
ASSEMBLY BILL NO. 361—COMMITTEE
ON GOVERNMENT AFFAIRS

MARCH 22, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to local governments.
(BDR 20-784)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to local governments; prohibiting the governing body of a county or city from restricting the parking of certain vehicles on streets or in certain driveways; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the board of county commissioners and the governing
2 body of certain cities to regulate the length of time for which vehicles may be
3 parked upon the public streets and publicly owned parking lots. (NRS 244.357,
4 266.277; Caliente City Charter § 2.210, Carlin City Charter § 2.230, Carson City
5 Charter § 2.250, Elko City Charter § 2.260, Henderson City Charter § 2.210, Las
6 Vegas City Charter § 2.230, Mesquite City Charter § 2.200, North Las Vegas
7 Charter § 2.210, Sparks City Charter § 2.090, Wells City Charter § 2.230,
8 Yerington City Charter § 2.210)

9 **Sections 1 and 4** of this bill prohibit the governing body of a county or city
10 from restricting the parking of certain utility service vehicles, law enforcement
11 vehicles, fire service vehicles or emergency service vehicles if, as a condition of a
12 person’s employment, the vehicle is required to be available at or in the vicinity of
13 the person’s residence. **Sections 2, 3 and 5-15** of this act make conforming changes
14 to existing provisions of Nevada Revised Statutes and city charters related to this
15 limitation on the authority of the governing body of a county or city.



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 **1. A board of county commissioners shall not prohibit a**
4 **person from:**

5 **(a) Parking a utility service vehicle that has a gross vehicle**
6 **weight rating of 20,000 pounds or less on a street or in the**
7 **driveway of his or her residence if, as a condition of the person's**
8 **employment, the vehicle is required to be available to the person at**
9 **or in the vicinity of his or her residence to respond to emergency**
10 **requests for utility services; or**

11 **(b) Parking a law enforcement vehicle, fire service vehicle or**
12 **emergency services vehicle that has a gross vehicle weight rating**
13 **of 10,000 pounds or less on a street or in the driveway of his or her**
14 **residence if, as a condition of the person's employment, the**
15 **vehicle is required to be available to the person at or in the vicinity**
16 **of his or her residence to respond to requests for law enforcement**
17 **services, fire services or emergency services, as applicable.**

18 **2. As used in this section:**

19 **(a) "Emergency services vehicle" means a vehicle:**

20 **(1) Owned by any agency of the Federal Government, the**
21 **State or a local government; and**

22 **(2) Identified by the agency which owns the vehicle as a**
23 **vehicle used to provide emergency services.**

24 **(b) "Fire service vehicle" means a vehicle:**

25 **(1) Owned by any agency of the Federal Government, the**
26 **State or a local government; and**

27 **(2) Identified by the agency which owns the vehicle as a**
28 **vehicle used to provide fire services.**

29 **(c) "Law enforcement vehicle" means a vehicle:**

30 **(1) Owned by any agency of the Federal Government, the**
31 **State or a local government; and**

32 **(2) Identified by the agency which owns the vehicle as a**
33 **vehicle used to provide law enforcement services.**

34 **(d) "Utility service vehicle" means any vehicle:**

35 **(1) Used in the furtherance of repairing, maintaining or**
36 **operating any structure or any other physical facility necessary for**
37 **the delivery of utility services, including, without limitation, the**
38 **furnishing of electricity, gas, water, sanitary sewer, telephone,**
39 **cable or antenna service; and**

40 **(2) Except for any emergency use, operated primarily**
41 **within the service area of a utility's subscribers or consumers,**



1 *without regard to whether the motor vehicle is owned, leased or*
2 *rented by the utility.*

3 **Sec. 2.** NRS 244.357 is hereby amended to read as follows:

4 244.357 1. Each board of county commissioners may enact
5 and enforce such local police and sanitary ordinances and
6 regulations as are not in conflict with the general laws and
7 regulations of the State of Nevada, but may not enact any ordinance
8 or regulation fixing a speed limit on any United States highway or
9 any highway or road which is constructed, reconstructed, improved
10 or maintained by the Department of Transportation as provided in
11 chapter 408 of NRS.

12 2. Such police and sanitary ordinances and regulations may be
13 enacted to apply throughout an entire county or, where the subject
14 matter makes it appropriate and reasonable, may be enacted to
15 govern only a limited area within the county which must be
16 specified in the ordinance.

