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SECOND REPRINT

A.B. 191

ASSEMBLY BILL NO. 191—ASSEMBLYMEN
PAUL ANDERSON AND KIRKPATRICK

FEBRUARY 23, 2015

JOINT SPONSORS: SENATORS HAMMOND AND ROBERSON

Referred to Committee on Taxation

SUMMARY—Revises provisions governing taxes on fuels for motor vehicles. (BDR 32-667)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 taxation; revising provisions relating to the imposition by certain counties of additional taxes on fuels for motor vehicles; providing that the boards of county commissioners of certain larger counties may continue the imposition of certain additional taxes on fuels for motor vehicles if a ballot question authorizing such additional taxes is approved by a majority of the voters in the county; providing for the imposition by the boards of county commissioners of certain counties of additional taxes on fuels for motor vehicles if a ballot question authorizing such additional taxes is approved by a majority of the voters in the county; requiring the approval by voters of additional ballot measures to continue the imposition of the additional taxes; providing that money collected from certain of the additional taxes must be deposited with the State Treasurer to the credit of the State Highway Fund, accounted for separately in the State Highway Fund and used by the Department of Transportation only to finance projects for the construction, maintenance and repair of state highways in the county in which the tax is collected; repealing certain provisions relating to a ballot question providing for the imposition by the State of certain additional taxes on fuels for motor vehicles; and providing other matters properly relating thereto.



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Legislative Counsel's Digest:

1 Existing law authorizes counties to impose certain taxes on motor vehicle fuels
2 and special fuels used in motor vehicles. (Chapter 373 of NRS) Existing law
3 authorizes the board of county commissioners of a county whose population is
4 700,000 or more and in which a regional transportation commission has been
5 created and a county tax is imposed on motor vehicle fuel (currently Clark County)
6 to impose, upon approval by a two-thirds majority of the members of the board,
7 additional taxes on motor vehicle fuel and various special fuels used in motor
8 vehicles. Existing law also authorizes the board of county commissioners to
9 provide for annual increases in these taxes, for the period beginning on January 1,
10 2014, and ending on December 31, 2016. Existing law provides that for the period
11 beginning on January 1, 2017: (1) the board of county commissioners must not
12 impose any additional increases in certain taxes authorized by that provision of
13 existing law; and (2) increases in the remainder of the taxes authorized by that
14 provision may not be effectuated unless a majority of the voters in the county at the
15 general election in November 2016 authorize the board of county commissioners to
16 continue to provide for the annual increases. (NRS 373.0663) **Section 2** of this bill
17 removes the prohibition on the continued imposition of additional increases in
18 certain taxes, subject to the existing provisions which provide that the additional
19 increases may not be effectuated unless a majority of the voters in the county at the
20 general election in November 2016 authorize the board of county commissioners to
21 continue to provide for the annual increases. **Section 2** additionally provides that
22 for the period beginning on January 1, 2027, additional annual increases in the
23 taxes on motor vehicle fuel and various special fuels used in motor vehicles may
24 not be effectuated unless a majority of the voters in the county at the general
25 election in November 2026 authorize the board of county commissioners to
26 continue to provide for the annual increases. If the voters in the county at the
27 general election in November 2016 authorize the board of county commissioners to
28 continue to provide for the annual increases, **section 1** of this bill provides that any
29 money collected from certain additional taxes imposed on motor vehicle fuel and
30 various special fuels used in motor vehicles after November 8, 2016, must be
31 deposited with the State Treasurer to the credit of the State Highway Fund,
32 accounted for separately in the State Highway Fund and used by the Department of
33 Transportation only to finance projects for the construction, maintenance and repair
34 of state highways in the county in which the tax is collected. **Sections 4, 7, 9 and**
35 **12** of this bill make conforming changes.

36 Upon approval by a majority of the voters in any county, other than Clark or
37 Washoe County, at the general election in November 2016, existing law requires
38 the board of county commissioners of the county to impose additional county taxes
39 on motor vehicle fuel and various special fuels used in motor vehicles. Existing law
40 also authorizes the board of county commissioners to provide for annual increases
41 in these taxes, for the period beginning on January 1, 2017, and ending on
42 December 31, 2026. Additionally, existing law provides that, for the period
43 beginning on January 1, 2027, the increases in these taxes may not be effectuated
44 unless a majority of the voters in the county at the general election in November
45 2026 authorize the board of county commissioners to continue to provide for the
46 annual increases. (NRS 373.0667) Existing law also provides for a statewide ballot
47 measure, approval of which by a majority of the voters in the State at the general
48 election in November 2016 would require the State to impose additional state taxes
49 on motor vehicle fuel and various special fuels used in motor vehicles and to
50 impose annual increases on those taxes. (**Section 12** of chapter 540, Statutes of
51 Nevada 2013, p. 3586) **Section 18** of this bill repeals the provisions of existing law
52 relating to the statewide ballot measure concerning the imposition by the State of
53 additional state taxes on motor vehicle fuel and various special fuels used in motor
54 vehicles. **Sections 3 and 17** of this bill instead require the board of county



55 commissioners of a county other than Clark or Washoe County, upon approval by a
56 majority of the voters in the county at the general election in November 2016, to
57 impose such additional taxes on motor vehicle fuel and various special fuels used in
58 motor vehicles in the same manner as the board is required under existing law to
59 impose the additional county taxes on motor vehicle fuel and various special fuels
60 used in motor vehicles. **Sections 14.5 and 15** of this bill provide that money
61 collected from certain additional taxes imposed on motor vehicle fuel and various
62 special fuels used in motor vehicles on or after January 1, 2017, must be deposited
63 with the State Treasurer to the credit of the State Highway Fund, accounted for
64 separately in the State Highway Fund and used by the Department of
65 Transportation only to finance projects for the construction, maintenance and repair
66 of state highways in the county in which the tax is collected. **Sections 4.5, 5, 6, 7.5,**
67 **8, 9.5, 10, 11, 12.5, 13, 14 and 18** of this bill make conforming changes.

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

1 **Section 1.** Chapter 373 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *Notwithstanding any other provision of law, money collected*
4 *from the annual increases in the taxes authorized by paragraphs*
5 *(e) and (g) to (j), inclusive, of subsection 1 of NRS 373.0663 and*
6 *imposed by the ordinance after November 8, 2016, must be*
7 *deposited with the State Treasurer to the credit of the State*
8 *Highway Fund, accounted for separately in the State Highway*
9 *Fund and used by the Department of Transportation only to*
10 *finance projects for the construction, maintenance and repair of*
11 *state highways in the county in which the tax is collected.*

12 **Sec. 2.** NRS 373.0663 is hereby amended to read as follows:

13 373.0663 1. Except as otherwise provided in this section, in a
14 county whose population is 700,000 or more and in which a
15 commission has been created and a tax is imposed pursuant to
16 NRS 373.030:

17 (a) The board may by ordinance impose:

18 (1) An excise tax on each gallon of motor vehicle fuel,
19 except aviation fuel, sold in the county in an amount equal to the
20 product obtained by multiplying 3.6 cents per gallon by the lesser of
21 the applicable percentage or the adjusted average highway and street
22 construction inflation index for the fiscal year in which the
23 ordinance becomes effective; and

24 (2) Except as otherwise provided in subsection 5, an annual
25 increase in the tax imposed pursuant to subparagraph (1), on the first
26 day of each fiscal year following the fiscal year in which that tax
27 becomes effective, in the amount determined by adding 3.6 cents
28 per gallon to the amount of the tax imposed pursuant to
29 subparagraph (1) during the immediately preceding fiscal year, then
30 multiplying that sum by the lesser of the applicable percentage or



1 the adjusted average highway and street construction inflation index
2 for the fiscal year in which the increase becomes effective.

3 (b) The board may by ordinance impose:

4 (1) An excise tax on each gallon of motor vehicle fuel,
5 except aviation fuel, sold in the county in an amount equal to the
6 product obtained by multiplying 1.75 cents per gallon by the lesser
7 of the applicable percentage or the adjusted average highway and
8 street construction inflation index for the fiscal year in which the
9 ordinance becomes effective; and

10 (2) Except as otherwise provided in subsection 5, an annual
11 increase in the tax imposed pursuant to subparagraph (1), on the first
12 day of each fiscal year following the fiscal year in which that tax
13 becomes effective, in the amount determined by adding 1.75 cents
14 per gallon to the amount of the tax imposed pursuant to
15 subparagraph (1) during the immediately preceding fiscal year, then
16 multiplying that sum by the lesser of the applicable percentage or
17 the adjusted average highway and street construction inflation index
18 for the fiscal year in which the increase becomes effective.

19 (c) The board may by ordinance impose:

20 (1) An excise tax on each gallon of motor vehicle fuel,
21 except aviation fuel, sold in the county in an amount equal to the
22 product obtained by multiplying 1 cent per gallon by the lesser of
23 the applicable percentage or the adjusted average highway and street
24 construction inflation index for the fiscal year in which the
25 ordinance becomes effective; and

26 (2) Except as otherwise provided in subsection 5, an annual
27 increase in the tax imposed pursuant to subparagraph (1), on the first
28 day of each fiscal year following the fiscal year in which that tax
29 becomes effective, in the amount determined by adding 1 cent per
30 gallon to the amount of the tax imposed pursuant to subparagraph
31 (1) during the immediately preceding fiscal year, then multiplying
32 that sum by the lesser of the applicable percentage or the adjusted
33 average highway and street construction inflation index for the fiscal
34 year in which the increase becomes effective.

35 (d) The board may by ordinance impose:

36 (1) An excise tax on each gallon of motor vehicle fuel,
37 except aviation fuel, sold in the county in an amount equal to the
38 product obtained by multiplying 9 cents per gallon by the lesser of
39 the applicable percentage or the adjusted average highway and street
40 construction inflation index for the fiscal year in which the
41 ordinance becomes effective; and

42 (2) Except as otherwise provided in subsection 5, an annual
43 increase in the tax imposed pursuant to subparagraph (1), on the first
44 day of each fiscal year following the fiscal year in which that tax
45 becomes effective, in the amount determined by adding 9 cents per



1 gallon to the amount of the tax imposed pursuant to subparagraph
2 (1) during the immediately preceding fiscal year, then multiplying
3 that sum by the lesser of the applicable percentage or the adjusted
4 average highway and street construction inflation index for the fiscal
5 year in which the increase becomes effective.

6 (e) The board may by ordinance impose:

7 (1) An excise tax on each gallon of motor vehicle fuel,
8 except aviation fuel, sold in the county in an amount equal to the
9 product obtained by multiplying 18.455 cents per gallon by the
10 lesser of the applicable percentage or the adjusted average highway
11 and street construction inflation index for the fiscal year in which
12 the ordinance becomes effective; and

13 (2) Except as otherwise provided in subsection 5, an annual
14 increase in the tax imposed pursuant to subparagraph (1), on the first
15 day of each fiscal year following the fiscal year in which that tax
16 becomes effective, in the amount determined by adding 18.455 cents
17 per gallon to the amount of the tax imposed pursuant to
18 subparagraph (1) during the immediately preceding fiscal year, then
19 multiplying that sum by the lesser of the applicable percentage or
20 the adjusted average highway and street construction inflation index
21 for the fiscal year in which the increase becomes effective.

22 (f) The board may by ordinance impose:

23 (1) An excise tax on each gallon of motor vehicle fuel,
24 except aviation fuel, sold in the county in an amount equal to the
25 product obtained by multiplying 18.4 cents per gallon by the lesser
26 of the applicable percentage or the adjusted average highway and
27 street construction inflation index for the fiscal year in which the
28 ordinance becomes effective; and

29 (2) Except as otherwise provided in subsection 5, an annual
30 increase in the tax imposed pursuant to subparagraph (1), on the first
31 day of each fiscal year following the fiscal year in which that tax
32 becomes effective, in the amount determined by adding 18.4 cents
33 per gallon to the amount of the tax imposed pursuant to
34 subparagraph (1) during the immediately preceding fiscal year, then
35 multiplying that sum by the lesser of the applicable percentage or
36 the adjusted average highway and street construction inflation index
37 for the fiscal year in which the increase becomes effective.

38 (g) The board may by ordinance impose:

39 (1) An excise tax on each gallon of special fuel that consists
40 of an emulsion of water-phased hydrocarbon fuel sold in the county
41 in an amount equal to the product obtained by multiplying 19 cents
42 per gallon by the lesser of the applicable percentage or the adjusted
43 average highway and street construction inflation index for the fiscal
44 year in which the ordinance becomes effective; and



1 (2) Except as otherwise provided in subsection 5, an annual
2 increase in the tax imposed pursuant to subparagraph (1), on the first
3 day of each fiscal year following the fiscal year in which that tax
4 becomes effective, in the amount determined by adding 19 cents per
5 gallon to the amount of the tax imposed pursuant to subparagraph
6 (1) during the immediately preceding fiscal year, then multiplying
7 that sum by the lesser of the applicable percentage or the adjusted
8 average highway and street construction inflation index for the fiscal
9 year in which the increase becomes effective.

