

# **APPENDIX A**

## **Public Participation Process**

Getting early input from the citizens of Nevada who use our transportation system was a key component in the update of this Plan. And that input has helped shape the long-term policies and strategies within this Plan. In 2004, NDOT began an extensive public involvement process (See Figure B - Public Participation Time-Line). Our objective was to identify, quantify, and evaluate the issues of importance to our transportation system users. Public involvement fosters an open decision-making process and elicits active participation from affected individuals, groups, and communities.

### **Federal Regulations**

With the passage of the new federal highway bill, Safe Accountable Flexible Efficient Transportation Equity Act (SAFETEA-LU), the following requirements were enacted for the Statewide Long-Range Plan. Key audiences that states must provide a reasonable opportunity to comment on the proposed Plan include: 1) citizens, 2) affected public agencies, 3) representatives of public transportation employees, 4) freight shippers and providers of freight transportation services, 5) private providers of transportation, 6) representative of users of public transportation, 7) representatives of users of pedestrian walkways and bicycle transportation facilities, 8) representatives of the disabled, 9) other interested parties.

Under the guidance of CFR 450.210 (Interested parties, public involvement, and consultation) when providing consultation to non-metropolitan transportation officials and in providing opportunities for comment, the State's public involvement process at a minimum shall:

(i) Establish early and continuous public involvement opportunities that provide timely information about transportation issues and decision-making processes;

(ii) Provide reasonable public access to technical and policy information;

(iii) Provide adequate public notice of public involvement activities and time for public review and comment at key decision points;

(iv) To the maximum extent practicable, ensure that public meetings are held at convenient and accessible locations and times;

(v) To the maximum extent practicable, use visualization techniques to describe the proposed Plan;

(vi) To the maximum extent practicable, make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford a reasonable opportunity for consideration of public information;

(vii) Demonstrate explicit consideration and response to public input during the development of the Plan;

(viii) Include a process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;

(ix) Provide for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties and revise the process, as appropriate.

### **Public Outreach Strategies**

The first step in NDOT's public outreach process was to meet with the Statewide Technical Transportation Committee (STTAC). The STTAC was formed by the Nevada Department of Transportation (NDOT) in 1991 with the passage of ISTEA, specifically to fulfill one element of that law and provide a forum for discussing statewide planning and programming issues. This includes reviewing and providing input on the Statewide Long-Range Transportation Plan. The STTAC meets on a bi-monthly basis. Their meetings are open to the

public and posted in conformance with Nevada’s Open Meeting Law (See Appendix D for a complete description of Nevada Revised Statute - Chapter 241). The STTAC includes representatives from:

**VOTING MEMBERSHIP**

- Nevada State Parks
- Inter-Tribal Council of Nevada
- Nevada Office of Traffic Safety
- Regional Transportation Commission of Southern Nevada
- Washoe County Regional Transportation Commission
- Tahoe Metropolitan Planning Organization
- State Historic Preservation Office
- Nevada Department of Environmental Protection
- Nevada Association of Counties
- Nevada League of Cities
- Carson Area Metropolitan Planning Organization
- Clark County
- Henderson
- Las Vegas
- North Las Vegas
- Reno
- Sparks
- Washoe County
- Nevada Bicycle Advisory Board
- Nevada Aviation Technical Advisory Committee
- Nevada Transit Technical Advisory Committee
- Nevada Energy Office
- Nevada Commission on Tourism
- Nevada Commission on Economic Development

**EX-OFFICIO MEMBERSHIP**

- Federal Highway Administration
- Bureau of Land Management
- Nevada Department of Transportation (staff)

The STTAC was advised that staff was beginning a major update of the Statewide Long-Range Transportation Plan and their input was requested. Staff continued meeting with the STTAC on an ongoing basis throughout the development of this Plan giving them updates

and an opportunity to provide input and guidance.

During 2004, after the initial update to the STTAC, staff held a series of 8 public meetings across the state of Nevada to give the public an early opportunity to provide input on the issues that affect them. The purpose of these meetings was to inform the public that NDOT was beginning an update of the 2002 Plan and to solicit input. The meetings were advertised in the local newspapers for each area across the state and posted in conformance with Nevada’s Open Meeting Law. Each meeting had a stenographer available if any members of the public wanted to utilize their services. Special exhibits were displayed during the meetings to convey various aspects of the Plan and staff members were present to answer questions. Handouts describing the Plan, a brochure and comment form were also provided.