17 3. Each board of county commissioners may enact and enforce
18 loitering and prowling ordinances.

19 4. Subject to the restriction of subsection 1, each board of
20 county commissioners may, by ordinance, regulate:

21 (a) All vehicular, pedestrian and other traffic within the
22 unincorporated area of the county and provide generally for the
23 public safety on public streets, publicly owned parking lots, parking
24 areas to which the public is invited and the public rights-of-way.

25 (b) ~~[The]~~ *Except as otherwise provided in section 1 of this act,*
26 *the* length of time for which vehicles may be parked upon the public
27 streets and publicly owned parking lots.

28 **Sec. 3.** NRS 266.277 is hereby amended to read as follows:

29 266.277 The city council may, by ordinance, regulate:

30 1. Except as otherwise provided in NRS 707.375, all vehicular,
31 pedestrian and other traffic within the city and provide generally for
32 the public safety on public streets, publicly owned parking lots,
33 parking areas to which the public is invited and public
34 rights-of-way.

35 2. ~~[The]~~ *Except as otherwise provided in section 4 of this act,*
36 *the* length of time for which vehicles may be parked upon the public
37 streets and publicly owned parking lots.

38 **Sec. 4.** Chapter 268 of NRS is hereby amended by adding
39 thereto a new section to read as follows:

40 *1. The governing body of an incorporated city shall not*
41 *prohibit a person from:*

42 *(a) Parking a utility service vehicle that has a gross vehicle*
43 *weight rating of 20,000 pounds or less on a street or in the*
44 *driveway of his or her residence if, as a condition of the person's*
45 *employment, the vehicle is required to be available to the person at*



1 *or in the vicinity of his or her residence to respond to emergency*
2 *requests for utility services; or*

3 *(b) Parking a law enforcement vehicle, fire service vehicle or*
4 *emergency services vehicle that has a gross vehicle weight rating*
5 *of 10,000 pounds or less on a street or in the driveway of his or her*
6 *residence if, as a condition of the person's employment, the*
7 *vehicle is required to be available to the person at or in the vicinity*
8 *of his or her residence to respond to requests for law enforcement*
9 *services, fire services or emergency services, as applicable.*

10 *2. As used in this section:*

11 *(a) "Emergency services vehicle" means a vehicle:*

12 *(1) Owned by any agency of the Federal Government, the*
13 *State or a local government; and*

14 *(2) Identified by the agency which owns the vehicle as a*
15 *vehicle used to provide emergency services.*

16 *(b) "Fire service vehicle" means a vehicle:*

17 *(1) Owned by any agency of the Federal Government, the*
18 *State or a local government; and*

19 *(2) Identified by the agency which owns the vehicle as a*
20 *vehicle used to provide fire services.*

21 *(c) "Law enforcement vehicle" means a vehicle:*

22 *(1) Owned by any agency of the Federal Government, the*
23 *State or a local government; and*

24 *(2) Identified by the agency which owns the vehicle as a*
25 *vehicle used to provide law enforcement services.*

26 *(d) "Utility service vehicle" means any vehicle:*

27 *(1) Used in the furtherance of repairing, maintaining or*
28 *operating any structure or any other physical facility necessary for*
29 *the delivery of utility services, including, without limitation, the*
30 *furnishing of electricity, gas, water, sanitary sewer, telephone,*
31 *cable or antenna service; and*

32 *(2) Except for any emergency use, operated primarily*
33 *within the service area of a utility's subscribers or consumers,*
34 *without regard to whether the motor vehicle is owned, leased or*
35 *rented by the utility.*

36 **Sec. 5.** Section 2.210 of the Charter of the City of Caliente,
37 being chapter 31, Statutes of Nevada 1971, as amended by chapter
38 237, Statutes of Nevada 2003, at page 1252, is hereby amended to
39 read as follows:

40 Sec. 2.210 Powers of City Council: Traffic control. The
41 City Council may, by ordinance, regulate:

42 1. Except as otherwise provided in NRS 707.375, all
43 vehicular, pedestrian and other traffic within the City and
44 provide generally for the public safety on public streets and
45 rights-of-way.



