

Assembly Bill No. 47–Committee
on Growth and Infrastructure

CHAPTER.....

AN ACT relating to off-highway vehicles; revising provisions governing public trails for the operation of off-highway vehicles; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

With certain exceptions, existing law prohibits a person from operating an off-highway vehicle on a paved highway that is not otherwise designated for use by off-highway vehicles. (NRS 490.090) This bill provides that this prohibition and the other laws governing the operation of off-highway vehicles do not prohibit a governmental entity from constructing, operating or maintaining a trail for use by off-highway vehicles that is adjacent to or near a highway, including a paved highway.

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

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

Section 1. NRS 490.090 is hereby amended to read as follows:

490.090 Except as otherwise provided in NRS 490.100 or 490.110:

1. A person shall not, except as otherwise provided in subsection 2 or 3, operate an off-highway vehicle on a paved highway that is not otherwise designated for use by off-highway vehicles.

2. A person may operate an off-highway vehicle on a paved highway that is not otherwise designated for use by off-highway vehicles:

(a) If the off-highway vehicle is operated on the highway for the purpose of crossing the highway, comes to a complete stop before crossing and crosses as close as practicable to perpendicular to the direction of travel on the highway;

(b) If the off-highway vehicle is operated on the highway for the purpose of loading or unloading the off-highway vehicle onto or off of another vehicle or trailer, if the loading or unloading is as close as practicable to the place of operation of the off-highway vehicle;

(c) During an emergency if it is impossible or impracticable to use another vehicle or if a peace officer directs the operation of the off-highway vehicle; or



(d) If the off-highway vehicle is operated on a portion of a highway that is designated as a trail connector for a trail authorized for use by off-highway vehicles for not more than 2 miles.

3. A person may operate an off-highway vehicle on any public land, trail, way or unpaved county road unless prohibited by the governmental entity which has jurisdiction over the public land, trail, way or unpaved county road.

4. A governmental entity specified in subsection 3 may:

(a) Prepare and distribute upon request a map or other document setting forth each area of public land, trail, way or unpaved county road that is prohibited for the operation off-highway vehicles; and

(b) Erect and maintain signs designating each area of public land, trail, way or unpaved county road that is prohibited for the operation off-highway vehicles.

5. Nothing in this section or in NRS 490.090 to 490.130, inclusive, shall be construed to prohibit a governmental entity from constructing, operating or maintaining a trail for use by off-highway vehicles that is adjacent to or near a highway, including, without limitation, a paved highway.

