

**APPROVED REGULATION OF THE
DEPARTMENT OF PUBLIC SAFETY**

LCB File No. R164-22

Filed January 31, 2023

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

AUTHORITY: § 1, NRS 480.130, 480.140 and 480.150.

A REGULATION relating to traffic laws; authorizing a public authority to permit the organizer of a special event to place and maintain certain temporary commercial advertising on a way or bridge over a way under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law, with certain exceptions, prohibits a person from placing or maintaining, or public authorities from permitting the placement or maintenance, upon any highway any sign, signal, marking or street banner bearing thereon any commercial advertising. (NRS 484B.313) For the purposes of this prohibition, a “highway” constitutes the entire width between the boundary lines of every way dedicated to a public authority when any part of the way is open to the use of the public for purposes of vehicular traffic. (NRS 484A.095) Existing law authorizes the Department of Public Safety, through the Nevada Highway Patrol Division of the Department, to administer the traffic laws of this State, including, without limitation, the laws governing the placement or maintaining of commercial advertising upon highways. (NRS 480.130, 480.140, 480.150)

This regulation: (1) interprets the term “highway” for the purposes of the prohibition against placing or maintaining commercial advertising upon highways to not include any way that is temporarily closed, or intermittently closed and reopened, to the public for purposes of vehicular traffic because of a special event, including, without limitation, a sporting event, concert, festival or similar type of event which is designated as a special event by the public authority with jurisdiction over the way and is issued a permit as a special event by that public authority; (2) authorizes a public authority to allow, subject to conditions established by the public authority in a permit, the organizer of such a special event for which a way will be closed to the public for purposes of vehicular traffic to place and maintain on the way or a bridge over the way temporary commercial advertising of the organizer, or any of its sponsors or partners, for a period established by the public authority but not to exceed 14 consecutive days; and (3) requires the organizer of the special event to ensure that during any period when the way is open to the public for purposes of vehicular traffic, any such commercial advertising is obscured or converted in such a manner that the commercial advertising does not constitute a hazard or prevent the safe use of the way by the public. Finally, this regulation specifies that this regulation

does not limit the applicability of any other local, state or federal law, regulation or licensing requirement.

Section 1. Chapter 484B of NAC is hereby amended by adding thereto a new section to read as follows:

1. For the purposes of NRS 484B.313, a way is not a “highway,” as defined in NRS 484A.095, at any time during which the way is temporarily closed, or intermittently closed and reopened, to the public for purposes of vehicular traffic because of a special event.

2. A public authority may allow, subject to any conditions established in a permit issued by the public authority, the organizer of a special event for which a way will be temporarily closed, or intermittently closed and reopened, to the public for purposes of vehicular traffic to place and maintain on the way, or a bridge over the way, for a period of time established by the public authority, but not to exceed 14 consecutive days, a temporary sign, signal, marking, banner, placard or billboard bearing thereon any commercial advertising of the organizer, or any of its sponsors or partners.

3. Except as otherwise provided in this subsection, if, pursuant to subsection 2, a temporary sign, signal, marking, banner, placard or billboard is affixed to a pole, building, fence, gate or any other structure authorized by the public authority and located within 20 feet of a portion of a way that will be intermittently closed and reopened to the use of the public for purposes of vehicular traffic, or on a bridge over such a way, because of a special event, the organizer of the special event must ensure that during any time that the portion of the way is open to the public for purposes of vehicular traffic, the temporary sign, signal, marking, banner, placard or billboard is obscured or converted in a manner such that it does not constitute a hazard upon or prevent the safe use of the way by the public. This subsection does

not apply to any structure on which permanent or long-term advertising is allowed pursuant to any other provision of law.

4. Nothing in this section limits the applicability of any other local, state or federal law, regulation or licensing requirement.

5. As used in this section, “special event” means a sporting event, concert, festival or any other similar type of event which is designated as a special event by the public authority with jurisdiction over a way and which is issued a permit as a special event by that public authority.