1 2. ~~[The]~~ *Except as otherwise provided in section 4 of*
2 *this act, the* length of time for which vehicles may be parked
3 upon the public streets and publicly owned parking lots.

4 **Sec. 6.** Section 2.230 of the Charter of the City of Carlin,
5 being chapter 344, Statutes of Nevada 1971, as amended by chapter
6 237, Statutes of Nevada 2003, at page 1252, is hereby amended to
7 read as follows:

8 Sec. 2.230 Powers of Board of Council Members:
9 Traffic control. The Board of Council Members may, by
10 ordinance, regulate:

11 1. Except as otherwise provided in NRS 707.375, all
12 vehicular, pedestrian and other traffic within the City and
13 provide generally for the public safety on public streets and
14 rights-of-way.

15 2. ~~[The]~~ *Except as otherwise provided in section 4 of*
16 *this act, the* length of time for which vehicles may be parked
17 upon the public streets and publicly owned parking lots.

18 **Sec. 7.** Section 2.250 of the Charter of Carson City, being
19 chapter 213, Statutes of Nevada 1969, as amended by chapter 237,
20 Statutes of Nevada 2003, at page 1253, is hereby amended to read as
21 follows:

22 Sec. 2.250 Power of Board: Traffic control. The
23 Board may, by ordinance, regulate:

24 1. Except as otherwise provided in NRS 707.375, all
25 vehicular, pedestrian and other traffic within Carson City and
26 provide generally for the public safety on the public streets
27 and rights-of-way.

28 2. ~~[The]~~ *Except as otherwise provided in section 4 of*
29 *this act, the* length of time which vehicles may be parked
30 upon the public streets and publicly owned parking lots.

31 **Sec. 8.** Section 2.260 of the Charter of the City of Elko, being
32 chapter 276, Statutes of Nevada 1971, as last amended by chapter
33 237, Statutes of Nevada 2003, at page 1253, is hereby amended to
34 read as follows:

35 Sec. 2.260 Powers of City Council: Traffic control.
36 The City Council may, by ordinance, regulate:

37 1. Except as otherwise provided in NRS 707.375, all
38 vehicular, pedestrian and other traffic within the City and
39 provide generally for the public safety on public streets and
40 rights-of-way.

41 2. ~~[The]~~ *Except as otherwise provided in section 4 of*
42 *this act, the* length of time for which vehicles may be parked
43 upon the public streets and publicly owned parking lots.



1 **Sec. 9.** Section 2.210 of the Charter of the City of Henderson,
2 being chapter 266, Statutes of Nevada 1971, as amended by chapter
3 237, Statutes of Nevada 2003, at page 1253, is hereby amended to
4 read as follows:

5 Sec. 2.210 Powers of City Council: Traffic control.
6 The City Council may, by ordinance, regulate:

7 1. Except as otherwise provided in NRS 707.375, all
8 vehicular, pedestrian and other traffic within the City and
9 provide generally for the public safety on public streets and
10 rights-of-way.

11 2. ~~[The]~~ *Except as otherwise provided in section 4 of*
12 *this act, the* length of time for which vehicles may be parked
13 upon the public streets and publicly owned parking lots.

14 **Sec. 10.** Section 2.230 of the Charter of the City of Las Vegas,
15 being chapter 517, Statutes of Nevada 1983, as amended by chapter
16 237, Statutes of Nevada 2003, at page 1253, is hereby amended to
17 read as follows:

18 Sec. 2.230 Powers of City Council: Traffic control.
19 The City Council may by ordinance regulate:

20 1. Except as otherwise provided in NRS 707.375, all
21 vehicular, pedestrian and other traffic within the City and
22 provide generally for the public safety on the public streets,
23 publicly owned parking lots, parking areas to which the
24 public is invited and public rights-of-way.

25 2. ~~[The]~~ *Except as otherwise provided in section 4 of*
26 *this act, the* length of time for which vehicles may be parked
27 upon the public streets and publicly owned parking lots.

28 **Sec. 11.** Section 2.200 of the Charter of the City of Mesquite,
29 being chapter 325, Statutes of Nevada 2017, at page 1873, is hereby
30 amended to read as follows:

31 Sec. 2.200 Powers of City Council: Traffic control.
32 The City Council may, by ordinance, regulate:

33 1. Except as otherwise provided in NRS 707.375, all
34 vehicular, pedestrian and other traffic within the City and
35 provide generally for the public safety on public streets and
36 rights-of-way.