10 (h) The board may by ordinance impose:

11 (1) An excise tax on each gallon of special fuel that consists
12 of liquefied petroleum gas sold in the county in an amount equal to
13 the product obtained by multiplying 22 cents per gallon by the lesser
14 of the applicable percentage or the adjusted average highway and
15 street construction inflation index for the fiscal year in which the
16 ordinance becomes effective; and

17 (2) Except as otherwise provided in subsection 5, an annual
18 increase in the tax imposed pursuant to subparagraph (1), on the first
19 day of each fiscal year following the fiscal year in which that tax
20 becomes effective, in the amount determined by adding 22 cents per
21 gallon to the amount of the tax imposed pursuant to subparagraph
22 (1) during the immediately preceding fiscal year, then multiplying
23 that sum by the lesser of the applicable percentage or the adjusted
24 average highway and street construction inflation index for the fiscal
25 year in which the increase becomes effective.

26 (i) The board may by ordinance impose:

27 (1) An excise tax on each gallon of special fuel that consists
28 of compressed natural gas sold in the county in an amount equal to
29 the product obtained by multiplying 21 cents per gallon by the lesser
30 of the applicable percentage or the adjusted average highway and
31 street construction inflation index for the fiscal year in which the
32 ordinance becomes effective; and

33 (2) Except as otherwise provided in subsection 5, an annual
34 increase in the tax imposed pursuant to subparagraph (1), on the first
35 day of each fiscal year following the fiscal year in which that tax
36 becomes effective, in the amount determined by adding 21 cents per
37 gallon to the amount of the tax imposed pursuant to subparagraph
38 (1) during the immediately preceding fiscal year, then multiplying
39 that sum by the lesser of the applicable percentage or the adjusted
40 average highway and street construction inflation index for the fiscal
41 year in which the increase becomes effective.

42 (j) The board may by ordinance impose:

43 (1) An excise tax on each gallon of special fuel sold in the
44 county, other than any special fuel described in paragraph (g), (h) or
45 (i), in an amount equal to the product obtained by multiplying 27.75



1 cents per gallon by the lesser of the applicable percentage or the
2 adjusted average highway and street construction inflation index for
3 the fiscal year in which the ordinance becomes effective; and

4 (2) Except as otherwise provided in subsection 5, an annual
5 increase in the tax imposed pursuant to subparagraph (1), on the first
6 day of each fiscal year following the fiscal year in which that tax
7 becomes effective, in the amount determined by adding 27.75 cents
8 per gallon to the amount of the tax imposed pursuant to
9 subparagraph (1) during the immediately preceding fiscal year, then
10 multiplying that sum by the lesser of the applicable percentage or
11 the adjusted average highway and street construction inflation index
12 for the fiscal year in which the increase becomes effective.

13 (k) The board may by ordinance impose:

14 (1) An excise tax on each gallon of special fuel that consists
15 of liquefied petroleum gas sold in the county in an amount equal to
16 the product obtained by multiplying 18.3 cents per gallon by the
17 lesser of the applicable percentage or the adjusted average highway
18 and street construction inflation index for the fiscal year in which
19 the ordinance becomes effective; and

20 (2) Except as otherwise provided in subsection 5, an annual
21 increase in the tax imposed pursuant to subparagraph (1), on the first
22 day of each fiscal year following the fiscal year in which that tax
23 becomes effective, in the amount determined by adding 18.3 cents
24 per gallon to the amount of the tax imposed pursuant to
25 subparagraph (1) during the immediately preceding fiscal year, then
26 multiplying that sum by the lesser of the applicable percentage or
27 the adjusted average highway and street construction inflation index
28 for the fiscal year in which the increase becomes effective.

29 (l) The board may by ordinance impose:

30 (1) An excise tax on each gallon of special fuel that consists
31 of compressed natural gas sold in the county in an amount equal to
32 the product obtained by multiplying 18.3 cents per gallon by the
33 lesser of the applicable percentage or the adjusted average highway
34 and street construction inflation index for the fiscal year in which
35 the ordinance becomes effective; and

36 (2) Except as otherwise provided in subsection 5, an annual
37 increase in the tax imposed pursuant to subparagraph (1), on the first
38 day of each fiscal year following the fiscal year in which that tax
39 becomes effective, in the amount determined by adding 18.3 cents
40 per gallon to the amount of the tax imposed pursuant to
41 subparagraph (1) during the immediately preceding fiscal year, then
42 multiplying that sum by the lesser of the applicable percentage or
43 the adjusted average highway and street construction inflation index
44 for the fiscal year in which the increase becomes effective.

45 (m) The board may by ordinance impose:



1 (1) An excise tax on each gallon of special fuel sold in the
2 county, other than any special fuel described in paragraph (k) or (l),
3 which is taxed by the Federal Government at a rate per gallon or
4 gallon equivalent of 24.4 cents or more, in an amount equal to the
5 product obtained by multiplying 24.4 cents per gallon by the lesser
6 of the applicable percentage or the adjusted average highway and
7 street construction inflation index for the fiscal year in which the
8 ordinance becomes effective; and

9 (2) Except as otherwise provided in subsection 5, an annual
10 increase in the tax imposed pursuant to subparagraph (1), on the first
11 day of each fiscal year following the fiscal year in which that tax
12 becomes effective, in the amount determined by adding 24.4 cents
13 per gallon to the amount of the tax imposed pursuant to
14 subparagraph (1) during the immediately preceding fiscal year, then
15 multiplying that sum by the lesser of the applicable percentage or
16 the adjusted average highway and street construction inflation index
17 for the fiscal year in which the increase becomes effective.

18 2. An ordinance authorized by this section must be approved
19 by a two-thirds majority of the members of the board. If the board
20 adopts an ordinance authorized by this section, the ordinance must
21 impose all of the taxes authorized by this section. Upon the adoption
22 of such an ordinance, and except as otherwise provided in
23 subsection 5, no further action by the board is necessary to
24 effectuate the annual increases in the taxes imposed by the
25 ordinance.

26 3. If the board adopts an ordinance imposing the taxes
27 authorized by this section, the ordinance:

28 (a) Must be adopted before October 1, 2013;

29 (b) Must become effective on January 1, 2014; and

30 (c) Is not affected by any changes in the population of the
31 county which occur after the adoption of the ordinance.

32 4. The applicable percentage specified by the board for the
33 taxes imposed pursuant to this section must be the same percentage
34 for each tax imposed pursuant to this section. Except as otherwise
35 provided in subsection 5, the board may amend the applicable
36 percentage by ordinance from time to time, but any such amendment
37 must not become effective earlier than 90 days after the date of the
38 adoption of the ordinance amending the applicable percentage.
39 Except as otherwise provided in subsection 4 of NRS 373.120, the
40 applicable percentage must not be amended to reduce the applicable
41 percentage at any time that bonds are outstanding which are secured
42 by the taxes imposed pursuant to this section.

43 5. Upon the adoption of an ordinance authorized by this
44 section:

—



1 (a) For the period beginning on January 1, 2014, and ending on
2 December 31, 2016, no further action by the board is necessary to
3 effectuate the annual increases in the taxes imposed by the
4 ordinance.

5 (b) For the period beginning on January 1, 2017 ~~†~~:

6 ~~— (1) The board shall not impose any additional annual~~
7 ~~increases in the taxes authorized by paragraphs (e) and (g) to (j),~~
8 ~~inclusive, of subsection 1 and imposed by the ordinance after~~
9 ~~November 8, 2016, but any annual increases in the taxes authorized~~
10 ~~by paragraphs (e) and (g) to (j), inclusive, of subsection 1 and~~
11 ~~imposed by the ordinance on or before November 8, 2016, are not~~
12 ~~affected, amended, reduced or eliminated and must be continued for~~
13 ~~any period during which bonds are outstanding that are secured by~~
14 ~~the taxes authorized by paragraphs (e) and (g) to (j), inclusive, of~~
15 ~~subsection 1 and imposed by the ordinance.~~

16 ~~— (2) The~~ *, and ending on December 31, 2026, the* annual
17 increases in the taxes authorized by ~~[paragraphs (a) to (d), inclusive,~~
18 ~~(f), (k), (l) and (m) of subsection 1] this section~~ and imposed by the
19 ordinance may not be effectuated unless a question is placed on
20 the ballot at the general election on November 8, 2016, which asks
21 the voters in the county whether to authorize the board to impose,
22 for the period beginning on January 1, 2017, the increases
23 authorized by ~~[paragraphs (a) to (d), inclusive, (f), (k), (l) and (m) of~~
24 ~~subsection 1] this section~~ in the taxes imposed by the ordinance and
25 the question is approved by a majority of the registered voters
26 voting on the question. If the question is approved by a majority of
27 such voters, no further action by the board is necessary to effectuate
28 the annual increases in the taxes authorized by ~~[paragraphs (a) to~~
29 ~~(d), inclusive, (f), (k), (l) and (m) of subsection 1] this section~~ and
30 imposed by the ordinance. If the question is not approved by a
31 majority of such voters, the board shall not impose any additional
32 annual increases in the taxes authorized by ~~[paragraphs (a) to (d),~~
33 ~~inclusive, (f), (k), (l) and (m) of subsection 1] this section~~ and
34 imposed by the ordinance after November 8, 2016, but any annual
35 increases in such taxes imposed by the ordinance on or before
36 November 8, 2016, are not affected, amended, reduced or eliminated
37 and must be continued for any period during which bonds are
38 outstanding that are secured by such taxes imposed by the
39 ordinance.

40 *(c) For the period beginning on January 1, 2027, if the*
41 *question placed on the ballot pursuant to paragraph (b) is*
42 *approved by a majority of the registered voters in the county voting*
43 *on the question, the annual increases in the taxes authorized by*
44 *this section and imposed by the ordinance may be effectuated if a*
45 *question is placed on the ballot at the general election on*



1 *November 3, 2026, which asks the voters in the county whether to*
2 *authorize the board to impose, for the period beginning on*
3 *January 1, 2027, the increases authorized by this section in the*
4 *taxes imposed by the ordinance and the question is approved by a*
5 *majority of the registered voters voting on the question. If the*
6 *question is approved at the general election on November 3, 2026,*
7 *by a majority of such voters, no further action by the board is*
8 *necessary to effectuate the annual increases in the taxes*
9 *authorized by this section and imposed by the ordinance. If the*
10 *question is not approved by a majority of such voters, the board*
11 *shall not impose any additional annual increases in the taxes*
12 *authorized by this section and imposed by the ordinance after*
13 *November 3, 2026, but any annual increases in such taxes*
14 *imposed by the ordinance on or before November 3, 2026, are not*
15 *affected, amended, reduced or eliminated and must be continued*
16 *for any period during which bonds are outstanding that are*
17 *secured by such taxes imposed by the ordinance.*

18 6. As used in this section:

19 (a) "Adjusted average highway and street construction inflation
20 index" means:

21 (1) For the fiscal year in which an ordinance adopted
22 pursuant to this section becomes effective, the percentage obtained
23 by adding the average highway and street construction inflation
24 index for that fiscal year to:

25 (I) If the average highway and street construction
26 inflation index for the immediately preceding fiscal year is greater
27 than the applicable percentage, the remainder obtained by
28 subtracting the applicable percentage from the average highway and
29 street construction inflation index for the immediately preceding
30 fiscal year; or

31 (II) If the average highway and street construction
32 inflation index for the immediately preceding fiscal year is less than
33 or equal to the applicable percentage, zero; and

34 (2) For each fiscal year following the fiscal year in which the
35 ordinance becomes effective, the percentage obtained by adding the
36 average highway and street construction inflation index for that
37 fiscal year to:

38 (I) If the adjusted average highway and street construction
39 inflation index for the immediately preceding fiscal year is greater
40 than the applicable percentage, the remainder obtained by
41 subtracting the applicable percentage from the adjusted average
42 highway and street construction inflation index for the immediately
43 preceding fiscal year; or



1 (II) If the adjusted average highway and street
2 construction inflation index for the immediately preceding fiscal
3 year is less than or equal to the applicable percentage, zero.

4 (b) "Applicable percentage" means the lesser of 7.8 percent or
5 the percentage specified by the board in any ordinance imposing a
6 tax pursuant to this section.

7 (c) "Average highway and street construction inflation index"
8 means for a fiscal year the average percentage increase in the
9 highway and street construction inflation index for the 10 calendar
10 years immediately preceding the beginning of that fiscal year.

11 (d) "Highway and street construction inflation index" means:

12 (1) The Producer Price Index for Highway and Street
13 Construction until that Index ceased to be published; and

14 (2) The Producer Price Index for Other Nonresidential
15 Construction thereafter or, if that Index ceases to be published by
16 the United States Department of Labor, the published index that
17 most closely measures inflation in the costs of highway and street
18 construction, as determined by the commission.