Public meetings were held at the following locations:

<b>Date</b>	<b>Location</b>
August 18	Carson City
August 24	Reno
September 28	Elko
September 29	Ely
October 12	Henderson
October 13	Las Vegas
November 3	Tonopah
November 9	Winnemucca

Staff was disappointed in the number of people who participated in these public meetings so we took a look at our process and decided that we needed to try new and creative methods to solicit more input from the public. Staff decided that instead of asking the public to come to us, we would go to them as much as we could. Staff began participating on corridor studies, attending county economic development workshops and looking for ways to piggyback our Plan at other public meetings. Staff also

started attending the annual County / tribal tours and workshops throughout Nevada where the Statewide Transportation Improvement Program is presented. At first staff attended these meetings to listen and gain insight on the issues that the local communities were facing. But every year staff has incorporated more and more information about the Statewide Long-Range Transportation Plan into these meetings.

In 2006, staff implemented a survey that could be completed online through the NDOT website or by a paper hard copy. Staff also initiated an extensive advertising campaign for that survey that included the development of a logo and a brochure (see advertisements following Figure B in this Appendix). The brochure was inserted into 30,000 driver’s license renewal envelopes. Advertisements for the survey were also placed in a special edition of the Hot August Nights (classic car show in Reno, NV) newspaper and the Nevada Magazine. The brochures were displayed at our NDOT District Offices in Las Vegas, Elko and Reno. In addition, the brochure and logo flyers have been and continue to be handed out at meetings attended by staff, such as the Reno Championship Air Races, the National Association of Management Airports (NAMA) conference, and the Rural Planning Conference. This effort has been very successful in soliciting comments and providing input to this Plan with over 500 surveys received (See Appendix C).

In June 2006, NDOT held a two-day workshop with representatives from the STTAC, MPO’s, cities, counties, and various state agencies to introduce them to the new requirements of SAFETEA-LU in development of the Statewide Transportation Improvement Program, Transportation Improvement Program, Regional Transportation Program, and the Statewide Long-Range Transportation Plan. During that meeting staff also solicited input from these agencies for the Plan and advised them that we would be meeting with them at a

later date to solicit more input. In addition, throughout 2007 staff met individually with over 20 state and federal agencies to gather input from a diverse representation of various transportation interests and comply with the law. Each assisted with identifying key issues and concerns they are facing and that NDOT will need to address in the next 20 years.

Individuals from the following agencies and organizations were invited to meet with NDOT staff to discuss their concerns and interests in transportation related issues:

- Bureau of Indian Affairs
- Bureau of Land Management
- Bureau of Mines
- Commission on Economic Development
- Commission on Tourism
- Department of Energy
- Department of Business and Industry
- Department of Homeland Security
- Department of Wildlife
- Division of Minerals
- Division of Water Resources
- Federal Motor Carrier Association
- Gaming Control Board
- Intertribal Council
- Muscle Power
- Natural Resources and Conservation
- Nevada Association of Counties
- Nevada Department of Environmental Protection
- Nevada Fish & Wildlife
- Nevada League of Cities
- Nevada Motor Transport Association
- Nevada Natural Heritage
- Office of Traffic Safety
- State Demographer
- State Historic Preservation Office
- State Lands
- State Parks
- Tribal Technical Assistance Program
- US Forest Service

There are four designated Metropolitan Planning Organizations (MPO’s) in Nevada:

Carson City, Clark County, Lake Tahoe, and Washoe County. These MPO's have the primary stewardship for transportation planning within their boundaries, including member cities and surrounding unincorporated areas. However, it is critical that NDOT coordinate and cooperate with the MPO's as we plan for the future of our transportation system. In 2007, staff began attending MPO monthly liaison meetings and worked closely with them during the development of their Regional Transportation Improvement Plans and Regional Transportation Plans.

NDOT acquires additional information about area needs, issues and expectations by consulting with the public in many different ways. Staff participates in corridor studies and National Environmental Policy Act documents, attends meetings with committees representing specific interests, such as freight and non-motorized travel, and attends various transportation fairs. Each of these public involvement efforts provides information that NDOT uses to gain insight into the needs and priorities of the rural and small urban areas of our state.

