

**REVISED PROPOSED REGULATION OF THE
DEPARTMENT OF MOTOR VEHICLES**

LCB File No. R139-01

March 19, 2001

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

AUTHORITY: §§1-3, NRS 366.110.

Section 1. Chapter 366 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation:

Sec. 2. *As used in NRS 366.085, the department will interpret the term “incidentally operated or moved upon a highway” to include any travel by any special mobile equipment on a public highway, other than a controlled-access highway as defined in NRS 484.041, if:*

- 1. The transportation of persons or property is not the primary purpose of the travel; and*
- 2. The travel:*
 - (a) Is required to complete a task for which the special mobile equipment is assigned;*
 - (b) Is limited to a specific project; and*
 - (c) Except as otherwise provided in subsection 3, does not exceed 10 miles from the point at which the special mobile equipment first entered the public highway.*
- 3. The provisions of paragraph (c) of subsection 2 do not apply to any special mobile equipment that is used:*
 - (a) To maintain or clean a public highway;*
 - (b) To remove snow or debris from a public highway;*
 - (c) To facilitate the movement of traffic on a public highway; or*

(d) Pursuant to the terms of a contract entered into between the owner or operator of the special mobile equipment and a government, a governmental agency or a political subdivision of a government.

Sec. 3. *As used in NRS 366.085, the term “special mobile equipment” does not include:*

1. Any truck that:

(a) Is used as a water truck on any portion of a public highway, other than a controlled-access highway as defined in NRS 484.041; and

(b) Was originally designed and manufactured as a vehicle to carry cargo; or

2. Any vehicle:

(a) That is used to sweep any portion of a public highway, other than a controlled-access highway as defined in NRS 484.041;

(b) That was originally designed and manufactured to transport persons or property; and

(c) To which machinery for sweeping is mounted or attached.