19 (e) "Special fuel" has the meaning ascribed to it in
20 NRS 366.060.

21 **Sec. 3.** NRS 373.0667 is hereby amended to read as follows:

22 373.0667 1. In addition to any other tax imposed pursuant to
23 this chapter:

24 (a) The board shall by ordinance impose:

25 (1) An excise tax on each gallon of motor vehicle fuel,
26 except aviation fuel, sold in the county in an amount equal to the
27 product obtained by multiplying 3.6 cents per gallon by the lesser of
28 the applicable percentage or the adjusted average highway and street
29 construction inflation index for the fiscal year in which the
30 ordinance becomes effective; and

31 (2) Except as otherwise provided in subsection 4, an annual
32 increase in the tax imposed pursuant to subparagraph (1), on the first
33 day of each fiscal year following the fiscal year in which that tax
34 becomes effective, in the amount determined by adding 3.6 cents
35 per gallon to the amount of the tax imposed pursuant to
36 subparagraph (1) during the immediately preceding fiscal year, then
37 multiplying that sum by the lesser of the applicable percentage or
38 the adjusted average highway and street construction inflation index
39 for the fiscal year in which the increase becomes effective.

40 (b) The board shall by ordinance impose:

41 (1) An excise tax on each gallon of motor vehicle fuel,
42 except aviation fuel, sold in the county in an amount equal to the
43 product obtained by multiplying 1.75 cents per gallon by the lesser
44 of the applicable percentage or the adjusted average highway and



1 street construction inflation index for the fiscal year in which the
2 ordinance becomes effective; and

3 (2) Except as otherwise provided in subsection 4, an annual
4 increase in the tax imposed pursuant to subparagraph (1), on the first
5 day of each fiscal year following the fiscal year in which that tax
6 becomes effective, in the amount determined by adding 1.75 cents
7 per gallon to the amount of the tax imposed pursuant to
8 subparagraph (1) during the immediately preceding fiscal year, then
9 multiplying that sum by the lesser of the applicable percentage or
10 the adjusted average highway and street construction inflation index
11 for the fiscal year in which the increase becomes effective.

12 (c) The board shall by ordinance impose:

13 (1) An excise tax on each gallon of motor vehicle fuel,
14 except aviation fuel, sold in the county in an amount equal to the
15 product obtained by multiplying 1 cent per gallon by the lesser of
16 the applicable percentage or the adjusted average highway and street
17 construction inflation index for the fiscal year in which the
18 ordinance becomes effective; and

19 (2) Except as otherwise provided in subsection 4, an annual
20 increase in the tax imposed pursuant to subparagraph (1), on the first
21 day of each fiscal year following the fiscal year in which that tax
22 becomes effective, in the amount determined by adding 1 cent per
23 gallon to the amount of the tax imposed pursuant to subparagraph
24 (1) during the immediately preceding fiscal year, then multiplying
25 that sum by the lesser of the applicable percentage or the adjusted
26 average highway and street construction inflation index for the fiscal
27 year in which the increase becomes effective.

28 (d) The board shall by ordinance impose:

29 (1) An excise tax on each gallon of motor vehicle fuel,
30 except aviation fuel, sold in the county in an amount equal to the
31 product obtained by multiplying 9 cents per gallon by the lesser of
32 the applicable percentage or the adjusted average highway and street
33 construction inflation index for the fiscal year in which the
34 ordinance becomes effective; and

35 (2) Except as otherwise provided in subsection 4, an annual
36 increase in the tax imposed pursuant to subparagraph (1), on the first
37 day of each fiscal year following the fiscal year in which that tax
38 becomes effective, in the amount determined by adding 9 cents per
39 gallon to the amount of the tax imposed pursuant to subparagraph
40 (1) during the immediately preceding fiscal year, then multiplying
41 that sum by the lesser of the applicable percentage or the adjusted
42 average highway and street construction inflation index for the fiscal
43 year in which the increase becomes effective.

44 (e) *The board shall by ordinance impose:*



1 (1) *An excise tax on each gallon of motor vehicle fuel,*
2 *except aviation fuel, sold in the county in an amount equal to the*
3 *product obtained by multiplying 18.455 cents per gallon by the*
4 *lesser of the applicable percentage or the adjusted average*
5 *highway and street construction inflation index for the fiscal year*
6 *in which the ordinance becomes effective; and*

7 (2) *Except as otherwise provided in subsection 4, an annual*
8 *increase in the tax imposed pursuant to subparagraph (1), on the*
9 *first day of each fiscal year following the fiscal year in which that*
10 *tax becomes effective, in the amount determined by adding 18.455*
11 *cents per gallon to the amount of the tax imposed pursuant to*
12 *subparagraph (1) during the immediately preceding fiscal year,*
13 *then multiplying that sum by the lesser of the applicable*
14 *percentage or the adjusted average highway and street*
15 *construction inflation index for the fiscal year in which the*
16 *increase becomes effective.*

17 (f) The board shall by ordinance impose:

18 (1) An excise tax on each gallon of motor vehicle fuel,
19 except aviation fuel, sold in the county in an amount equal to the
20 product obtained by multiplying 18.4 cents per gallon by the lesser
21 of the applicable percentage or the adjusted average highway and
22 street construction inflation index for the fiscal year in which the
23 ordinance becomes effective; and

24 (2) Except as otherwise provided in subsection 4, an annual
25 increase in the tax imposed pursuant to subparagraph (1), on the first
26 day of each fiscal year following the fiscal year in which that tax
27 becomes effective, in the amount determined by adding 18.4 cents
28 per gallon to the amount of the tax imposed pursuant to
29 subparagraph (1) during the immediately preceding fiscal year, then
30 multiplying that sum by the lesser of the applicable percentage or
31 the adjusted average highway and street construction inflation index
32 for the fiscal year in which the increase becomes effective.

33 ~~(g)~~ (g) *The board shall by ordinance impose:*

34 (1) *An excise tax on each gallon of special fuel that consists*
35 *of an emulsion of water-phased hydrocarbon fuel sold in the*
36 *county in an amount equal to the product obtained by multiplying*
37 *19 cents per gallon by the lesser of the applicable percentage or*
38 *the adjusted average highway and street construction inflation*
39 *index for the fiscal year in which the ordinance becomes effective;*
40 *and*

41 (2) *Except as otherwise provided in subsection 4, an annual*
42 *increase in the tax imposed pursuant to subparagraph (1), on the*
43 *first day of each fiscal year following the fiscal year in which that*
44 *tax becomes effective, in the amount determined by adding 19*
45 *cents per gallon to the amount of the tax imposed pursuant to*



1 *subparagraph (1) during the immediately preceding fiscal year,*
2 *then multiplying that sum by the lesser of the applicable*
3 *percentage or the adjusted average highway and street*
4 *construction inflation index for the fiscal year in which the*
5 *increase becomes effective.*

6 *(h) The board shall by ordinance impose:*

7 *(1) An excise tax on each gallon of special fuel that consists*
8 *of liquefied petroleum gas sold in the county in an amount equal*
9 *to the product obtained by multiplying 22 cents per gallon by the*
10 *lesser of the applicable percentage or the adjusted average*
11 *highway and street construction inflation index for the fiscal year*
12 *in which the ordinance becomes effective; and*

13 *(2) Except as otherwise provided in subsection 4, an annual*
14 *increase in the tax imposed pursuant to subparagraph (1), on the*
15 *first day of each fiscal year following the fiscal year in which that*
16 *tax becomes effective, in the amount determined by adding 22*
17 *cents per gallon to the amount of the tax imposed pursuant to*
18 *subparagraph (1) during the immediately preceding fiscal year,*
19 *then multiplying that sum by the lesser of the applicable*
20 *percentage or the adjusted average highway and street*
21 *construction inflation index for the fiscal year in which the*
22 *increase becomes effective.*

23 *(i) The board shall by ordinance impose:*

24 *(1) An excise tax on each gallon of special fuel that consists*
25 *of compressed natural gas sold in the county in an amount equal*
26 *to the product obtained by multiplying 21 cents per gallon by the*
27 *lesser of the applicable percentage or the adjusted average*
28 *highway and street construction inflation index for the fiscal year*
29 *in which the ordinance becomes effective; and*

30 *(2) Except as otherwise provided in subsection 4, an annual*
31 *increase in the tax imposed pursuant to subparagraph (1), on the*
32 *first day of each fiscal year following the fiscal year in which that*
33 *tax becomes effective, in the amount determined by adding 21*
34 *cents per gallon to the amount of the tax imposed pursuant to*
35 *subparagraph (1) during the immediately preceding fiscal year,*
36 *then multiplying that sum by the lesser of the applicable*
37 *percentage or the adjusted average highway and street*
38 *construction inflation index for the fiscal year in which the*
39 *increase becomes effective.*

40 *(j) The board shall by ordinance impose:*

41 *(1) An excise tax on each gallon of special fuel sold in the*
42 *county, other than any special fuel described in paragraph (g), (h)*
43 *or (i), in an amount equal to the product obtained by multiplying*
44 *27.75 cents per gallon by the lesser of the applicable percentage or*
45 *the adjusted average highway and street construction inflation*



1 *index for the fiscal year in which the ordinance becomes effective;*
2 *and*

3 *(2) Except as otherwise provided in subsection 4, an annual*
4 *increase in the tax imposed pursuant to subparagraph (1), on the*
5 *first day of each fiscal year following the fiscal year in which that*
6 *tax becomes effective, in the amount determined by adding 27.75*
7 *cents per gallon to the amount of the tax imposed pursuant to*
8 *subparagraph (1) during the immediately preceding fiscal year,*
9 *then multiplying that sum by the lesser of the applicable*
10 *percentage or the adjusted average highway and street*
11 *construction inflation index for the fiscal year in which the*
12 *increase becomes effective.*

13 (k) The board shall by ordinance impose:

14 (1) An excise tax on each gallon of special fuel that consists
15 of liquefied petroleum gas sold in the county in an amount equal to
16 the product obtained by multiplying 18.3 cents per gallon by the
17 lesser of the applicable percentage or the adjusted average highway
18 and street construction inflation index for the fiscal year in which
19 the ordinance becomes effective; and

20 (2) Except as otherwise provided in subsection 4, an annual
21 increase in the tax imposed pursuant to subparagraph (1), on the first
22 day of each fiscal year following the fiscal year in which that tax
23 becomes effective, in the amount determined by adding 18.3 cents
24 per gallon to the amount of the tax imposed pursuant to
25 subparagraph (1) during the immediately preceding fiscal year, then
26 multiplying that sum by the lesser of the applicable percentage or
27 the adjusted average highway and street construction inflation index
28 for the fiscal year in which the increase becomes effective.

29 ~~(g)~~ (l) The board shall by ordinance impose:

30 (1) An excise tax on each gallon of special fuel that consists
31 of compressed natural gas sold in the county in an amount equal to
32 the product obtained by multiplying 18.3 cents per gallon by the
33 lesser of the applicable percentage or the adjusted average highway
34 and street construction inflation index for the fiscal year in which
35 the ordinance becomes effective; and

36 (2) Except as otherwise provided in subsection 4, an annual
37 increase in the tax imposed pursuant to subparagraph (1), on the first
38 day of each fiscal year following the fiscal year in which that tax
39 becomes effective, in the amount determined by adding 18.3 cents
40 per gallon to the amount of the tax imposed pursuant to
41 subparagraph (1) during the immediately preceding fiscal year, then
42 multiplying that sum by the lesser of the applicable percentage or
43 the adjusted average highway and street construction inflation index
44 for the fiscal year in which the increase becomes effective.

45 ~~(h)~~ (m) The board shall by ordinance impose:



1 (1) An excise tax on each gallon of special fuel sold in the
2 county, other than any special fuel described in paragraph ~~[(f) or~~
3 ~~(g)] (k) or (l)~~, which is taxed by the Federal Government at a rate
4 per gallon or gallon equivalent of 24.4 cents or more, in an amount
5 equal to the product obtained by multiplying 24.4 cents per gallon
6 by the lesser of the applicable percentage or the adjusted average
7 highway and street construction inflation index for the fiscal year in
8 which the ordinance becomes effective; and

9 (2) Except as otherwise provided in subsection 4, an annual
10 increase in the tax imposed pursuant to subparagraph (1), on the first
11 day of each fiscal year following the fiscal year in which that tax
12 becomes effective, in the amount determined by adding 24.4 cents
13 per gallon to the amount of the tax imposed pursuant to
14 subparagraph (1) during the immediately preceding fiscal year, then
15 multiplying that sum by the lesser of the applicable percentage or
16 the adjusted average highway and street construction inflation index
17 for the fiscal year in which the increase becomes effective.

18 2. Upon the adoption of the ordinance required by subsection
19 1, and except as otherwise provided in subsection 4, no further
20 action by the board is necessary to effectuate the annual increases in
21 the taxes imposed by the ordinance.