Through the National Environmental Policy Act, NDOT's Environmental Division is responsible for undertaking, complying and documenting activities related to NEPA. Per 23 CFR 771, specific public involvement activities relating to highway projects that use federal money are described. These federal regulations provide for early and continuous public involvement.

A final draft of this Plan was completed in June 2008 and staff began the concluding public outreach efforts. Again, the first step was to distribute a copy of the draft plan to the advisory committee -- the STTAC at their bimonthly meeting.

A copy of the draft Plan was placed on the NDOT website in July, and public input and comments were solicited. The Plan was also featured on the NDOT home page for two weeks during August. Advertisements seeking input on the plan were placed in 19 different newspapers around the state two times during the month of August. The public was directed to go to the NDOT website to view the Plan and were also able to write or place a telephone call for a copy and provide comments.

During July and August, staff attended the Board meetings at the four MPO's (Carson City, Clark County, Lake Tahoe, and Washoe County) in our urban areas, to discuss the Plan and solicit input. Prior to meetings with these Boards, staff met with their advisory committees -- the Washoe County Technical Advisory Committee, the Clark County Executive Advisory Committee and the Tahoe Transportation Commission. All of these meetings were publicly noticed in conformance with Nevada's Open Meeting Law (See Appendix D for a complete description of Nevada Revised Statute - Chapter 241) and were televised on the local public network stations or recorded. Outreach to minority publications is also an element of their public advertisement procedure.

In August 2008, NDOT staff held two additional public meetings in Elko and Ely to introduce the Plan and solicit public comments in the rural areas of the state. These meetings were advertised in the local newspapers in accordance with Nevada's open meeting laws. Senior Centers, bicycle advocacy groups, Assemblymen, libraries, transit recipients and NDOT District Offices were also sent meeting notices. Press releases announcing the meetings, availability of the draft Plan, and soliciting comments were also sent to two editors at the Elko daily newspaper, four journalists at the Elko NBC TV station (including community calendar), as well as three different radio

stations. The Ely release was sent to the two Ely radio stations, and the editor and reporter at the Ely newspaper. The meetings were also posted on the NDOT website.

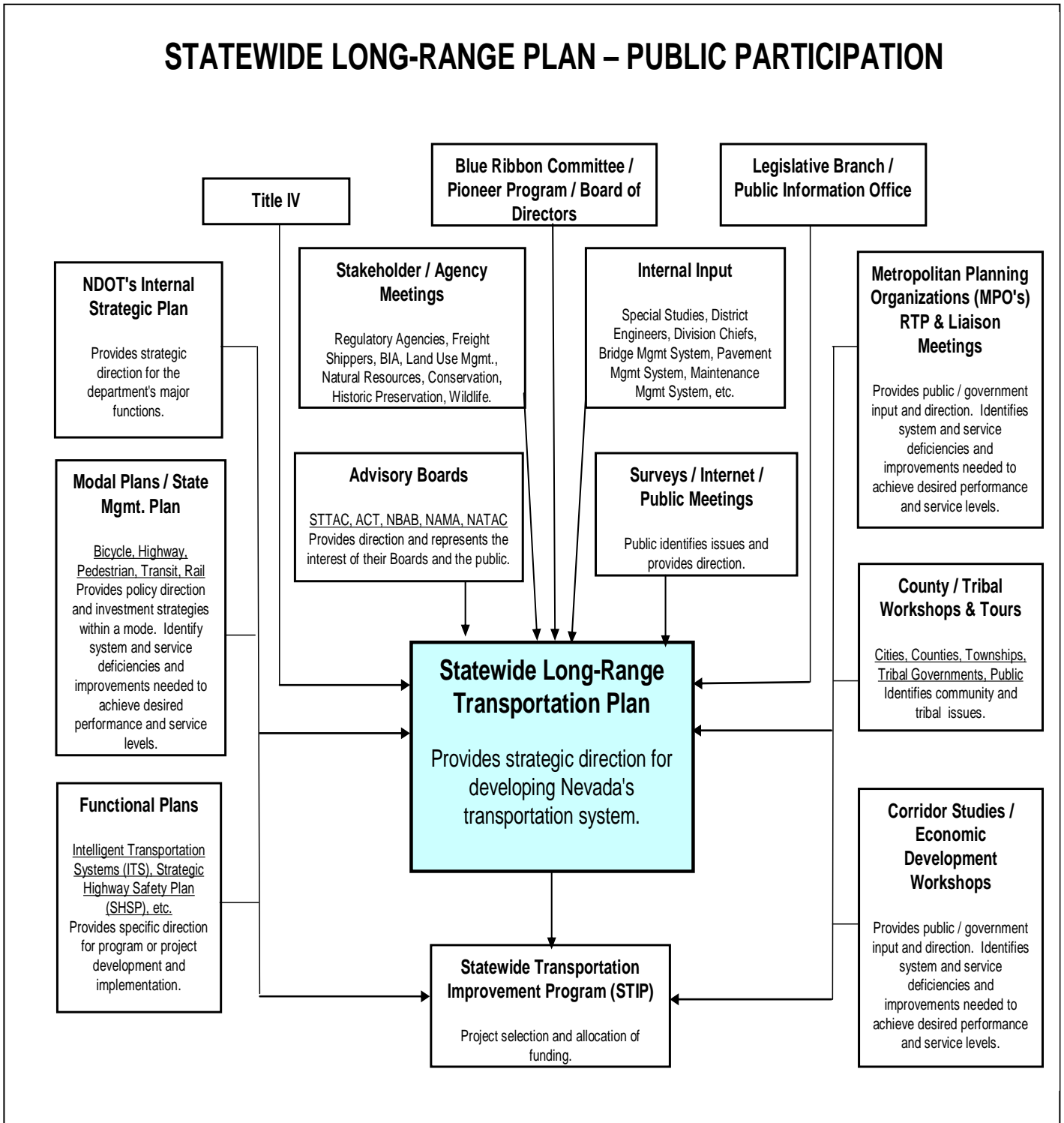
Special exhibits were displayed during the public meetings to convey various aspects of the Plan and staff members were present to answer questions. Handouts describing the Plan, a brochure and comment form were also provided.



