
ASSEMBLY BILL NO. 298—ASSEMBLYMAN ATKINSON

MARCH 17, 2011

Referred to Committee on Transportation

SUMMARY—Revises the circumstances under which a person may operate an off-highway vehicle on a highway in this State. (BDR 43-654)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 off-highway vehicles; revising certain limitations in the provisions authorizing cities and counties to designate portions of certain highways as permissible for use by off-highway vehicles; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a city or county may designate any portion of a highway
2 within the city or county, other than a portion of an interstate highway, as
3 permissible for the operation of off-highway vehicles for the sole purpose of
4 allowing off-highway vehicles to reach a private or public area that is open for use
5 by off-highway vehicles. (NRS 490.100) **Section 1** of this bill deletes the restriction
6 regarding the purpose for operation of the vehicle, thereby allowing the city or
7 county to designate any portion of a highway within the city or county, other than a
8 portion of an interstate highway, as permissible for the operation of off-highway
9 vehicles for any purpose.
10 Existing law also prohibits a person from operating an off-highway vehicle on a
11 paved highway in this State for more than 2 miles. (NRS 490.110) **Section 2** of this
12 bill deletes that prohibition.

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

1 **Section 1.** NRS 490.100 is hereby amended to read as follows:
2 490.100 1. Except as otherwise provided in subsection 2, a
3 city or county may designate any portion of a highway within the
4 city or county as permissible for the operation of off-highway



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1 vehicles . ~~[for the purpose of allowing off highway vehicles to reach~~
2 ~~a private or public area that is open for use by off highway~~
3 ~~vehicles.]~~ If a city or county designates any portion of a state
4 highway as permissible for the operation of off-highway vehicles
5 pursuant to this subsection, the city or county must obtain approval
6 for the designation from the Department. The Department shall
7 issue a timely decision concerning the request for approval and must
8 not unreasonably deny the request.

9 2. The highway designated for operation of off-highway
10 vehicles pursuant to subsection 1 may not consist of any portion of
11 an interstate highway.

12 3. If a city or county designates a highway for the operation of
13 off-highway vehicles, the city or county may adopt an ordinance
14 requiring a person who is less than 16 years of age and who is
15 operating the off-highway vehicle on a designated highway to be
16 under the direct visual supervision of a person who is at least 18
17 years of age.

18 ~~[4. A person operating an off highway vehicle on a highway~~
19 ~~designated for operation of off highway vehicles pursuant to~~
20 ~~subsection 1 may not operate the off highway vehicle on the~~
21 ~~highway for any purpose other than to travel to or from the private~~
22 ~~or public area as described in subsection 1.]~~

23 **Sec. 2.** NRS 490.110 is hereby amended to read as follows:

24 490.110 1. Except as otherwise provided in subsection 2, if
25 an off-highway vehicle meets the requirements of this chapter and
26 the operator holds a valid driver's license and operates the off-
27 highway vehicle in accordance with the requirements of those
28 sections, the off-highway vehicle may be operated on a highway in
29 accordance with NRS 490.090 to 490.130, inclusive.

30 2. An off-highway vehicle may not be operated pursuant to this
31 section:

32 (a) On an interstate highway; *or*

33 (b) ~~[On a paved highway in this State for more than 2 miles; or~~

34 ~~—(c) Unless] *On a highway unless* the highway is specifically
35 designated for use by off-highway vehicles in a city whose
36 population is 100,000 or more.~~

37 **Sec. 3.** This act becomes effective on July 1, 2011.