22 3. The applicable percentage specified by the board for the
23 taxes imposed pursuant to this section must be the same percentage
24 for each tax imposed by the board pursuant to this section. Except as
25 otherwise provided in subsection 4, the board may amend the
26 applicable percentage by ordinance from time to time, but any such
27 amendment must not become effective earlier than 90 days after the
28 date of the adoption of the ordinance amending the applicable
29 percentage. Except as otherwise provided in subsection 4 of NRS
30 373.120, the applicable percentage must not be amended to reduce
31 the applicable percentage at any time that bonds are outstanding
32 which are secured by the taxes imposed pursuant to this section.

33 4. Upon the adoption of an ordinance authorized by this
34 section:

35 (a) For the period beginning on January 1, 2017, and ending on
36 December 31, 2026, no further action by the board is necessary to
37 effectuate the annual increases in the taxes imposed by the
38 ordinance.

39 (b) For the period beginning on January 1, 2027, the annual
40 increases in the taxes *authorized by this section and* imposed by the
41 ordinance may ~~[not]~~ be effectuated ~~[unless]~~ *if* a question is placed
42 on the ballot at the general election on November 3, 2026, which
43 asks the voters in the county whether to authorize the board to
44 impose, for the period beginning on January 1, 2027, the increases
45 authorized by this section in the taxes imposed by the ordinance and



1 the question is approved by a majority of the registered voters in the
2 county voting on the question. If the question is approved by a
3 majority of such voters, no further action by the board is necessary
4 to effectuate the annual increases in the taxes imposed by the
5 ordinance. If the question is not approved by a majority of such
6 voters, the board shall not impose any additional annual increases in
7 the taxes imposed by the ordinance after November 3, 2026, but any
8 annual increases in the taxes imposed by the ordinance in effect on
9 or before November 3, 2026, are not affected, amended, reduced or
10 eliminated and must be continued for any period during which
11 bonds are outstanding that are secured by the taxes imposed by the
12 ordinance.

13 5. As used in this section:

14 (a) "Adjusted average highway and street construction inflation
15 index" means:

16 (1) For the fiscal year in which an ordinance adopted
17 pursuant to this section becomes effective, the percentage obtained
18 by adding the average highway and street construction inflation
19 index for that fiscal year to:

20 (I) If the average highway and street construction
21 inflation index for the immediately preceding fiscal year is greater
22 than the applicable percentage, the remainder obtained by
23 subtracting the applicable percentage from the average highway and
24 street construction inflation index for the immediately preceding
25 fiscal year; or

26 (II) If the average highway and street construction
27 inflation index for the immediately preceding fiscal year is less than
28 or equal to the applicable percentage, zero; and

29 (2) For each fiscal year following the fiscal year in which the
30 ordinance becomes effective, the percentage obtained by adding the
31 average highway and street construction inflation index for that
32 fiscal year to:

33 (I) If the adjusted average highway and street construction
34 inflation index for the immediately preceding fiscal year is greater
35 than the applicable percentage, the remainder obtained by
36 subtracting the applicable percentage from the adjusted average
37 highway and street construction inflation index for the immediately
38 preceding fiscal year; or

39 (II) If the adjusted average highway and street
40 construction inflation index for the immediately preceding fiscal
41 year is less than or equal to the applicable percentage, zero.

42 (b) "Applicable percentage" means the lesser of 7.8 percent or
43 the percentage specified by the board in any ordinance imposing a
44 tax pursuant to this section.



1 (c) "Average highway and street construction inflation index"
2 means for a fiscal year the average percentage increase in the
3 highway and street construction inflation index for the 10 calendar
4 years immediately preceding the beginning of that fiscal year.

5 (d) "Highway and street construction inflation index" means:

6 (1) The Producer Price Index for Highway and Street
7 Construction until that index ceased to be published; and

8 (2) The Producer Price Index for Other Nonresidential
9 Construction thereafter or, if that index ceases to be published by
10 the United States Department of Labor, the published index that
11 most closely measures inflation in the costs of highway and street
12 construction, as determined by the commission.

13 (e) "Special fuel" has the meaning ascribed to it in
14 NRS 366.060.

15 **Sec. 4.** NRS 373.067 is hereby amended to read as follows:

16 373.067 1. Any ordinance that imposes a tax pursuant to:

17 (a) The provisions of paragraph (a) of subsection 1 of NRS
18 373.066 or paragraph (a) of subsection 1 of NRS 373.0663 must
19 require the allocation, disbursement and use in the county of the
20 proceeds of that tax in the same proportions and manner as the
21 allocation, disbursement and use in the county of the proceeds of
22 the tax imposed pursuant to NRS 365.180.

23 (b) The provisions of paragraph (b) of subsection 1 of NRS
24 373.066 or paragraph (b) of subsection 1 of NRS 373.0663 must
25 require the allocation, disbursement and use in the county of the
26 proceeds of that tax in the same proportions and manner as the
27 allocation, disbursement and use in the county of the proceeds of
28 the tax imposed pursuant to NRS 365.190.

29 (c) The provisions of paragraph (c) of subsection 1 of NRS
30 373.066 or paragraph (c) of subsection 1 of NRS 373.0663 must
31 require the allocation, disbursement and use in the county of the
32 proceeds of that tax in the same proportions and manner as the
33 allocation, disbursement and use in the county of the proceeds of
34 the tax imposed pursuant to NRS 365.192.

35 (d) Any of the provisions of paragraphs (d) to (m), inclusive, of
36 subsection 1 of NRS 373.066 or paragraphs (d) to (m), inclusive, of
37 subsection 1 of NRS 373.0663 must, except as otherwise required
38 by subsection 6 of NRS 373.140, *and section 1 of this act*, require
39 the allocation, disbursement and use in the county of the proceeds of
40 that tax in the same proportions and manner as the allocation,
41 disbursement and use in the county of the proceeds of the tax
42 imposed pursuant to NRS 373.030.

43 2. Any ordinance adopted pursuant to NRS 373.066 or
44 373.0663 must:



1 (a) Include a provision prohibiting the imposition of any
2 penalties and interest for the failure to make any payments of any
3 tax imposed by the ordinance which become due within the initial 6
4 months after the ordinance becomes effective. This provision must
5 apply only to taxes imposed pursuant to NRS 373.066 or 373.0663,
6 and must not apply to any tax imposed pursuant to any other
7 ordinance.

8 (b) Require the commission:

9 (1) To review, at a public meeting conducted after the
10 provision of public notice and before the effective date of each
11 annual increase imposed by the ordinance:

12 (I) The amount of that increase and the accuracy of its
13 calculation;

14 (II) The amounts of any annual increases imposed by the
15 ordinance in previous years and the revenue collected pursuant to
16 those increases;

17 (III) Any improvements to the regional system of
18 transportation resulting from revenue collected pursuant to any
19 annual increases imposed by the ordinance in previous years; and

20 (IV) Any other information relevant to the effect of the
21 annual increases on the public; and

22 (2) To submit to the board any information the commission
23 receives suggesting that the annual increase should be adjusted.

24 **Sec. 4.5.** NRS 373.067 is hereby amended to read as follows:

25 373.067 1. Any ordinance that imposes a tax pursuant to:

26 (a) The provisions of paragraph (a) of subsection 1 of NRS
27 373.066, paragraph (a) of subsection 1 of NRS 373.0663 or
28 paragraph (a) of subsection 1 of NRS 373.0667 must require the
29 allocation, disbursement and use in the county of the proceeds of
30 that tax in the same proportions and manner as the allocation,
31 disbursement and use in the county of the proceeds of the tax
32 imposed pursuant to NRS 365.180.

33 (b) The provisions of paragraph (b) of subsection 1 of NRS
34 373.066, paragraph (b) of subsection 1 of NRS 373.0663 or
35 paragraph (b) of subsection 1 of NRS 373.0667 must require the
36 allocation, disbursement and use in the county of the proceeds of
37 that tax in the same proportions and manner as the allocation,
38 disbursement and use in the county of the proceeds of the tax
39 imposed pursuant to NRS 365.190.

40 (c) The provisions of paragraph (c) of subsection 1 of NRS
41 373.066, paragraph (c) of subsection 1 of NRS 373.0663 or
42 paragraph (c) of subsection 1 of NRS 373.0667 must require the
43 allocation, disbursement and use in the county of the proceeds of
44 that tax in the same proportions and manner as the allocation,



1 disbursement and use in the county of the proceeds of the tax
2 imposed pursuant to NRS 365.192.

3 (d) Any of the provisions of paragraphs (d) to (m), inclusive, of
4 subsection 1 of NRS 373.066, paragraphs (d) to (m), inclusive, of
5 subsection 1 of NRS 373.0663 or paragraphs (d) to ~~[(h);]~~ (m),
6 inclusive, of subsection 1 of NRS 373.0667 must, except as
7 otherwise required by subsection 6 of NRS 373.140, *and section*
8 *14.5 of this act*, require the allocation, disbursement and use in the
9 county of the proceeds of that tax in the same proportions and
10 manner as the allocation, disbursement and use in the county of the
11 proceeds of the tax imposed pursuant to NRS 373.030.

12 2. Any ordinance adopted pursuant to NRS 373.066, 373.0663
13 or 373.0667 must:

14 (a) Include a provision prohibiting the imposition of any
15 penalties and interest for the failure to make any payments of any
16 tax imposed by the ordinance which become due within the initial 6
17 months after the ordinance becomes effective. This provision must
18 apply only to taxes imposed pursuant to NRS 373.066, 373.0663 or
19 373.0667 and must not apply to any tax imposed pursuant to any
20 other ordinance.

21 (b) Require the commission:

22 (1) To review, at a public meeting conducted after the
23 provision of public notice and before the effective date of each
24 annual increase imposed by the ordinance:

25 (I) The amount of that increase and the accuracy of its
26 calculation;

27 (II) The amounts of any annual increases imposed by the
28 ordinance in previous years and the revenue collected pursuant to
29 those increases;

30 (III) Any improvements to the regional system of
31 transportation resulting from revenue collected pursuant to any
32 annual increases imposed by the ordinance in previous years; and

33 (IV) Any other information relevant to the effect of the
34 annual increases on the public; and

35 (2) To submit to the board any information the commission
36 receives suggesting that the annual increase should be adjusted.

37 **Sec. 5.** NRS 373.067 is hereby amended to read as follows:

38 373.067 1. Any ordinance that imposes a tax pursuant to:

39 (a) The provisions of paragraph (a) of subsection 1 of NRS
40 373.066, paragraph (a) of subsection 1 of NRS 373.0663 or
41 paragraph (a) of subsection 1 of NRS 373.0667 must require the
42 allocation, disbursement and use in the county of the proceeds of
43 that tax in the same proportions and manner as the allocation,
44 disbursement and use in the county of the proceeds of the tax
45 imposed pursuant to NRS 365.180.



1 (b) The provisions of paragraph (b) of subsection 1 of NRS
2 373.066, paragraph (b) of subsection 1 of NRS 373.0663 or
3 paragraph (b) of subsection 1 of NRS 373.0667 must require the
4 allocation, disbursement and use in the county of the proceeds of
5 that tax in the same proportions and manner as the allocation,
6 disbursement and use in the county of the proceeds of the tax
7 imposed pursuant to NRS 365.190.

8 (c) The provisions of paragraph (c) of subsection 1 of NRS
9 373.066, paragraph (c) of subsection 1 of NRS 373.0663 or
10 paragraph (c) of subsection 1 of NRS 373.0667 must require the
11 allocation, disbursement and use in the county of the proceeds of
12 that tax in the same proportions and manner as the allocation,
13 disbursement and use in the county of the proceeds of the tax
14 imposed pursuant to NRS 365.192.

15 (d) Any of the provisions of paragraphs (d) to (m), inclusive, of
16 subsection 1 of NRS 373.066, paragraphs (d) to (m), inclusive, of
17 subsection 1 of NRS 373.0663 or paragraphs (d) to ~~(h)~~ (m),
18 inclusive, of subsection 1 of NRS 373.0667 must, except as
19 otherwise required by subsection 6 of NRS 373.140, *and section 15*
20 *of this act*, require the allocation, disbursement and use in the
21 county of the proceeds of that tax in the same proportions and
22 manner as the allocation, disbursement and use in the county of the
23 proceeds of the tax imposed pursuant to NRS 373.030.

24 2. Any ordinance adopted pursuant to NRS 373.066, 373.0663
25 or 373.0667 must:

26 (a) Include a provision prohibiting the imposition of any
27 penalties and interest for the failure to make any payments of any
28 tax imposed by the ordinance which become due within the initial 6
29 months after the ordinance becomes effective. This provision must
30 apply only to taxes imposed pursuant to NRS 373.066, 373.0663 or
31 373.0667 and must not apply to any tax imposed pursuant to any
32 other ordinance.