The deadline for comments on the Plan was set for September 15, 2008. After that, the Plan was finalized and completed by September 30, 2008. The Plan went before the STTAC for endorsement in August and before the State Transportation Board on September 16, 2008. It was adopted by the Director of the Department of Transportation on September 30, 2008. It was then mailed to the Federal Highway Administration and the Federal Transit Administration for informational purposes only as required under CFR 450.214.

FIGURE A

## STATEWIDE LONG-RANGE PLAN – PUBLIC PARTICIPATION

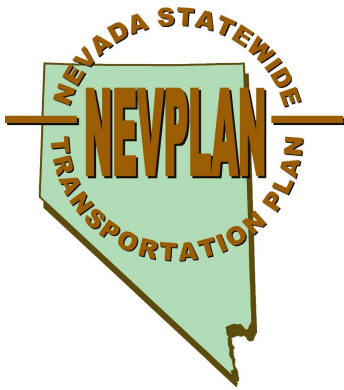




**FIGURE B**

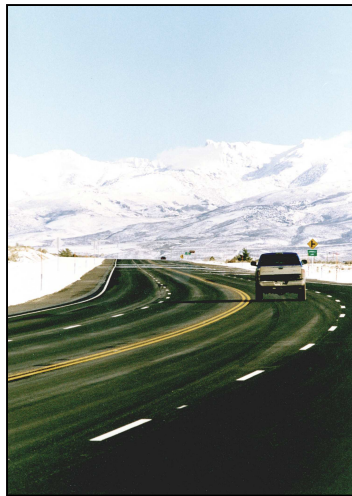
**STATEWIDE LONG RANGE PLAN - PUBLIC OUTREACH**

	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
<b>Pre-Draft Outreach</b>					
STTAC Advisory Committee	On-Going				
Public Meetings	Aug. – Nov.				
County/Tribal Tours & Workshops		Nov. - July	Nov. - July	Nov. - July	Nov. - July
Corridor Studies				On-Going	
On-Line Survey				On-Going	
Local/State/Federal/MPO/Tribal Workshop			June		
MPO Monthly Liaison Meetings				On-Going	
Individual Meetings State/Federal/Tribal				Jan – Dec.	
<b>Final Draft Outreach</b>					
Draft to STTAC Advisory Committee					June – Oct.
Draft Document on Website					June – Sept.
Draft at MPOs & Public Meetings					July - August
Document Finalized					September



NDOT is in the process of updating the Statewide Transportation Plan (NevPLAN). The NevPLAN is intended to guide planning policy for the next 20 years. Please take a few minutes and consider what your life or the life of others may be like during the next 20 years, and, think about how transportation will impact it during that time period. Our job in planning is to address these impacts through identified goals. One very important goal is to address safety issues and reduce fatalities and injuries. There are many more. Please take a moment and write your comments below. We would like to thank you for your time and interest.

