

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS-NRS 233B.066**  
**Informational Statement**  
**LCB File No. R012-15**

**1. A clear and concise explanation of the need for the adopted regulation.**

The proposed regulation is needed to provide for the definition of a “Local Government” as stated in NRS 408.527. It is further needed to insure that the process stated in NRS 408.527 #10 is completed. This regulation requires the Department of Transportation to work cooperatively with local governments to develop a guide to relinquish roads, to place that process and guide into a regulation, and then delineates the process to modify the guide in the future. This action was completed in January of 2015 as a Temporary Regulation. The Department requests that this regulation become a Permanent Regulation and actions, as required, have been completed to do so.

**2. Description of how public comment was solicited, as summary of public response, And an Explanation of how other interested person may obtain a copy of the summary.**

(a) Copies of the proposed regulation, notice of intent to act upon a regulation and notice of workshop and hearing were send by US mail and email to persons who were known to have an interest in the subjects of noticing or who specifically requested said noticing and information. These documents were also made available at the website of the Nevada Department of Transportation, [www.nevadadot.com](http://www.nevadadot.com), and were posted in the following offices of the Nevada Department of Transportation as follows:

Nevada Department of Transportation,  
District I Office,  
123 E. Washington Ave,  
Las Vegas, NV 89125,

Nevada Department of Transportation,  
District II Office,  
310 Galletti Way,  
Sparks, NV 89431

Nevada Department of Transportation,  
District III Office,  
1951 Idaho St.  
Elko, NV 89801

Nevada Department of Transportation,  
Headquarters  
1263 S. Stewart Street,  
Carson City, NV 89712

Nevada Department of Transportation,  
Tonopah Maintenance Station,  
805 Erie Main,  
Tonopah, NV 89049

Nevada Department of Transportation,  
Winnemucca Maintenance Station  
25 West 4<sup>th</sup> St.  
Winnemucca, NV 89446

Nevada Department of Transportation,  
Ely Maintenance Station  
1401 Ave. F  
Ely, NV 89301

**And posted at the following locations:**

Washoe County Courthouse  
75 Court St.  
Reno, NV 89520

Churchill County Library  
5553 S. Maine St.  
Fallon, NV 89406

Lincoln County Library  
93 Main St.  
Pioche, NV 89043

Lyon County Library  
20 Nevin Way  
Yerington, NV 89447

Pershing County Library  
P.O. Box 781  
Lovelock, NV 89419

Storey County Library  
P.O. Box 14, 95 S. R St.  
Virginia City, NV 89440

RTC of Southern Nevada  
600 S. Grand Central Pkwy.  
Suite 350  
Las Vegas, NV 89106

Grant Sawyer State Office Building  
555 E. Washington Ave.  
Las Vegas, NV 89101

Goldfield Public Library  
P.O. Box 430, Fourth & Crook St.  
Goldfield, NV 89013

Eureka Branch Library  
P.O. Box 293, 1125 Central Ave.  
Eureka, NV 89316

Battle Mountain Branch Library  
P.O. Box 141, 625 S. Broad St.  
Battle Mountain, NV 89820

Douglas County Library  
P.O. Box 337, 171 Central St.  
Minden, NV 89423

Mineral County Library  
P.O. Box 1390, First and A Street  
Hawthorne, NV 89415

State Library  
100 Stewart Street  
Carson City, NV

A public workshop was held on September 3, 2015, in Carson City and was video broadcast to Elko and Las Vegas for the purposed of soliciting public input. A Public Hearing was then held in Carson City on October 12, 2015 and video conferenced to Las Vegas, again to allow for public comment.

(b) No public comments were offered at the workshops and no public comment was offered at the Public Hearing.

(c) Copies of the transcripts/or recordings of the proceedings are available for review at the offices of the Roadway Systems Division of NDOT, 1263 S. Stewart Street, Carson City, Nevada, 89712.

**3. The number of persons who:**

**(a) Attended each hearing/workshop:** Carson City Workshop-5, Elko Workshop-0, Las Vegas workshop-1, Carson City Hearing-(50)

**(b) Testified at each hearing/workshop:** No persons testified at either the workshop or hearing.

**(c) Submitted to agency written comments:** none

- 4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**
  - (a) Name;**
  - (b) Telephone;**
  - (c) Business Address;**
  - (d) Business Telephone;**
  - (e) Electronic mail address; and**
  - (f) Name of Entity or organization represented.**
- 5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

This regulation governs activities only between the Department of Transportation and Cities and Counties and does not directly affect any business as it addresses the transfer of roads that will change only in ownership and not in use.

Comments were solicited from affected businesses in the same manner as they were solicited from the public.

Any person wishing to view the summary of any public comment are provided this opportunity as mentioned in item 2(c).

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

No changes were recommended to the regulations that were presented either at the workshops or at the public hearing.

- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public.**

The estimated economic effect will be based on each relinquishment discussed with the Department and a Local Government Agency. Since there are many ways to complete a relinquishment, including trades, the cost to complete a relinquishment will be developed through the required negotiation process identified in the Guide to road relinquishments. There is no direct affect to a local government or the public as a course of monetary charge to process a relinquishment. The cost for staff time will is included in the annual salary of those involved.

There is no direct effect on the Public.

**8. The estimated cost to the agency for enforcement of the proposed regulation.**

The only costs associate with enforcement will be the cost for staff time. This will be included in the annual salary of those involved in developing and negotiating relinquishments.

**9. A description of any regulation of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

These regulations do not overlap or duplicate any other regulations of the State or any other governmental agency.

**10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

There are no federal regulations that govern the process of relinquishing roads between the state and local governments.

**11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

There are no fees associated with this regulation.

**12. If the proposed regulation is likely to impose a direct and significant burden upon a small business or directly restrict the formation, operation, or expansion of a small business, what methods did the agency use in determining the impact of the regulation on small businesses?**

These regulations govern the process of relinquishing roads between the State and Local Governments and will only act as a source of changing ownership and not the character of the roads use. The road will remain a public road both before and after the transfer.