33 (b) Require the commission:

34 (1) To review, at a public meeting conducted after the
35 provision of public notice and before the effective date of each
36 annual increase imposed by the ordinance:

37 (I) The amount of that increase and the accuracy of its
38 calculation;

39 (II) The amounts of any annual increases imposed by the
40 ordinance in previous years and the revenue collected pursuant to
41 those increases;

42 (III) Any improvements to the regional system of
43 transportation resulting from revenue collected pursuant to any
44 annual increases imposed by the ordinance in previous years; and



1 (IV) Any other information relevant to the effect of the
2 annual increases on the public; and

3 (2) To submit to the board any information the commission
4 receives suggesting that the annual increase should be adjusted.

5 **Sec. 6.** NRS 373.068 is hereby amended to read as follows:

6 373.068 1. Any tax imposed pursuant to the provisions of:

7 (a) Paragraphs (a) to (f), inclusive, of subsection 1 of NRS
8 373.066, paragraphs (a) to (f), inclusive, of subsection 1 of NRS
9 373.0663 or paragraphs (a) to ~~[(e)]~~ (f), inclusive, of subsection 1 of
10 NRS 373.0667, does not apply to any fuel described in NRS
11 365.220 or 365.230.

12 (b) Paragraphs (g) to (m), inclusive, of subsection 1 of NRS
13 373.066, paragraphs (g) to (m), inclusive, of subsection 1 of
14 NRS 373.0663 or paragraphs ~~[(f), (g) and (h)]~~ (g) to (m), inclusive,
15 of subsection 1 of NRS 373.0667, does not apply to any sales or
16 uses described in NRS 366.200, except to any sales or uses
17 described in subsection 1 of that section of any special fuel to which
18 dye has not been added pursuant to federal law or the law of this
19 State, of a type which is lawfully sold in this State both:

20 (1) As special fuel to which dye has been added pursuant to
21 such law; and

22 (2) As special fuel to which dye has not been added pursuant
23 to such law.

24 2. Each tax imposed pursuant to NRS 373.066, 373.0663 or
25 373.0667 is in addition to any other motor vehicle fuel taxes and
26 special fuel taxes imposed pursuant to the provisions of this chapter
27 and chapters 365, 366 and 590 of NRS, except that on the effective
28 date of an ordinance adopted pursuant to:

29 (a) Paragraph (a) of subsection 1 of NRS 373.066, any tax
30 increase imposed in that county pursuant to subparagraph (2) of
31 paragraph (a) of subsection 1 of NRS 373.065 on the first day of the
32 current fiscal year, and the authority to impose any additional tax
33 increases in that county pursuant to that subparagraph on the first
34 day of each subsequent fiscal year, expire by limitation.

35 (b) Paragraph (b) of subsection 1 of NRS 373.066, any tax
36 increase imposed in that county pursuant to subparagraph (2) of
37 paragraph (b) of subsection 1 of NRS 373.065 on the first day of the
38 current fiscal year, and the authority to impose any additional tax
39 increases in that county pursuant to that subparagraph on the first
40 day of each subsequent fiscal year, expire by limitation.

41 (c) Paragraph (c) of subsection 1 of NRS 373.066, any tax
42 increase imposed in that county pursuant to subparagraph (2) of
43 paragraph (c) of subsection 1 of NRS 373.065 on the first day of the
44 current fiscal year, and the authority to impose any additional tax



1 increases in that county pursuant to that subparagraph on the first
2 day of each subsequent fiscal year, expire by limitation.

3 (d) Paragraph (d) of subsection 1 of NRS 373.066, any tax
4 increase imposed in that county pursuant to subparagraph (2) of
5 paragraph (d) of subsection 1 of NRS 373.065 on the first day of the
6 current fiscal year, and the authority to impose any additional tax
7 increases in that county pursuant to that subparagraph on the first
8 day of each subsequent fiscal year, expire by limitation.

9 **Sec. 7.** NRS 373.110 is hereby amended to read as follows:

10 373.110 All the net proceeds of any county fuel tax:

11 1. Imposed pursuant to the provisions of NRS 373.030,
12 paragraph (d) of subsection 1 of NRS 373.065, paragraphs (d) to
13 (m), inclusive, of subsection 1 of NRS 373.066 or paragraphs (d) to
14 (m), inclusive, of subsection 1 of NRS 373.0663 which are received
15 by the county pursuant to NRS 373.080 must, except as otherwise
16 provided in NRS 373.119, *and section 1 of this act*, be deposited by
17 the county treasurer in a fund to be known as the regional street and
18 highway fund in the county treasury, and disbursed only in
19 accordance with the provisions of this chapter and chapter 277A of
20 NRS. After July 1, 1975, the regional street and highway fund must
21 be accounted for as a separate fund and not as a part of any other
22 fund.

23 2. Imposed pursuant to the provisions of paragraph (a), (b) or
24 (c) of subsection 1 of NRS 373.065, paragraph (a), (b) or (c) of
25 subsection 1 of NRS 373.066 or paragraph (a), (b) or (c) of
26 subsection 1 of NRS 373.0663 which are received by the county
27 pursuant to NRS 373.080 must be allocated, disbursed and used as
28 provided in the ordinance imposing the tax.

29 **Sec. 7.5.** NRS 373.110 is hereby amended to read as follows:

30 373.110 All the net proceeds of any county fuel tax:

31 1. Imposed pursuant to the provisions of NRS 373.030,
32 paragraph (d) of subsection 1 of NRS 373.065, paragraphs (d) to
33 (m), inclusive, of subsection 1 of NRS 373.066, paragraphs (d) to
34 (m), inclusive, of subsection 1 of NRS 373.0663 or paragraphs (d)
35 to ~~(h)~~ (m), inclusive, of subsection 1 of NRS 373.0667 which are
36 received by the county pursuant to NRS 373.080 must, except as
37 otherwise provided in NRS 373.119, *and section 14.5 of this act*, be
38 deposited by the county treasurer in a fund to be known as the
39 regional street and highway fund in the county treasury, and
40 disbursed only in accordance with the provisions of this chapter
41 and chapter 277A of NRS. After July 1, 1975, the regional street and
42 highway fund must be accounted for as a separate fund and not as a
43 part of any other fund.

44 2. Imposed pursuant to the provisions of paragraph (a), (b) or
45 (c) of subsection 1 of NRS 373.065, paragraph (a), (b) or (c) of



1 subsection 1 of NRS 373.066, paragraph (a), (b) or (c) of subsection
2 1 of NRS 373.0663 or paragraph (a), (b) or (c) of subsection 1 of
3 NRS 373.0667 which are received by the county pursuant to NRS
4 373.080 must be allocated, disbursed and used as provided in the
5 ordinance imposing the tax.

6 **Sec. 8.** NRS 373.110 is hereby amended to read as follows:

7 373.110 All the net proceeds of any county fuel tax:

8 1. Imposed pursuant to the provisions of NRS 373.030,
9 paragraph (d) of subsection 1 of NRS 373.065, paragraphs (d) to
10 (m), inclusive, of subsection 1 of NRS 373.066, paragraphs (d) to
11 (m), inclusive, of subsection 1 of NRS 373.0663 or paragraphs (d)
12 to ~~(h)~~ (m), inclusive, of subsection 1 of NRS 373.0667 which are
13 received by the county pursuant to NRS 373.080 must, except as
14 otherwise provided in NRS 373.119, *and section 15 of this act*, be
15 deposited by the county treasurer in a fund to be known as the
16 regional street and highway fund in the county treasury, and
17 disbursed only in accordance with the provisions of this chapter
18 and chapter 277A of NRS. After July 1, 1975, the regional street and
19 highway fund must be accounted for as a separate fund and not as a
20 part of any other fund.

21 2. Imposed pursuant to the provisions of paragraph (a), (b) or
22 (c) of subsection 1 of NRS 373.065, paragraph (a), (b) or (c) of
23 subsection 1 of NRS 373.066, paragraph (a), (b) or (c) of subsection
24 1 of NRS 373.0663 or paragraph (a), (b) or (c) of subsection 1 of
25 NRS 373.0667 which are received by the county pursuant to NRS
26 373.080 must be allocated, disbursed and used as provided in the
27 ordinance imposing the tax.

28 **Sec. 9.** NRS 373.119 is hereby amended to read as follows:

29 373.119 1. Except to the extent pledged before July 1, 1985,
30 *and except as otherwise provided in section 1 of this act*, the board
31 may use that portion of the revenue collected pursuant to the
32 provisions of this chapter from any taxes imposed pursuant to the
33 provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS
34 373.065, paragraphs (d) to (m), inclusive, of subsection 1 of NRS
35 373.066 or paragraphs (d) to (m), inclusive, of subsection 1 of
36 NRS 373.0663, that represents collections from the sale of fuel for
37 use in boats at marinas in the county to make capital improvements
38 or to conduct programs to encourage safety in boating. If the county
39 does not control a body of water, where an improvement or program
40 is appropriate, the board may contract with an appropriate person or
41 governmental organization for the improvement or program.

42 2. Each marina shall report monthly to the Department the
43 number of gallons of motor vehicle fuel sold for use in boats. The
44 report must be made on or before the 25th day of each month for
45 sales during the preceding month.



1 **Sec. 9.5.** NRS 373.119 is hereby amended to read as follows:

2 373.119 1. Except to the extent pledged before July 1, 1985,
3 *and except as otherwise provided in section 14.5 of this act*, the
4 board may use that portion of the revenue collected pursuant to the
5 provisions of this chapter from any taxes imposed pursuant to
6 the provisions of NRS 373.030, paragraph (d) of subsection 1 of
7 NRS 373.065, paragraphs (d) to (m), inclusive, of subsection 1
8 of NRS 373.066, paragraphs (d) to (m), inclusive, of subsection 1 of
9 NRS 373.0663 or paragraphs (d) to ~~(h)~~ (m), inclusive, of
10 subsection 1 of NRS 373.0667 that represents collections from the
11 sale of fuel for use in boats at marinas in the county to make capital
12 improvements or to conduct programs to encourage safety in
13 boating. If the county does not control a body of water, where an
14 improvement or program is appropriate, the board may contract with
15 an appropriate person or governmental organization for the
16 improvement or program.

17 2. Each marina shall report monthly to the Department the
18 number of gallons of motor vehicle fuel sold for use in boats. The
19 report must be made on or before the 25th day of each month for
20 sales during the preceding month.

21 **Sec. 10.** NRS 373.119 is hereby amended to read as follows:

22 373.119 1. Except to the extent pledged before July 1, 1985,
23 *and except as otherwise provided in section 15 of this act*, the
24 board may use that portion of the revenue collected pursuant to the
25 provisions of this chapter from any taxes imposed pursuant to the
26 provisions of NRS 373.030, paragraph (d) of subsection 1 of
27 NRS 373.065, paragraphs (d) to (m), inclusive, of subsection 1 of
28 NRS 373.066, paragraphs (d) to (m), inclusive, of subsection 1
29 of NRS 373.0663 or paragraphs (d) to ~~(h)~~ (m), inclusive, of
30 subsection 1 of NRS 373.0667 that represents collections from the
31 sale of fuel for use in boats at marinas in the county to make capital
32 improvements or to conduct programs to encourage safety in
33 boating. If the county does not control a body of water, where an
34 improvement or program is appropriate, the board may contract with
35 an appropriate person or governmental organization for the
36 improvement or program.

37 2. Each marina shall report monthly to the Department the
38 number of gallons of motor vehicle fuel sold for use in boats. The
39 report must be made on or before the 25th day of each month for
40 sales during the preceding month.

41 **Sec. 11.** NRS 373.131 is hereby amended to read as follows:

42 373.131 1. Money for the payment of the cost of a project
43 within the area embraced by a regional plan for transportation
44 established pursuant to NRS 277A.210 may be obtained by the
45 issuance of revenue bonds and other revenue securities as provided



1 in subsection 2 or, subject to any pledges, liens and other contractual
2 limitations made pursuant to the provisions of this chapter and
3 chapter 277A of NRS, may be obtained by direct distribution from
4 the regional street and highway fund, except to the extent any such
5 use is prevented by the provisions of NRS 373.150, or may be
6 obtained both by the issuance of such securities and by such direct
7 distribution, as the board may determine. Money for street and
8 highway construction outside the area embraced by the plan may be
9 distributed directly from the regional street and highway fund as
10 provided in NRS 373.150.