*NDOT Mission  
To efficiently plan, design, construct  
and maintain a safe and effective  
seamless transportation system for  
Nevada's economic, environmental  
and social needs.*



For additional information  
please contact us  
NDOT Intermodal Planning  
1263 S. Stewart St.  
Carson City, NV 89712  
Phone 775-888-7352 or  
775-888-7351  
Fax 775-888-7207  
Email:  
smallurban@dot.state.nv.us  
www.nevadadot.com

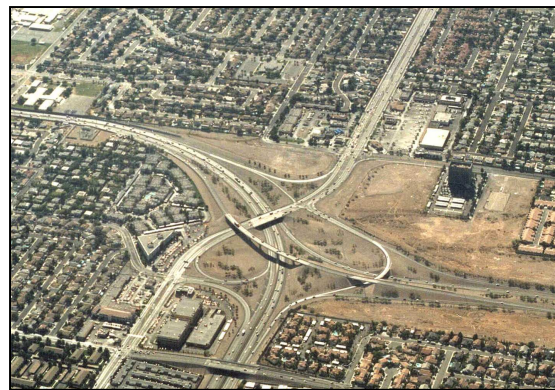
***Do you have concerns about:***

***Safety?***

***Traffic Congestion?***

***Air Quality?***

***Travel Time?***



Comments/Concerns

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## The Planning Goals of the Statewide Transportation Plan

- Provide a statewide transportation system that adequately meets present and future accessibility and mobility needs.
- Assure the safety of the users of the statewide transportation system.
- Protect and enhance the environment that is affected by the transportation system; to minimize and mitigate harmful impacts.
- Provide a statewide transportation system that is efficient and effective in the movement of people and goods.
- Enhance the efficiency of the statewide system when appropriate, with the application of new technology.
- Implement an effectively planned transportation system that recognizes the opportunity to increase tourism, economic development and diversification.



For More Information

Please Contact:

**Nevada Department of  
Transportation**

1263 South Stewart Street  
Carson City, NV 89712

(775) 888-7351

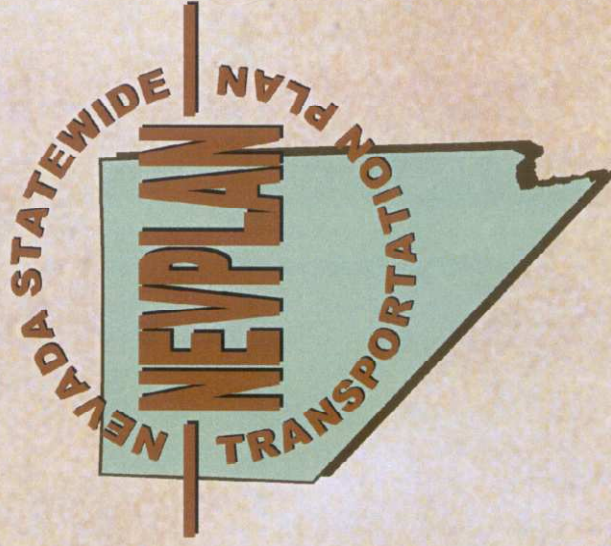
or E-mail

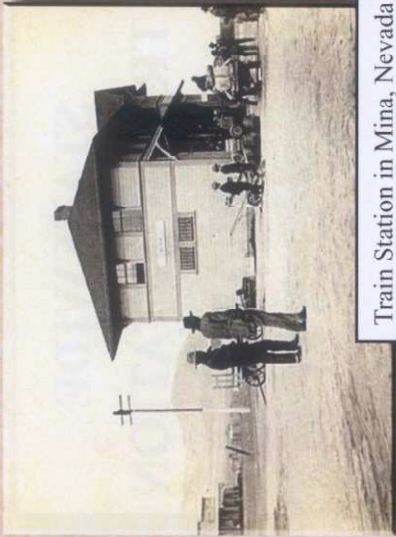
[smallurban@dot.state.nv.us](mailto:smallurban@dot.state.nv.us)