37 2. ~~[The]~~ *Except as otherwise provided in section 4 of*
38 *this act, the* length of time for which vehicles may be parked
39 upon the public streets and publicly owned parking lots.

40 **Sec. 12.** Section 2.210 of the Charter of the City of North Las
41 Vegas, being chapter 573, Statutes of Nevada 1971, as amended by
42 chapter 237, Statutes of Nevada 2003, at page 1253, is hereby
43 amended to read as follows:

44 Sec. 2.210 Powers of City Council: Traffic control.
45 The City Council may, by ordinance, regulate:



1 1. Except as otherwise provided in NRS 707.375, all
2 vehicular, pedestrian and other traffic within the City and
3 provide generally for the public safety on public streets and
4 rights-of-way.

5 2. ~~[The]~~ *Except as otherwise provided in section 4 of*
6 *this act, the* length of time for which vehicles may be parked
7 upon the public streets and parking facilities.

8 **Sec. 13.** Section 2.090 of the Charter of the City of Sparks,
9 being chapter 470, Statutes of Nevada 1975, as last amended by
10 chapter 325, Statutes of Nevada 2005, at page 1144, is hereby
11 amended to read as follows:

12 Sec. 2.090 Powers of City Council: General areas.
13 The City Council may exercise any power specifically
14 granted in this Charter or by any of the provisions of Nevada
15 Revised Statutes not in conflict with this Charter, in order to:

16 1. Except as otherwise provided in NRS 598D.150 and
17 640C.100, license all businesses, trades and professions for
18 purposes of regulation and revenue.

19 2. Enact and enforce fire ordinances.

20 3. Regulate the construction and maintenance of any
21 building or other structure within the City.

22 4. Provide for safeguarding of public health in the City.

23 5. Zone and plan the City, including the regulation of
24 subdivision of land, as prescribed by chapter 278 of NRS.

25 6. Acquire, control, lease, dedicate, sell and convey
26 rights-of-way, parks and other real property.

27 7. Except as otherwise provided in NRS 707.375 ~~[and]~~ *and*
28 *section 4 of this act*, regulate vehicular traffic and parking of
29 vehicles.

30 8. Establish and maintain a sanitary sewer system.

31 9. Condemn property within the territorial limits of the
32 City, as well as property outside the territorial limits of the
33 City, in the manner prescribed by chapter 37 of NRS.

34 10. Regulate, prescribe the location for, prohibit or
35 suppress all businesses selling alcoholic liquors at wholesale
36 or retail.

37 11. Regulate, prescribe the location for, prohibit or
38 suppress gaming of all kinds.

39 **Sec. 14.** Section 2.230 of the Charter of the City of Wells,
40 being chapter 275, Statutes of Nevada 1971, as amended by chapter
41 237, Statutes of Nevada 2003, at page 1254, is hereby amended to
42 read as follows:

43 Sec. 2.230 Powers of Board of Council Members:
44 Traffic control. The Board of Council Members may, by
45 ordinance, regulate:



1 1. Except as otherwise provided in NRS 707.375, all
2 vehicular, pedestrian and other traffic within the City and
3 provide generally for the public safety on public streets and
4 rights-of-way.

5 2. ~~[The]~~ *Except as otherwise provided in section 4 of*
6 *this act, the* length of time for which vehicles may be parked
7 upon the public streets and publicly owned parking lots.

8 **Sec. 15.** Section 2.210 of the Charter of the City of Yerington,
9 being chapter 465, Statutes of Nevada 1971, as last amended by
10 chapter 237, Statutes of Nevada 2003, at page 1255, is hereby
11 amended to read as follows:

12 Sec. 2.210 Powers of City Council: Traffic control.
13 The City Council may, by ordinance, regulate:

14 1. Except as otherwise provided in NRS 707.375, all
15 vehicular, pedestrian and other traffic within the City and
16 provide generally for the public safety on public streets and
17 rights-of-way, publicly owned parking lots and parking areas
18 to which the public is invited.

19 2. ~~[The]~~ *Except as otherwise provided in section 4 of*
20 *this act, the* length of time for which vehicles may be parked
21 upon the public streets and publicly owned parking lots.