11 2. The board or, in a county whose population is 100,000 or
12 more, a commission, may, after the enactment of any ordinance
13 authorized or required by the provisions of NRS 373.030, paragraph
14 (d) of subsection 1 of NRS 373.065, paragraphs (d) to (m),
15 inclusive, of subsection 1 of NRS 373.066, paragraphs (d) to (m),
16 inclusive, of subsection 1 of NRS 373.0663 or paragraphs (d) to
17 ~~[(h)]~~ (m), inclusive, of subsection 1 of NRS 373.0667, issue
18 revenue bonds and other revenue securities, on the behalf and in the
19 name of the county or the commission, as the case may be:

20 (a) The total of all of which, issued and outstanding at any one
21 time, must not be in an amount requiring a total debt service in
22 excess of the estimated receipts to be derived from the taxes
23 imposed pursuant to the provisions of NRS 373.030, paragraph (d)
24 of subsection 1 of NRS 373.065, paragraphs (d) to (m), inclusive, of
25 subsection 1 of NRS 373.066, paragraphs (d) to (m), inclusive, of
26 subsection 1 of NRS 373.0663 and paragraphs (d) to ~~[(h)]~~ (m),
27 inclusive, of subsection 1 of NRS 373.0667 and, with respect to
28 notes, warrants or interim debentures described in paragraphs (a)
29 and (b) of subsection 6, the proceeds of bonds or interim debentures;

30 (b) Which must not be general obligations of the county or the
31 commission or a charge on any real estate within the county; and

32 (c) Which may be secured as to principal and interest by a
33 pledge authorized by this chapter of the receipts from the fuel taxes
34 designated in this chapter, except such portion of the receipts as may
35 be required for the direct distributions authorized by NRS 373.150.

36 3. A county or a commission as provided in subsection 2 is
37 authorized to issue bonds or other securities without the necessity of
38 their being authorized at any election in such manner and with such
39 terms as provided in this chapter.

40 4. Subject to the provisions of this chapter and chapter 277A of
41 NRS, for any project authorized therein, the board of any county
42 may, on the behalf and in the name of the county, or, in a county
43 whose population is 100,000 or more, a commission may, on behalf
44 and in the name of the commission, borrow money, otherwise
45 become obligated, and evidence obligations by the issuance of



1 bonds and other county or commission securities, and in connection
2 with the undertaking or project, the board or the commission, as the
3 case may be, may otherwise proceed as provided in the Local
4 Government Securities Law.

5 5. All such securities constitute special obligations payable
6 from the net receipts of the fuel taxes designated in this chapter
7 except as otherwise provided in NRS 373.150, and the pledge of
8 revenues to secure the payment of the securities must be limited to
9 those net receipts.

10 6. Except for:

11 (a) Any notes or warrants which are funded with the proceeds of
12 interim debentures or bonds;

13 (b) Any interim debentures which are funded with the proceeds
14 of bonds;

15 (c) Any temporary bonds which are exchanged for definitive
16 bonds;

17 (d) Any bonds which are reissued or which are refunded; and

18 (e) The use of any profit from any investment and reinvestment
19 for the payment of any bonds or other securities issued pursuant to
20 the provisions of this chapter,

21 ➔ all bonds and other securities issued pursuant to the provisions of
22 this chapter must be payable solely from the proceeds of fuel taxes
23 collected by or remitted to the county pursuant to chapter 365 of
24 NRS, as supplemented by this chapter. Receipts of the taxes levied
25 in NRS 365.180 and 365.190 and pursuant to the provisions of
26 paragraphs (a) and (b) of subsection 1 of NRS 373.065, paragraphs
27 (a) and (b) of subsection 1 of NRS 373.066, paragraphs (a) and (b)
28 of subsection 1 of NRS 373.0663 and paragraphs (a) and (b) of
29 subsection 1 of NRS 373.0667 may be used by the county for the
30 payment of securities issued pursuant to the provisions of this
31 chapter and may be pledged therefor. Such taxes may also be used
32 by a commission in a county whose population is 100,000 or more
33 for the payment of bonds or other securities issued pursuant to the
34 provisions of this chapter and may be pledged therefor if the board
35 of the county consents to such use. If during any period any
36 securities payable from these tax proceeds are outstanding, the tax
37 receipts must not be used directly for the construction, maintenance
38 and repair of any streets, roads or other highways nor for any
39 purchase of equipment therefor, and the receipts of the tax levied in
40 NRS 365.190 must not be apportioned pursuant to subsection 2 of
41 NRS 365.560 unless, at any time the tax receipts are so apportioned,
42 provision has been made in a timely manner for the payment of such
43 outstanding securities as to the principal of, any prior redemption
44 premiums due in connection with, and the interest on the securities
45 as they become due, as provided in the securities, the ordinance, in

—



1 the case of securities issued by a county, or the resolution, in the
2 case of securities issued by a commission, authorizing their issuance
3 and any other instrument appertaining to the securities.

4 7. The ordinance, in the case of securities issued by a county,
5 or the resolution, in the case of securities issued by a commission,
6 authorizing the issuance of any bond or other revenue security under
7 this section must describe the purpose for which it is issued at least
8 in general terms and may describe the purpose in detail. This section
9 does not require the purpose so stated to be set forth in the detail in
10 which the project approved by the commission pursuant to
11 subsection 2 of NRS 373.140 is stated, or prevent the modification
12 by the board or commission, as the case may be, of details as to the
13 purpose stated in the ordinance authorizing the issuance of any bond
14 or other security after its issuance, subject to approval by the
15 commission of the project as so modified, if such bond or other
16 security is issued by the county and not the commission.

17 8. Notwithstanding any other provision of this chapter, no
18 commission has authority to issue bonds or other securities pursuant
19 to this chapter unless the commission has executed an interlocal
20 agreement with the county relating to the issuance of bonds or other
21 securities by the commission. Any such interlocal agreement must
22 include an acknowledgment of the authority of the commission to
23 issue bonds and other securities and contain provisions relating to
24 the pledge of revenues for the repayment of the bonds or other
25 securities, the lien priority of the pledge of revenues securing the
26 bonds or other securities, and related matters.

27 **Sec. 12.** NRS 373.140 is hereby amended to read as follows:

28 373.140 1. After the enactment of ordinances as authorized in
29 NRS 277A.170 and 373.030, all street and highway construction,
30 surfacing or resurfacing projects in the county which are proposed
31 to be financed from any county fuel tax imposed pursuant to the
32 provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS
33 373.065, paragraphs (d) to (m), inclusive, of subsection 1 of NRS
34 373.066 or paragraphs (d) to (m), inclusive, of subsection 1 of
35 NRS 373.0663 must first be submitted to the commission.

36 2. If the project is within the area covered by a regional plan
37 for transportation established pursuant to NRS 277A.210, the
38 commission shall evaluate it in terms of:

- 39 (a) The priorities established by the plan;
40 (b) The relation of the proposed work to other projects already
41 constructed or authorized;
42 (c) The relative need for the project in comparison with others
43 proposed; and
44 (d) The money available.



1 ↪ If the commission approves the project, the board may authorize
2 the project, using all or any part of the proceeds of any county fuel
3 tax authorized pursuant to the provisions of NRS 373.030,
4 paragraph (d) of subsection 1 of NRS 373.065, paragraphs (d) to
5 (m), inclusive, of subsection 1 of NRS 373.066, or paragraphs (d) to
6 (m), inclusive, of subsection 1 of NRS 373.0663, except as
7 otherwise *provided in section 1 of this act, otherwise* required by
8 subsection 6 or to the extent any such use is prevented by the
9 provisions for direct distribution required by NRS 373.150 or is
10 prevented by any pledge to secure the payment of outstanding
11 bonds, other securities or other obligations incurred under this
12 chapter, and other contractual limitations appertaining to such
13 obligations as authorized by NRS 373.160, and the proceeds of
14 revenue bonds or other securities issued or to be issued as provided
15 in NRS 373.131. Except as otherwise provided in subsection 3, if
16 the board authorizes the project, the responsibilities for letting
17 construction and other necessary contracts, contract administration,
18 supervision and inspection of work and the performance of other
19 duties related to the acquisition of the project must be specified in
20 written agreements executed by the board and the governing bodies
21 of the cities and towns within the area covered by a regional plan for
22 transportation established pursuant to NRS 277A.210.

23 3. In a county in which two or more governmental entities are
24 represented on the commission, the governing bodies of those
25 governmental entities may enter into a written master agreement that
26 allows a written agreement described in subsection 2 to be executed
27 by only the commission and the governmental entity that receives
28 funding for the approved project. The provisions of a written master
29 agreement must not be used until the governing body of each
30 governmental entity represented on the commission ratifies the
31 written master agreement.

32 4. If the project is outside the area covered by a plan, the
33 commission shall evaluate it in terms of:

34 (a) Its relation to the regional plan for transportation established
35 pursuant to NRS 277A.210, if any;

36 (b) The relation of the proposed work to other projects
37 constructed or authorized;

38 (c) The relative need for the proposed work in relation to others
39 proposed by the same city or town; and

40 (d) The availability of money.

41 ↪ If the commission approves the project, the board shall direct the
42 county treasurer to distribute the sum approved to the city or town
43 requesting the project, in accordance with NRS 373.150.



1 5. In counties whose population is less than 100,000, the
2 commission shall certify the adoption of the plan in compliance with
3 subsections 2 and 4.

4 6. The proceeds of a tax imposed pursuant to any of the
5 provisions of paragraphs (d) to (m), inclusive, of subsection 1 of
6 NRS 373.066 or paragraphs (d) to (m), inclusive, of subsection 1 of
7 NRS 373.0663 must be expended in accordance with priorities for
8 projects established in coordination and cooperation with the
9 Department of Transportation.

10 **Sec. 12.5.** NRS 373.140 is hereby amended to read as follows:

11 373.140 1. After the enactment of ordinances as authorized in
12 NRS 277A.170 and 373.030, all street and highway construction,
13 surfacing or resurfacing projects in the county which are proposed
14 to be financed from any county fuel tax imposed pursuant to the
15 provisions of NRS 373.030, paragraph (d) of subsection 1 of
16 NRS 373.065, paragraphs (d) to (m), inclusive, of subsection 1 of
17 NRS 373.066, paragraphs (d) to (m), inclusive, of subsection 1
18 of NRS 373.0663 or paragraphs (d) to ~~(h)~~ (m), inclusive, of
19 subsection 1 of NRS 373.0667 must first be submitted to the
20 commission.

21 2. If the project is within the area covered by a regional plan
22 for transportation established pursuant to NRS 277A.210, the
23 commission shall evaluate it in terms of:

24 (a) The priorities established by the plan;

25 (b) The relation of the proposed work to other projects already
26 constructed or authorized;

27 (c) The relative need for the project in comparison with others
28 proposed; and

29 (d) The money available.

30 ➤ If the commission approves the project, the board may authorize
31 the project, using all or any part of the proceeds of any county fuel
32 tax authorized pursuant to the provisions of NRS 373.030,
33 paragraph (d) of subsection 1 of NRS 373.065, paragraphs (d) to
34 (m), inclusive, of subsection 1 of NRS 373.066, paragraphs (d) to
35 (m), inclusive, of subsection 1 of NRS 373.0663 or paragraphs (d)
36 to ~~(h)~~ (m), inclusive, of subsection 1 of NRS 373.0667, except as
37 otherwise *provided in section 14.5 of this act, otherwise* required by
38 subsection 6 or to the extent any such use is prevented by the
39 provisions for direct distribution required by NRS 373.150 or is
40 prevented by any pledge to secure the payment of outstanding
41 bonds, other securities or other obligations incurred under this
42 chapter, and other contractual limitations appertaining to such
43 obligations as authorized by NRS 373.160, and the proceeds of
44 revenue bonds or other securities issued or to be issued as provided
45 in NRS 373.131. Except as otherwise provided in subsection 3, if



1 the board authorizes the project, the responsibilities for letting
2 construction and other necessary contracts, contract administration,
3 supervision and inspection of work and the performance of other
4 duties related to the acquisition of the project must be specified in
5 written agreements executed by the board and the governing bodies
6 of the cities and towns within the area covered by a regional plan for
7 transportation established pursuant to NRS 277A.210.

8 3. In a county in which two or more governmental entities are
9 represented on the commission, the governing bodies of those
10 governmental entities may enter into a written master agreement that
11 allows a written agreement described in subsection 2 to be executed
12 by only the commission and the governmental entity that receives
13 funding for the approved project. The provisions of a written master
14 agreement must not be used until the governing body of each
15 governmental entity represented on the commission ratifies the
16 written master agreement.

17 4. If the project is outside the area covered by a plan, the
18 commission shall evaluate it in terms of:

19 (a) Its relation to the regional plan for transportation established
20 pursuant to NRS 277A.210, if any;

21 (b) The relation of the proposed work to other projects
22 constructed or authorized;

23 (c) The relative need for the proposed work in relation to others
24 proposed by the same city or town; and

25 (d) The availability of money.

26 ↪ If the commission approves the project, the board shall direct the
27 county treasurer to distribute the sum approved to the city or town
28 requesting the project, in accordance with NRS 373.150.

29 5. In counties whose population is less than 100,000, the
30 commission shall certify the adoption of the plan in compliance with
31 subsections 2 and 4.