# NEVADA DOT

[www.nevadadot.com](http://www.nevadadot.com)

## STATEWIDE TRANSPORTATION PLAN





Train Station in Mina, Nevada

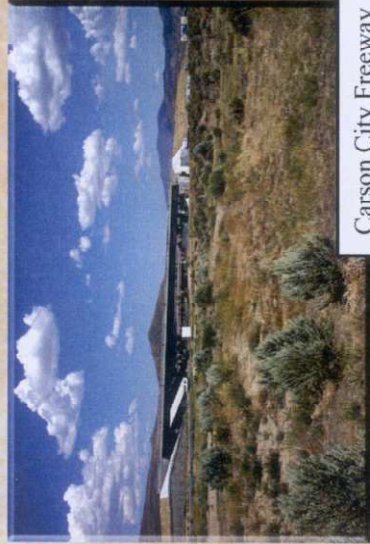
NDOT is in the process of updating it's statewide transportation plan.

**We Need Your Input!**



Las Vegas Monorail

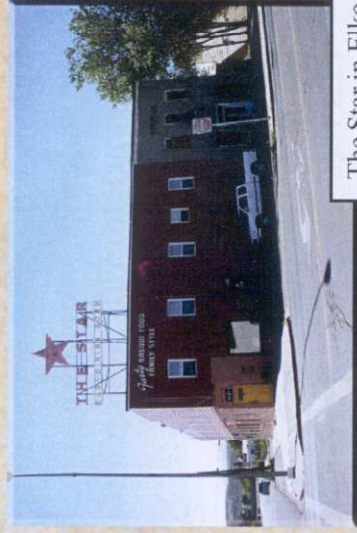
The Statewide Transportation Plan is intended to act as the road map that guides the state's efforts toward an efficient, multimodal transportation system



Carson City Freeway

## Public Information Meetings Have Been Scheduled In

- Elko
- Ely
- Las Vegas
- Henderson
- Carson City
- Reno
- Winnemucca
- Tonopah



The Star in Elko

**PEDESTRIANS • BICYCLES • BUSES • AIRPLANES**

# Which Road Will You Take?

To answer, please take our survey

***nevadadot.com/pub\_involvement***



Call (775) 888-7902



**• RAILROADS • BRIDGES • HIGHWAYS •**

**PEDESTRIANS • BICYCLES • BUSES • AIRPLANES**

# Which Road Will You Take?

To answer, please take our survey

***nevadadot.com/pub\_involvement***



Call (775) 888-7902



**• RAILROADS • BRIDGES • HIGHWAYS •**

**PEDESTRIANS • BICYCLES • BUSES • AIRPLANES**

# Which Road Will You Take?

To answer, please take our survey

***nevadadot.com/pub\_involvement***



Call (775) 888-7902



**• RAILROADS • BRIDGES • HIGHWAYS •**

## What is the Statewide Long-Range Transportation Plan and why is it important?

The Nevada Department of Transportation's Statewide Long-Range Transportation Plan provides strategic and policy direction for the transportation decisions that are made in our state. It provides a vision of what we want our multimodal transportation infrastructure to look like in the next 20 years. And these strategic policies tie into the long-range plans that are developed in the urban areas by the RTC of Southern Nevada and Washoe County, Carson Area Metropolitan Planning Area, and the Tahoe Regional Metropolitan Area. These policies are also coordinated with other agencies affected by transportation, such as cities, counties, environmental protection, homeland security, and historic preservation.

Transportation is a critical component of our daily lives; whether it's the roads we are using to get to and from work or the freight services that are used to transport the food we purchase at our grocery store. And transportation in Nevada is more than just building highways. The citizens of Nevada use all modes of transportation, such as bike lanes, sidewalks, transit services, railroads, and airplanes. This plan looks at the changing future of all modes of transportation in our state and how they are working together to create a more efficient overall system.



Nevada Department of  
Transportation

# Statewide Long-Range Transportation Plan 2008 - 2028



## Why is my input important?

Transportation is vital to everyone and we don't want to plan our transportation system for the next 20 years without knowing what's important to those of you who use it the most. What mode of transportation do you use most often today and why? Do you expect that you will be using the same mode 20 years from now?

