 2003, the Department shall:*

20 *(1) Identify the total amount allocated to each county for*  
21 *the fiscal year ending on June 30, 2003, and the total amount for*  
22 *the current fiscal year determined pursuant to paragraph (a) of*  
23 *subsection 2;*

24 *(2) Apply the formula set forth in paragraph (b) of*  
25 *subsection 1 using the amounts in subparagraph (1), instead of*  
26 *the monthly amounts, to determine the total allocations to be made*  
27 *to the counties for the current fiscal year; and*

28 *(3) Adjust the final monthly allocation to be made to each*  
29 *county to ensure that the total allocations for the current fiscal*  
30 *year equal the amounts determined pursuant to subparagraph (2).*

31 **4.** Of the money allocated to each county pursuant to the  
32 provisions of subsections 1 ~~and 2;~~ **2 and 3:**

33 (a) An amount equal to that part of the allocation which  
34 represents 1.25 cents of the tax per gallon must be used exclusively  
35 for the service and redemption of revenue bonds issued pursuant to  
36 chapter 373 of NRS, for the construction, maintenance and repair of  
37 county roads, and for the purchase of equipment for that  
38 construction, maintenance and repair, under the direction of the  
39 boards of county commissioners of the several counties, and must  
40 not be used to defray expenses of administration; and

41 (b) An amount equal to that part of the allocation which  
42 represents 2.35 cents of the tax per gallon must be allocated to the  
43 county, if there are no incorporated cities in the county, or to the  
44 county and any incorporated cities in the county, if there is at least



1 one incorporated city in the county, pursuant to the following  
2 formula:

- 3 (1) One-fourth in proportion to total area.
- 4 (2) One-fourth in proportion to population.
- 5 (3) One-fourth in proportion to road mileage and street  
6 mileage of nonfederal aid primary roads.
- 7 (4) One-fourth in proportion to vehicle miles of travel on  
8 nonfederal aid primary roads.

9 For the purpose of applying the formula, the area of the county  
10 excludes the area included in any incorporated city.

11 ~~[4.]~~ 5. The amount allocated to the counties and incorporated  
12 cities pursuant to subsections 1 ~~[, 2 and 3]~~ to 4, *inclusive*, must be  
13 remitted monthly. The State Controller shall draw his warrants  
14 payable to the county treasurer of each of the several counties and  
15 the city treasurer of each of the several incorporated cities, as  
16 applicable, and the State Treasurer shall pay the warrants out of the  
17 proceeds of the tax levied pursuant to NRS 365.180.

18 ~~[5.]~~ 6. The formula computations must be made as of July 1 of  
19 each year by the Department, based on estimates which must be  
20 furnished by the Department of Transportation and, if applicable,  
21 any adjustments to the estimates determined to be appropriate by the  
22 Committee pursuant to subsection ~~[9.]~~ 10. Except as otherwise  
23 provided in subsection ~~[9.]~~ 10, the determination made by the  
24 Department is conclusive.

25 ~~[6.]~~ 7. The Department of Transportation shall complete:

26 (a) The estimates of the total mileage of improved roads or  
27 streets maintained by each county and incorporated city on or before  
28 August 31 of each year.

29 (b) A physical audit of the information submitted by each  
30 county and incorporated city pursuant to subsection ~~[7.]~~ 8 at least  
31 once every 10 years.

32 ~~[7.]~~ 8. Each county and incorporated city shall, not later than  
33 March 1 of each year, submit a list to the Department of  
34 Transportation setting forth:

35 (a) Each improved road or street that is maintained by the  
36 county or city; and

37 (b) The beginning and ending points and the total mileage of  
38 each of those improved roads or streets.

39 Each county and incorporated city shall, at least 10 days before the  
40 list is submitted to the Department of Transportation, hold a public  
41 hearing to identify and determine the improved roads and streets  
42 maintained by the county or city.

43 ~~[8.]~~ 9. If a county or incorporated city does not agree with the  
44 estimates prepared by the Department of Transportation pursuant to  
45 subsection ~~[6.]~~ 7, the county or incorporated city may request that



1 the Committee examine the estimates and recommend an adjustment  
2 to the estimates. Such a request must be submitted to the Committee  
3 not later than October 15.

4 ~~9.1~~ 10. The Committee shall hold a public hearing and review  
5 any request it receives pursuant to subsection ~~8.1~~ 9 and determine  
6 whether an adjustment to the estimates is appropriate on or before  
7 December 31 of the year it receives a request pursuant to subsection  
8 ~~8.1~~ 9. Any determination made by the Committee pursuant to this  
9 subsection is conclusive.

10 ~~10.1~~ 11. The Committee shall monitor the fiscal impact of the  
11 formula set forth in this section on counties and incorporated cities.  
12 Biennially, the Committee shall prepare a report concerning its  
13 findings and recommendations regarding that fiscal impact and  
14 submit the report on or before February 15 of each odd-numbered  
15 year to the Director of the Legislative Counsel Bureau for  
16 transmittal to the Senate and Assembly Committees on Taxation of  
17 the Nevada Legislature for their review.

18 ~~11.1~~ 12. As used in this section:

19 (a) "Committee" means the Committee on Local Government  
20 Finance created pursuant to NRS 354.105.

21 (b) "Construction, maintenance and repair" includes the  
22 acquisition, operation or use of any material, equipment or facility  
23 that is used exclusively for the construction, maintenance or repair  
24 of a county or city road and is necessary for the safe and efficient  
25 use of that road, including, without limitation:

- 26 (1) Grades and regrades;
- 27 (2) Graveling, oiling, surfacing, macadamizing and paving;
- 28 (3) Sweeping, cleaning and sanding roads and removing  
29 snow from a road;
- 30 (4) Crosswalks and sidewalks;
- 31 (5) Culverts, catch basins, drains, sewers and manholes;
- 32 (6) Inlets and outlets;
- 33 (7) Retaining walls, bridges, overpasses, underpasses,  
34 tunnels and approaches;
- 35 (8) Artificial lights and lighting equipment, parkways,  
36 control of vegetation and sprinkling facilities;
- 37 (9) Rights-of-way;
- 38 (10) Grade and traffic separators;
- 39 (11) Fences, cattle guards and other devices to control access  
40 to a county or city road;
- 41 (12) Signs and devices for the control of traffic; and
- 42 (13) Facilities for personnel and the storage of equipment  
43 used to construct, maintain or repair a county or city road.

44 (c) "Improved road or street" means a road or street that is, at  
45 least:



1 (1) Aligned and graded to allow reasonably convenient use  
2 by a motor vehicle; and

3 (2) Drained sufficiently by a longitudinal and transverse  
4 drainage system to prevent serious impairment of the road or street  
5 by surface water.

6 *(d) "Total mileage of an improved road or street" means the*  
7 *total mileage of the length of an improved road or street, without*  
8 *regard to the width of that road or street or the number of lanes it*  
9 *has for vehicular traffic.*

10 **Sec. 4.** 1. This section and section 2 of this act become  
11 effective on July 1, 2003.

12 2. Section 1 of this act becomes effective on October 1, 2003.

13 3. Section 2 of this act expires by limitation on June 30, 2005.

14 4. Section 3 of this act becomes effective on July 1, 2005.

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\* A B 5 1 6 R 1 \*