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SENATE BILL NO. 162—SENATORS DONATE; AND SCHEIBLE

MARCH 2, 2021

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JOINT SPONSORS: ASSEMBLYMEN FLORES, GONZÁLEZ AND TORRES

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Referred to Committee on Growth and Infrastructure

SUMMARY—Revises provisions governing transportation.  
(BDR 43-33)

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

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

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AN ACT relating to transportation; providing a temporary exception to the minimum occupancy requirement for certain low emission and energy-efficient vehicles to use a lane on a highway designated for preferential or exclusive use; requiring the Department of Transportation to adopt regulations establishing a program for the use of a high-occupancy lane by low emission and energy-efficient vehicles; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law authorizes the Department of Transportation to designate a lane on  
2 a highway for the preferential or exclusive use of high-occupancy vehicles and to  
3 establish conditions for use of the designated lane, including the number of  
4 occupants required per vehicle. A high-occupancy vehicle includes a vehicle that is  
5 transporting more than one person and a motorcycle or bus, regardless of the  
6 number of passengers. (NRS 484A.460) **Section 1** of this bill makes an exception  
7 to the occupancy requirement determined by the Department so that low emission  
8 and energy-efficient vehicles may use a high-occupancy lane, regardless of the  
9 number of occupants.

10 Existing law authorizes the Department to adopt regulations establishing a  
11 program to allow low emission and energy-efficient vehicles to use a high-  
12 occupancy lane. (NRS 484A.463) **Section 2** of this bill requires the Department to  
13 adopt regulations establishing such a program and provides that the regulations  
14 must not impose any requirements relating to the number of occupants required per  
15 low emission and energy-efficient vehicle for use of the high-occupancy lane.  
16 **Section 4** of this bill provides for the prospective expiration of the amendatory



17 provisions of the bill that authorize the use of a high-occupancy lane by low  
18 emission and energy-efficient vehicles, regardless of the number of occupants,  
19 thereby requiring a minimum number of occupants for those vehicles for use of the  
20 lane 2 years after the effective date of the regulations adopted pursuant to **section 2**.

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

1 **Section 1.** NRS 484A.460 is hereby amended to read as  
2 follows:

3 484A.460 1. The Department of Transportation, with respect  
4 to highways under its jurisdiction, may designate a lane on a  
5 highway for the preferential or exclusive use of high-occupancy  
6 vehicles.

7 2. The Department of Transportation shall, for each lane that it  
8 designates pursuant to this section for the use of high-occupancy  
9 vehicles:

10 (a) Determine the conditions for use of the lane, including,  
11 without limitation:

12 (1) ~~[The]~~ *Except as otherwise provided in subsection 2 of*  
13 *NRS 484A.463, the* number of occupants required per vehicle; and

14 (2) The hours of the day that the use of the lane is restricted.

15 (b) Place and maintain signs and other official traffic-control  
16 devices that:

17 (1) Identify the lane as designated for the use of high-  
18 occupancy vehicles; and

19 (2) Advise operators of vehicles of the required conditions  
20 for the use of the lane.

21 3. The Department of Transportation may adopt regulations  
22 necessary to carry out the provisions of this section.

23 4. As used in this section, "high-occupancy vehicle" means:

24 (a) A vehicle that is transporting more than one person;

25 (b) A motorcycle, regardless of the number of passengers;

26 (c) A bus, regardless of the number of passengers; and

27 (d) Any other vehicle designated by regulation.

28 **Sec. 2.** NRS 484A.463 is hereby amended to read as follows:

29 484A.463 1. To the extent not inconsistent with federal law,  
30 the Department of Transportation ~~[may]~~ *shall*, in consultation with  
31 the Federal Highway Administration and the United States  
32 Environmental Protection Agency, adopt regulations establishing a  
33 program to allow a vehicle that is certified by the Administrator of  
34 the United States Environmental Protection Agency as a low  
35 emission and energy-efficient vehicle to be operated in a lane that is  
36 designated for the use of high-occupancy vehicles pursuant to  
37 NRS 484A.460.



1       2. *The regulations adopted pursuant to this section must not*  
2 *impose any requirements relating to the number of occupants*  
3 *required per low emission and energy-efficient vehicle.*

4       3. As used in this section, “low emission and energy-efficient  
5 vehicle” has the meaning ascribed to it in 23 U.S.C. § 166(f)(3).

6       **Sec. 3.** NRS 484A.463 is hereby amended to read as follows:

7       484A.463 1. To the extent not inconsistent with federal law,  
8 the Department of Transportation shall, in consultation with the  
9 Federal Highway Administration and the United States  
10 Environmental Protection Agency, adopt regulations establishing a  
11 program to allow a vehicle that is certified by the Administrator of  
12 the United States Environmental Protection Agency as a low  
13 emission and energy-efficient vehicle to be operated in a lane that is  
14 designated for the use of high-occupancy vehicles pursuant to  
15 NRS 484A.460.

16       2. ~~The regulations adopted pursuant to this section must not~~  
17 ~~impose any requirements relating to the number of occupants~~  
18 ~~required per low emission and energy-efficient vehicle.~~

19       —3.] As used in this section, “low emission and energy-efficient  
20 vehicle” has the meaning ascribed to it in 23 U.S.C. § 166(f)(3).

21       **Sec. 4.** 1. This section becomes effective upon passage and  
22 approval.

23       2. Section 2 of this act:

24       (a) Becomes effective upon passage and approval for the  
25 purpose of adopting any administrative regulations and performing  
26 any other preparatory administrative tasks that are necessary to carry  
27 out the provisions of this act and on January 1, 2022, for all other  
28 purposes.

29       (b) Expires by limitation 2 years after the effective date of the  
30 regulations adopted pursuant to NRS 484A.463, as amended by  
31 section 2 of this act.

32       3. Section 1 of this act becomes effective on January 1, 2022,  
33 and expires by limitation 2 years after the effective date of the  
34 regulations adopted pursuant to NRS 484A.463, as amended by  
35 section 2 of this act.

36       4. Section 3 of this act becomes effective 2 years and 1 day  
37 after the effective date of the regulations adopted pursuant to NRS  
38 484A.463, as amended by section 2 of this act.