32 6. The proceeds of a tax imposed pursuant to any of the
33 provisions of paragraphs (d) to (m), inclusive, of subsection 1 of
34 NRS 373.066, paragraphs (d) to (m), inclusive, of subsection 1
35 of NRS 373.0663 or paragraphs (d) to ~~(h)~~ (m), inclusive, of
36 subsection 1 of NRS 373.0667 must be expended in accordance with
37 priorities for projects established in coordination and cooperation
38 with the Department of Transportation.

39 **Sec. 13.** NRS 373.140 is hereby amended to read as follows:

40 373.140 1. After the enactment of ordinances as authorized in
41 NRS 277A.170 and 373.030, all street and highway construction,
42 surfacing or resurfacing projects in the county which are proposed
43 to be financed from any county fuel tax imposed pursuant to the
44 provisions of NRS 373.030, paragraph (d) of subsection 1 of NRS
45 373.065, paragraphs (d) to (m), inclusive, of subsection 1 of



1 NRS 373.066, paragraphs (d) to (m), inclusive, of subsection 1 of
2 NRS 373.0663 or paragraphs (d) to ~~[(h);]~~ (m), inclusive, of
3 subsection 1 of NRS 373.0667 must first be submitted to the
4 commission.

5 2. If the project is within the area covered by a regional plan
6 for transportation established pursuant to NRS 277A.210, the
7 commission shall evaluate it in terms of:

8 (a) The priorities established by the plan;

9 (b) The relation of the proposed work to other projects already
10 constructed or authorized;

11 (c) The relative need for the project in comparison with others
12 proposed; and

13 (d) The money available.

14 ➤ If the commission approves the project, the board may authorize
15 the project, using all or any part of the proceeds of any county fuel
16 tax authorized pursuant to the provisions of NRS 373.030,
17 paragraph (d) of subsection 1 of NRS 373.065, paragraphs (d) to
18 (m), inclusive, of subsection 1 of NRS 373.066, paragraphs (d) to
19 (m), inclusive, of subsection 1 of NRS 373.0663 or paragraphs (d)
20 to ~~[(h);]~~ (m), inclusive, of subsection 1 of NRS 373.0667, except as
21 otherwise *provided in section 15 of this act, otherwise* required by
22 subsection 6 or to the extent any such use is prevented by the
23 provisions for direct distribution required by NRS 373.150 or is
24 prevented by any pledge to secure the payment of outstanding
25 bonds, other securities or other obligations incurred under this
26 chapter, and other contractual limitations appertaining to such
27 obligations as authorized by NRS 373.160, and the proceeds of
28 revenue bonds or other securities issued or to be issued as provided
29 in NRS 373.131. Except as otherwise provided in subsection 3, if
30 the board authorizes the project, the responsibilities for letting
31 construction and other necessary contracts, contract administration,
32 supervision and inspection of work and the performance of other
33 duties related to the acquisition of the project must be specified in
34 written agreements executed by the board and the governing bodies
35 of the cities and towns within the area covered by a regional plan for
36 transportation established pursuant to NRS 277A.210.

37 3. In a county in which two or more governmental entities are
38 represented on the commission, the governing bodies of those
39 governmental entities may enter into a written master agreement that
40 allows a written agreement described in subsection 2 to be executed
41 by only the commission and the governmental entity that receives
42 funding for the approved project. The provisions of a written master
43 agreement must not be used until the governing body of each
44 governmental entity represented on the commission ratifies the
45 written master agreement.



1 4. If the project is outside the area covered by a plan, the
2 commission shall evaluate it in terms of:

3 (a) Its relation to the regional plan for transportation established
4 pursuant to NRS 277A.210, if any;

5 (b) The relation of the proposed work to other projects
6 constructed or authorized;

7 (c) The relative need for the proposed work in relation to others
8 proposed by the same city or town; and

9 (d) The availability of money.

10 ↪ If the commission approves the project, the board shall direct the
11 county treasurer to distribute the sum approved to the city or town
12 requesting the project, in accordance with NRS 373.150.

13 5. In counties whose population is less than 100,000, the
14 commission shall certify the adoption of the plan in compliance with
15 subsections 2 and 4.

16 6. The proceeds of a tax imposed pursuant to any of the
17 provisions of paragraphs (d) to (m), inclusive, of subsection 1 of
18 NRS 373.066, paragraphs (d) to (m), inclusive, of subsection 1 of
19 NRS 373.0663 or paragraphs (d) to ~~[(h);]~~ (m), inclusive,
20 of subsection 1 of NRS 373.0667 must be expended in accordance
21 with priorities for projects established in coordination and
22 cooperation with the Department of Transportation.

23 **Sec. 14.** NRS 373.160 is hereby amended to read as follows:

24 373.160 1. The ordinance or ordinances, or the resolution or
25 resolutions, providing for the issuance of any bonds or other
26 securities issued under this chapter payable from the receipts from
27 the fuel excise taxes designated in this chapter may at the discretion
28 of the board or, in the case of bonds or other securities issued by a
29 commission, the commission, in addition to covenants and other
30 provisions authorized in the Local Government Securities Law,
31 contain covenants or other provisions as to the pledge of and the
32 creation of a lien upon the receipts of the taxes collected for the
33 county pursuant to the provisions of NRS 373.030, paragraph (d) of
34 subsection 1 of NRS 373.065, paragraphs (d) to (m), inclusive, of
35 subsection 1 of NRS 373.066, paragraphs (d) to (m), inclusive,
36 of subsection 1 of NRS 373.0663 and paragraphs (d) to ~~[(h);]~~ (m),
37 inclusive, of subsection 1 of NRS 373.0667, excluding any tax
38 proceeds to be distributed directly under the provisions of NRS
39 373.150, or the proceeds of the bonds or other securities pending
40 their application to defray the cost of the project, or both such tax
41 proceeds and security proceeds, to secure the payment of revenue
42 bonds or other securities issued under this chapter.

43 2. If the board or, in the case of bonds or other securities issued
44 by a commission, the commission, determines in any ordinance or
45 resolution authorizing the issuance of any bonds or other securities



1 under this chapter that the proceeds of the taxes levied and collected
2 pursuant to the provisions of NRS 373.030, paragraph (d) of
3 subsection 1 of NRS 373.065, paragraphs (d) to (m), inclusive, of
4 subsection 1 of NRS 373.066, paragraphs (d) to (m), inclusive,
5 of subsection 1 of NRS 373.0663 and paragraphs (d) to ~~(h)~~, (m),
6 inclusive, of subsection 1 of NRS 373.0667 are sufficient to pay all
7 bonds and securities, including the proposed issue, from the
8 proceeds thereof, the board or, in the case of bonds or other
9 securities issued by a commission, the commission with the consent
10 of the board as provided in subsection 6 of NRS 373.131, may
11 additionally secure the payment of any bonds or other securities
12 issued pursuant to the ordinance or resolution under this chapter by
13 a pledge of and the creation of a lien upon not only the proceeds of
14 any fuel tax authorized at the time of the issuance of such securities
15 to be used for such payment in subsection 6 of NRS 373.131, but
16 also the proceeds of any such tax thereafter authorized to be used or
17 pledged, or used and pledged, for the payment of such securities,
18 whether such tax be levied or collected by the county, the State of
19 Nevada, or otherwise, or be levied in at least an equivalent value in
20 lieu of any such tax existing at the time of the issuance of such
21 securities or be levied in supplementation thereof.

22 3. The pledges and liens authorized by subsections 1 and 2
23 extend to the proceeds of any tax collected for use by the county on
24 any fuel so long as any bonds or other securities issued under this
25 chapter remain outstanding and are not limited to any type or types
26 of fuel in use when the bonds or other securities are issued.

27 **Sec. 14.5.** Section 1 of this act is hereby amended to read as
28 follows:

29 Section 1. Chapter 373 of NRS is hereby amended by
30 adding thereto a new section to read as follows:

31 Notwithstanding any other provision of law, money
32 collected from the annual increases in the taxes authorized by
33 paragraphs (e) and (g) to (j), inclusive, of subsection 1 of
34 NRS ~~373.0663~~ 373.0667 and imposed by the ordinance *on*
35 *or* after ~~[November 8, 2016,]~~ *January 1, 2017*, must be
36 deposited with the State Treasurer to the credit of the State
37 Highway Fund, accounted for separately in the State
38 Highway Fund and used by the Department of Transportation
39 only to finance projects for the construction, maintenance and
40 repair of state highways in the county in which the tax is
41 collected.



1 **Sec. 15.** Section 1 of this act is hereby amended to read as
2 follows:

3 Section 1. Chapter 373 of NRS is hereby amended by
4 adding thereto a new section to read as follows:

5 Notwithstanding any other provision of law, money
6 collected from ~~the~~:

7 1. *The* annual increases in the taxes authorized by
8 paragraphs (e) and (g) to (j), inclusive, of subsection 1
9 of NRS 373.0663 and imposed by the ordinance after
10 November 8, 2016 ~~is~~; *or*

11 2. *The annual increases in the taxes authorized by*
12 *paragraphs (e) and (g) to (j), inclusive, of subsection 1 of*
13 *NRS 373.0667 and imposed by the ordinance on or after*
14 *January 1, 2017,*

15 ↪ must be deposited with the State Treasurer to the credit of
16 the State Highway Fund, accounted for separately in the State
17 Highway Fund and used by the Department of Transportation
18 only to finance projects for the construction, maintenance and
19 repair of state highways in the county in which the tax is
20 collected.

21 **Sec. 16.** Section 14 of chapter 540, Statutes of Nevada 2013,
22 at page 3587, is hereby amended to read as follows:

23 Sec. 14. ~~is~~ This section and sections 1, 1.1, 1.7,
24 1.75, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 11.5 of this act become
25 effective upon passage and approval.

26 ~~2. Section 12 of this act becomes effective on~~
27 ~~October 1, 2013, if and only if a board of county~~
28 ~~commissioners does not adopt an ordinance authorized by~~
29 ~~section 1.1 of this act before October 1, 2013.~~

30 ~~3. Section 13 of this act becomes effective on October 1,~~
31 ~~2013, if and only if a board of county commissioners adopts~~
32 ~~an ordinance authorized by section 1.1 of this act before~~
33 ~~October 1, 2013.~~

34 ~~4. Sections 1.2, 1.5, 3.2 and 8.2 of this act become~~
35 ~~effective on January 1, 2017, if:~~

36 ~~—(a) A board of county commissioners adopts an ordinance~~
37 ~~authorized by section 1.1 of this act before October 1, 2013;~~

38 ~~—(b) The question placed on the ballot at the general~~
39 ~~election on November 8, 2016, pursuant to subsection 1 of~~
40 ~~section 13 of this act is approved by a majority of the~~
41 ~~registered voters in this State voting on the question; and~~

42 ~~—(c) The question placed on the ballot at the general~~
43 ~~election on November 8, 2016, pursuant to subsection 2 of~~
44 ~~section 13 of this act is not approved by a majority of the~~



1 ~~registered voters in every county in this State voting on the~~
2 ~~question.~~

3 ~~— 5. Sections 1.2, 1.3, 1.5, 1.8, 1.85, 2.3, 3.1, 4.3, 5.3, 6.3,~~
4 ~~7.3, 8.1, 9.3, 10.3 and 11.1 of this act become effective on~~
5 ~~January 1, 2017, if:~~

6 ~~—(a) A board of county commissioners adopts an ordinance~~
7 ~~authorized by section 1.1 of this act before October 1, 2013;~~

8 ~~—(b) The question placed on the ballot at the general~~
9 ~~election on November 8, 2016, pursuant to subsection 1 of~~
10 ~~section 13 of this act is approved by a majority of the~~
11 ~~registered voters in this State voting on the question; and~~

12 ~~—(c) The question placed on the ballot at the general~~
13 ~~election on November 8, 2016, pursuant to subsection 2 of~~
14 ~~section 13 of this act is approved by a majority of the~~
15 ~~registered voters in any county in this State voting on the~~
16 ~~question.~~

17 ~~— 6. Sections 1.3, 1.8, 1.85, 2.3, 3.3, 4.3, 5.3, 6.3, 7.3, 8.3,~~
18 ~~9.3, 10.3 and 11.1 of this act become effective on January 1,~~
19 ~~2017, if:~~

20 ~~—(a) A board of county commissioners adopts an ordinance~~
21 ~~authorized by section 1.1 of this act before October 1, 2013;~~

22 ~~—(b) The question placed on the ballot at the general~~
23 ~~election on November 8, 2016, pursuant to subsection 1 of~~
24 ~~section 13 of this act is not approved by a majority of the~~
25 ~~registered voters in this State voting on the question; and~~

26 ~~—(c) The question placed on the ballot at the general~~
27 ~~election on November 8, 2016, pursuant to subsection 2 of~~
28 ~~section 13 of this act is approved by a majority of the~~
29 ~~registered voters in any county in this State voting on the~~
30 ~~question.~~

31 ~~— 7. Sections 1.2, 1.5, 3.7 and 8.7 of this act become~~
32 ~~effective on January 1, 2017, if:~~

