



# Transportation Board

## Agenda Item 10

February 11, 2019

M. Lynn Hoffman, MSW

Chief, Administrative Services Division







# **Hearing on Intent to Act Upon a Regulation for Proposed regulations pertaining to NAC 484D**

## **Over-Dimensional Vehicle Permitting and Restrictions**





**Notice was posted on January 7, 2019**

**Public comment period closed  
February 8, 2019 at 5:00pm**

**(NRS 233B)**





**What is NAC 484D and how is the  
Transportation Board authorized to  
adopt amendments?**





# Nevada Administrative Code 484D

## Over-Dimensional Vehicle Permits Proposed Regulation Amendments

### Chapter 484D: Equipment and Size, Weight and Load of Vehicles

- The State of Nevada Legislature delegates rulemaking authority to many agencies throughout the State - NRS 645C.210 (2) (a).
- NDOT is defined as such an agency. In accordance with NRS 233B.031, and the Board may consider adoption of regulations or amendments to existing regulations.
- The State of Nevada Administrative Rulemaking Manual defines this process and regulations and amendments are proposed when a need is defined by stakeholders within or external to an agency.







**Were the proposed regulations  
discussed in the community?**





# NAC 484D Public Involvement

## Stakeholders

- AASHTO; WASHTO; Nevada Trucking Association, includes Board Members, Paul DeLong Heavy Haul (Southern Nevada, Las Vegas) and Todd Anderson Lakeside Specialized Transportation (Northern Nevada, Verdi); Sierra Rental Transport; NDOT staff

## Public Workshops Held

- May 15, 2018: NDOT HQ at 9:30am with video conferencing in District III (Elko).
- May 17, 2018: NDOT District I (LV) at 9:30am.

## Meetings

- Discussion roundtables in 2017 and 2018 at WASHTO and AASHTO
- September 20, 2018: Nevada Trucking Association (NTA) & NDOT Admin Services Staff
- October 5, 2018: NDOT Director's Office, Admin Staff & NTA
- October 16, 2018: NDOT Admin Services and NTA
- December 3, 2018: Transportation Board Meeting Informational Presentation







## Legislative Counsel Bureau – Release Dates for Draft NAC 484D Documents and Notice

- June 21, 2018: R157-18I (Initial Proposed Amendments)
- August 1, 2018: R157-18P (Proposed Amendments)
- August 16, 2018: R157-18RP1 (First Revision to Proposed Amendments)
- December 7, 2018: R157-18RP2 (Second Revision to Proposed Amendments)
- January 16, 2019: R157-18NH (Notice of Public Hearing)

[https://www.leg.state.nv.us/register/indexes/2018\\_NAC\\_REGISTER\\_NUMERICAL.htm](https://www.leg.state.nv.us/register/indexes/2018_NAC_REGISTER_NUMERICAL.htm)





**What are the proposed amendments  
and why are they needed?**





# Over-Dimensional Vehicle Stakeholders and Proposed Amendments

## Summary Proposed Key Amendments

- **Sections 1 & 2:** Updates language regarding office hours and adds language to clarify in regulation that applications (with exception of a super load) may be submitted through the online permitting system
- **Section 2:** Clarifies deposit agreement vs. credit
- **Section 3:** Allows for permits to be displayed on a mobile device vs. paper
- **Section 4:** Department may require route surveys (20-26' W x 18'H) to determine the safety of the route
- **Section 5:** Single trip permit increase from 12 to 14 feet wide, with certain exceptions to travel on certain portions of I-15 into and out of Las Vegas during specified weekend hours "gamblers curfew".
- **Section 6:** Revises requirements for pilot cars based on types of highways, certain days and certain hours of the day







**Were there formal comments  
or questions submitted during the  
Public Workshops or during the public  
comment period?**





# Comments

**One request was submitted by phone with an ODVP agent on Friday, February 8, 2019 prior to the 5:00pm deadline**

**Request to strike redundant language “On a weekend”.**

Section 6 of the proposed amended regulations NAC 484D.670 Section 3 (a) subsection 3 (III) “On a weekend” and in Section 6 of the proposed amended regulations NAC 484D.670 Section (b) subsection 4 (II) “On a weekend” appears to be redundant with Section 5 of the proposed amended regulations NAC 484D.655 Subsection 2, “For a load that exceeds 12 feet in width, the Department may impose additional requirements on a permit for travel during holiday hours, hours of darkness and on weekend”.

*Rich Casci, Sierra Rental Transport—Sparks, Nevada*





# Comments

**No formal comments were submitted in writing during public workshops or meetings**

## May Public Discussion

- While no formal comments were submitting in writing, discussion was noted from representatives in the Las Vegas area requesting that additional restrictions could be imposed on single trip permits, if needed.
- *LCB Response: To address this concern, LCB legal counsel included language in Section 5 (NAC 484D.655, 2) "...For a load that exceeds 12 feet in width, the Department may impose additional safety requirements on a permit for travel during holiday hours, hours of darkness, and on weekends."*

## Nevada Trucking Association & Industry

- The Nevada Trucking Association and Industry leaders expressed a desire to harmonize travel through interstates with neighboring states, allowing for 14 feet wide loads on a 24 hours/7 days a week basis.
- *LCB Response: To address this matter, legal counsel kept language in Section 3 – permit for a single trip is valid for 5 consecutive days (NAC 484D.625 (1a), Annual Permits are valid as issued for 12 consecutive months (2a, 1) as set forth in the permit, and increased single-trip permits dimension to a width of 14 feet in Section 5 (NAC 484D.655, 1(a) (1)).*





**What is the process and what are the  
next steps following the  
Transportation Board Public Hearing?**





# State of Nevada Administrative Rulemaking Process



Discuss proposed changes and consider impacts on small businesses



Conduct workshop/s



Draft Changes



Submit draft to LCB Counsel

LCB finalizes the draft and sends to originating agency



Set date for a public hearing and issue 30-Day notice



Evaluate and consider public comment. Draft informational statement.



★ Agency (Transportation Board) considers proposed amendments adoption and submits to LCB ★



LCB finalizes amended regulation with the Secretary of State





**Public comments will be  
taken at this time and are  
limited to 5 minutes per person.**





# NEVADA DOT



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