

ASSEMBLY BILL NO. 426—COMMITTEE
ON GROWTH AND INFRASTRUCTURE

MARCH 27, 2023

Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing special event advertising. (BDR 43-975)

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 public highways; exempting special events on or near certain highways from certain restrictions on commercial advertising; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law restricts the placement of commercial advertising on or near
2 certain highways, with certain exceptions for: (1) benches and shelters for
3 passengers of mass transit and monorail stations; and (2) touchdown structures, as
4 authorized by a public authority. (NRS 405.110, 410.320, 484B.313) **Section 5** of
5 this bill creates an exception for any sign, signal, marking or street banner bearing
6 commercial advertising erected before, during or after a special event that is located
7 on or over any highway. For such an exception to be granted, **section 5** requires: (1)
8 the organizer of the special event to receive authorization from a public authority
9 concerning the use and location of such advertising and the placement and
10 maintenance of such advertising; (2) the organizer to enter into a written agreement
11 with the public authority on terms and conditions acceptable to the public authority;
12 (3) such advertising to not constitute a hazard or prevent the safe use of the
13 highway by the public; and (4) such advertising to be placed and maintained for not
14 more than 14 days. **Section 5** also defines the term “special event” to mean a
15 sporting event, concert, festival or other similar event which: (1) will provide an
16 anticipated economic impact of at least \$250,000,000; and (2) is issued a permit as
17 a special event by the public authority with jurisdiction over a highway.



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

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

2 **Sec. 2.** (Deleted by amendment.)

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

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

5 **Sec. 5.** NRS 484B.313 is hereby amended to read as follows:

6 484B.313 1. It is unlawful for any person to place, maintain
7 or display upon or in view of any highway any unauthorized sign,
8 signal, marking or device which purports to be or is an imitation of
9 or resembles an official traffic-control device or railroad sign or
10 signal, or which attempts to direct the movement of traffic, or which
11 hides from view or interferes with the effectiveness of any such
12 device, sign or signal, and except as otherwise provided in
13 subsections 4 and 5, a person shall not place or maintain nor may
14 any public authority permit upon any highway any sign, signal,
15 marking or street banner bearing thereon any commercial
16 advertising.

17 2. Every such prohibited sign, signal or marking is hereby
18 declared to be a public nuisance, and the proper public authority
19 may remove the same or cause it to be removed without notice.

20 3. This section does not prohibit the erection upon private
21 property adjacent to highways of signs giving useful directional
22 information and of a type that cannot be mistaken for official traffic-
23 control devices.

24 4. A person may place and maintain commercial advertising in
25 an airspace above a highway under the conditions specified pursuant
26 to subsection 3 of NRS 405.110, and a public authority may permit
27 commercial advertising that has been placed in an airspace above a
28 highway under the conditions specified pursuant to subsection 3 of
29 NRS 405.110.

30 5. The provisions of subsection 1 do not apply to any sign,
31 signal, marking or street banner bearing thereon any commercial
32 advertising that is located:

33 (a) On a bench or shelter for passengers of public mass
34 transportation built pursuant to a franchise granted pursuant to NRS
35 244.187 and 244.188, 268.081 and 268.083, 269.128 and 269.129,
36 or 277A.310 and 277A.330;

37 (b) On a monorail station; ~~for~~

38 (c) On a touchdown structure if a public authority authorizes
39 such advertising and the advertising is placed and maintained by a
40 person who owns real property adjacent to the touchdown structure
41 and who has:



1 (1) Dedicated the touchdown structure to the public authority
2 or has granted a fee or perpetual easement to the public authority for
3 the construction or maintenance of the touchdown structure; and

4 (2) Entered a written agreement with the public authority on
5 terms and conditions acceptable to the public authority **[]**; or

6 *(d) On or over any highway before, during or after a special
7 event, if:*

8 *(1) A public authority authorizes the use and location of
9 such advertising, and the advertising is placed and maintained by
10 the organizer of a special event for itself or its sponsors or
11 partners;*

12 *(2) The organizer of a special event enters into a written
13 agreement with the public authority on terms and conditions
14 acceptable to the public authority;*

15 *(3) The advertising does not constitute a hazard or prevent
16 the safe use of the highway by the public; and*

17 *(4) Such advertising is placed and maintained for not more
18 than 14 consecutive days.*

19 6. If a franchisee receives revenues from commercial
20 advertising authorized by subsection 1 and the franchisee is
21 obligated to repay a bond issued by the State of Nevada, the
22 franchisee shall use all revenue generated by the advertising
23 authorized by subsection 1 to meet its obligations to the State of
24 Nevada as set forth in the financing agreement and bond indenture,
25 including, without limitation, the payment of operations and
26 maintenance obligations, the funding of reserves and the payment of
27 debt service. To the extent that any surplus revenue remains after
28 the payment of all such obligations, the surplus revenue must be
29 used solely to repay the bond until the bond is repaid.

30 7. As used in this section:

31 (a) "Monorail station" means:

32 (1) A structure for the loading and unloading of passengers
33 from a monorail for which a franchise has been granted pursuant to
34 NRS 705.695 or an agreement has been entered into pursuant to
35 NRS 705.695; and

36 (2) Any facilities or appurtenances within such a structure.

37 (b) *"Special event" means a sporting event, concert, festival or
38 other similar event which:*

39 *(1) Will provide an anticipated economic impact of
40 \$250,000,000 or more, as certified by the county fair and
41 recreation board of the county in which the special event will
42 occur; and*

43 *(2) After the certification of the anticipated economic
44 impact pursuant to subparagraph (1), is designated as a special*



1 *event by the public authority with jurisdiction over a highway and*
2 *is issued a permit as a special event by that public authority.*

3 (c) "Street banner" has the meaning ascribed to it in
4 NRS 277A.130.

5 ~~(e)~~ (d) "Touchdown structure" means a structure, connected to
6 a pedestrian bridge, which houses an elevator.

7 **Sec. 6.** This act becomes effective upon passage and approval.