33 ~~—(a) A board of county commissioners does not adopt an~~
34 ~~ordinance authorized by section 1.1 of this act before~~
35 ~~October 1, 2013;~~

36 ~~—(b) The question placed on the ballot at the general~~
37 ~~election on November 8, 2016, pursuant to subsection 1 of~~
38 ~~section 12 of this act is approved by a majority of the~~
39 ~~registered voters in this State voting on the question; and~~

40 ~~—(c) The question placed on the ballot at the general~~
41 ~~election on November 8, 2016, pursuant to subsection 2 of~~
42 ~~section 12 of this act is not approved by a majority of the~~
43 ~~registered voters in every county in this State voting on the~~
44 ~~question.~~



~~— 8. Sections 1.2, 1.3, 1.5, 1.9, 1.95, 2.7, 3.5, 4.7, 5.7, 6.7, 7.7, 8.5, 9.7, 10.7 and 11.3 of this act become effective on January 1, 2017, if:~~

~~—(a) A board of county commissioners does not adopt an ordinance authorized by section 1.1 of this act before October 1, 2013;~~

~~—(b) The question placed on the ballot at the general election on November 8, 2016, pursuant to subsection 1 of section 12 of this act is approved by a majority of the registered voters in this State voting on the question; and~~

~~—(c) The question placed on the ballot at the general election on November 8, 2016, pursuant to subsection 2 of section 12 of this act is approved by a majority of the registered voters in any county in this State voting on the question.~~

~~— 9. Sections 1.3, 1.9, 1.95, 2.7, 3.9, 4.7, 5.7, 6.7, 7.7, 8.9, 9.7, 10.7 and 11.3 of this act become effective on January 1, 2017, if:~~

~~—(a) A board of county commissioners does not adopt an ordinance authorized by section 1.1 of this act before October 1, 2013;~~

~~—(b) The question placed on the ballot at the general election on November 8, 2016, pursuant to subsection 1 of section 12 of this act is not approved by a majority of the registered voters in this State voting on the question; and~~

~~—(c) The question placed on the ballot at the general election on November 8, 2016, pursuant to subsection 2 of section 12 of this act is approved by a majority of the registered voters in any county in this State voting on the question.~~

~~— 10. Sections 1.1, 1.7, 1.75, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of this act expire by limitation on October 1, 2013, if a board of county commissioners does not adopt an ordinance authorized by section 1.1 of this act before October 1, 2013.]~~

Sec. 17. A question must be placed on the ballot at the general election on November 8, 2016, in each county in this State other than Clark County and Washoe County, which asks the voters in the county whether to authorize the board of county commissioners of the county to impose, for the period beginning on January 1, 2017, and ending on December 31, 2026, the taxes authorized by NRS 373.0667, as amended by section 3 of this act, and the additional annual increases in those taxes authorized by that section.

Sec. 18. 1. NRS 373.0665 and 373.165 are hereby repealed.

2. Sections 1.9, 1.95, 2.7, 3.1, 3.2, 3.5, 3.7, 3.9, 4.7, 5.7, 6.7, 7.7, 8.1, 8.2, 8.5, 8.7, 8.9, 9.7, 10.7, 11.3, 12 and 13 of chapter 540,



1 Statutes of Nevada 2013, at pages 3549, 3550, 3552, 3554, 3555,
2 3557, 3558, 3561, 3562, 3563, 3564, 3565, 3567, 3569, 3570, 3571,
3 3576, 3581, 3584 and 3586, are hereby repealed.

4 **Sec. 19.** Sections 1.3, 1.8, 1.85, 2.3, 3.3, 4.3, 5.3, 6.3, 7.3, 8.3,
5 9.3, 10.3 and 11.1 of chapter 540, Statutes of Nevada 2013, become
6 effective on January 1, 2017, if the question placed on the ballot at
7 the general election on November 8, 2016, pursuant to section 17 of
8 this act is approved by a majority of the registered voters in any
9 county in this State voting on the question.

10 **Sec. 20.** 1. This section and sections 2 and 16 to
11 19, inclusive, of this act become effective upon passage and
12 approval.

13 2. Sections 1, 4, 7, 9 and 12 of this act become effective on
14 November 9, 2016, if the question placed on the ballot at the general
15 election on November 8, 2016, pursuant to NRS 373.0663, as
16 amended by section 2 of this act, is approved by a majority of the
17 registered voters in Clark County voting on the question.

18 3. Sections 3, 4.5, 6, 7.5, 9.5, 11, 12.5, 14 and 14.5 of this act
19 become effective on January 1, 2017, if:

20 (a) The question placed on the ballot at the general election on
21 November 8, 2016, pursuant to NRS 373.0663, as amended by
22 section 2 of this act, is not approved by a majority of the registered
23 voters in Clark County voting on the question; and

24 (b) The question placed on the ballot at the general election on
25 November 8, 2016, pursuant to section 17 of this act is approved by
26 a majority of the registered voters in any county in this State voting
27 on the question.

28 4. Sections 3, 5, 6, 8, 10, 11, 13, 14 and 15 of this act become
29 effective on January 1, 2017, if:

30 (a) The question placed on the ballot at the general election on
31 November 8, 2016, pursuant to NRS 373.0663, as amended by
32 section 2 of this act, is approved by a majority of the registered
33 voters in Clark County voting on the question; and

34 (b) The question placed on the ballot at the general election on
35 November 8, 2016, pursuant to section 17 of this act is approved by
36 a majority of the registered voters in any county in this State voting
37 on the question.



TEXT OF REPEALED SECTIONS

373.0665 Additional taxes in all counties: Impositions; rates and annual increases; money received credited to State Highway Fund.

1. In addition to any other tax imposed pursuant to chapter 365 or 366 of NRS:

(a) There is hereby imposed:

(1) An excise tax on each gallon of motor vehicle fuel, except aviation fuel, sold in this State in an amount equal to the product obtained by multiplying 18.455 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which this section becomes effective; and

(2) Except as otherwise provided in subsection 3, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 18.455 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(b) There is hereby imposed:

(1) An excise tax on each gallon of special fuel that consists of an emulsion of water-phased hydrocarbon fuel sold in this State in an amount equal to the product obtained by multiplying 19 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which this section becomes effective; and

(2) Except as otherwise provided in subsection 3, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 19 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(c) There is hereby imposed:



(1) An excise tax on each gallon of special fuel that consists of liquefied petroleum gas sold in this State in an amount equal to the product obtained by multiplying 22 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which this section becomes effective; and

(2) Except as otherwise provided in subsection 3, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 22 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(d) There is hereby imposed:

(1) An excise tax on each gallon of special fuel that consists of compressed natural gas sold in this State in an amount equal to the product obtained by multiplying 21 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which this section becomes effective; and

(2) Except as otherwise provided in subsection 3, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 21 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

(e) There is hereby imposed:

(1) An excise tax on each gallon of special fuel sold in this State, other than any special fuel described in paragraph (b), (c) or (d), in an amount equal to the product obtained by multiplying 27.75 cents per gallon by the lesser of the applicable percentage or the adjusted average highway and street construction inflation index for the fiscal year in which this section becomes effective; and

(2) Except as otherwise provided in subsection 3, an annual increase in the tax imposed pursuant to subparagraph (1), on the first day of each fiscal year following the fiscal year in which that tax becomes effective, in the amount determined by adding 27.75 cents per gallon to the amount of the tax imposed pursuant to subparagraph (1) during the immediately preceding fiscal year, then multiplying that sum by the lesser of the applicable percentage or



the adjusted average highway and street construction inflation index for the fiscal year in which the increase becomes effective.

2. The applicable percentage for the taxes imposed pursuant to this section must be the same percentage for each tax imposed pursuant to this section. Except as otherwise provided in subsection 3, the Legislature may amend the applicable percentage from time to time, but any such amendment must not become effective earlier than 90 days after the date of the action by the Legislature amending the applicable percentage. Except as otherwise provided in NRS 373.165, the applicable percentage must not be amended to reduce the applicable percentage at any time that bonds are outstanding which are secured by the taxes imposed pursuant to this section.

3. For the period:

(a) Beginning on January 1, 2017, and ending on December 31, 2026, no further action by the Legislature is necessary to effectuate the annual increases in the taxes imposed by this section.

(b) Beginning on January 1, 2027, the annual increases in the taxes imposed by this section must not be effectuated unless a question is placed on the ballot at the general election on November 3, 2026, which asks the voters in this State whether to authorize the Legislature to impose, for the period beginning on January 1, 2027, the increases authorized by this section in the taxes imposed by this section and the question is approved by a majority of the registered voters in this State voting on the question. If the question is approved by a majority of such voters, no further action by the Legislature is necessary to effectuate the annual increases in the taxes imposed by this section. If the question is not approved by a majority of such voters, the Legislature shall not impose any additional annual increases in the taxes imposed by this section after November 3, 2026, but any annual increases in the taxes imposed by this section in effect on or before November 3, 2026, are not affected, amended, reduced or eliminated and must be continued for any period during which bonds are outstanding that are secured by the taxes imposed by this section.

4. All money received from the taxes imposed pursuant to this section must be deposited with the State Treasurer to the credit of the State Highway Fund.

5. As used in this section:

(a) “Adjusted average highway and street construction inflation index” means:

(1) For the fiscal year in which this section becomes effective, the percentage obtained by adding the average highway and street construction inflation index for that fiscal year to:

(I) If the average highway and street construction inflation index for the immediately preceding fiscal year is greater



than the applicable percentage, the remainder obtained by subtracting the applicable percentage from the average highway and street construction inflation index for the immediately preceding fiscal year; or

(II) If the average highway and street construction inflation index for the immediately preceding fiscal year is less than or equal to the applicable percentage, zero; and

(2) For each fiscal year following the fiscal year in which this section becomes effective, the percentage obtained by adding the average highway and street construction inflation index for that fiscal year to:

(I) If the adjusted average highway and street construction inflation index for the immediately preceding fiscal year is greater than the applicable percentage, the remainder obtained by subtracting the applicable percentage from the adjusted average highway and street construction inflation index for the immediately preceding fiscal year; or

(II) If the adjusted average highway and street construction inflation index for the immediately preceding fiscal year is less than or equal to the applicable percentage, zero.

(b) "Applicable percentage" means the lesser of 7.8 percent or the percentage specified by the Legislature in any act amending the applicable percentage of a tax imposed pursuant to this section.

(c) "Average highway and street construction inflation index" means for a fiscal year the average percentage increase in the highway and street construction inflation index for the 10 calendar years immediately preceding the beginning of that fiscal year.

(d) "Highway and street construction inflation index" means:

(1) The Producer Price Index for Highway and Street Construction until that index ceased to be published; and

(2) The Producer Price Index for Other Nonresidential Construction thereafter or, if that index ceases to be published by the United States Department of Labor, the published index that most closely measures inflation in the costs of highway and street construction, as determined by the Legislature.

(e) "Special fuel" has the meaning ascribed to it in NRS 366.060.

373.165 Pledge of continuing increases in taxes imposed pursuant to NRS 373.0665.

1. Except as otherwise provided in subsection 2, any continuing increases in any taxes imposed pursuant to NRS 373.0665 must not be pledged beyond June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations which are secured by the taxes imposed pursuant to NRS 373.0665 are issued or incurred, but the taxes imposed pursuant to NRS 373.0665 that



are in effect on that June 30 must continue to be pledged to those bonds or other obligations until they are paid in full.

2. At any time after bonds are issued or other obligations incurred with a pledge of the taxes imposed pursuant to NRS 373.0665, the Legislature may, except as otherwise provided in paragraph (b) of subsection 3 of NRS 373.0665:

(a) Continue the pledge of the increase in taxes imposed pursuant to NRS 373.0665 beyond June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to NRS 373.0665 are issued or incurred, but not beyond June 30 of the fiscal year that is 5 full fiscal years after the action by the Legislature authorized by this paragraph. The process set forth in this paragraph may be repeated until all bonds or other obligations secured by the taxes imposed pursuant to NRS 373.0665 have been paid in full.

(b) Specify a different applicable percentage, including an applicable percentage of zero, but:

(1) The applicable percentage must not exceed 7.8 percent;

(2) The applicable percentage must not be reduced with respect to any fiscal year preceding the fiscal year following the effective date of any action of the Legislature authorized by this subsection; and

(3) The effective date of any action by the Legislature reducing the applicable percentage must not be sooner than the later of:

(I) June 30 of the fiscal year that is 5 full fiscal years after bonds or other obligations secured by the taxes imposed pursuant to NRS 373.0665 are issued or incurred; or

(II) June 30 of the fiscal year that is 5 full fiscal years after the date of any action by the Legislature authorized by paragraph (a).

3. As used in this section, "applicable percentage" has the meaning ascribed to it in paragraph (b) of subsection 5 of NRS 373.0665.

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