**There are ongoing opportunities for you to provide your input and review the Plan:**

- On-line survey at: [www.nevadadot.com](http://www.nevadadot.com), under Reports and Publications, Statewide Transportation Plan
- Email: [smallurban@dot.state.nv.us](mailto:smallurban@dot.state.nv.us)
- Mail: NDOT Intermodal Planning Division, 1263 S. Stewart Street, Carson City, NV 89712.

In addition, we will be hosting public meetings in August 2008. Visit the NDOT website at: [www.nevadadot.com](http://www.nevadadot.com) for information on upcoming events.



Are we heading in the right direction or do you feel we are missing an important component in our plan? Please tell us what you think.

Phone: (775) 888-7312

Web site: [www.nevadadot.com](http://www.nevadadot.com)  
(Under Reports & Publications)

## GUIDING PRINCIPLES

These guiding principles were developed utilizing Nevada Department of Transportation's goals and core values, and from the hundreds of comments that we received from our citizens, businesses, and government agencies during the development of this draft plan. Our intent is to develop direction for this plan that reflects the opinions of the users of our transportation system.



### Safety

Improve safety for all modes of our transportation system.

### Customer Service

Improve internal and external customer service and satisfaction.

### Fiscal Responsibility

Secure the highest amount of funding possible for our state and ensure that it is invested responsibly and properly.

### Asset Management

Protect the public's investment in our transportation system.

### Mobility/Accessibility

Provide a statewide, multimodal, interconnected, efficient transportation system that enhances Nevada's Economic competitiveness.

### Freight Movement

Improve the safety and mobility of motor carriers.

### Environmental Stewardship

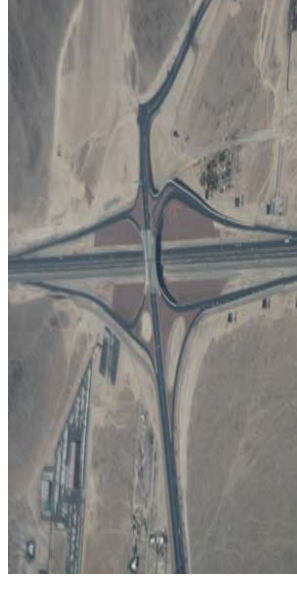
Ensure that the transportation system is sensitive to the human and natural environment.



## Transportation of the future



## St. Rose Interchange, Las Vegas, NV



# **APPENDIX B**



## **PLAN INVENTORY RESOURCES**

### American Association of State Highway and Transportation Officials

Primer on Transportation and Climate Change, 2008

[www.transportation.org](http://www.transportation.org)

### Brookings Institution

Shrinking the Carbon Footprint of Metropolitan America, 2008

[www.brookings.edu](http://www.brookings.edu)

### BLM

Annual Report, 2007

[www.blm.gov/nv/st/en.html](http://www.blm.gov/nv/st/en.html)

### Commission on Economic Development

Building Nevada's Economy, 2007

Procurement Outreach Program, 2007

[www.expand2nevada.com](http://www.expand2nevada.com)

### Dept. of Conservation and Natural Resources

Biennial Report, 2006

[www.dcnr.nv.gov](http://www.dcnr.nv.gov)

### Division of Minerals

Nevada Abandoned Mine Lands Report, 2006

Nevada Exploration Survey, 2006

Major Mines of Nevada, 2006

[minerals.state.nv.us](http://minerals.state.nv.us)

### Federal Motor Carrier Safety Administration

Commercial Vehicle Safety Plan, 2008

FMCSA Strategic Plan 2006 – 2011

[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)

### Nevada Bureau of Mines and Geology

Biennial Report, 2004

The Nevada Mineral Industry, 2006

[www.nbmg.unr.edu](http://www.nbmg.unr.edu)

### Nevada Division of Environmental Protection

Biennial Report, 2008

[ndep.nv.gov](http://ndep.nv.gov)

Nevada Department of Public Safety

Annual Report, 2005

Highway Safety Plan, 2008

[dps.nv.gov](http://dps.nv.gov)

Nevada Department of Transportation

Application for Funding of Congestion-Reduction Demonstration Initiatives, 2007

Drainage Manual, 2006

Nevada Airport system Plan, 2004

Nevada Commercial Vehicle Handbook, 2004

Environmental Services Procedures Guide, 2008

Facts and Figures, 2007

Infrastructure Security Plan, 2008

Nevada Strategic Highway Safety Plan, 2007

Nevada Statewide Intermodal Goods Movement Study, 2000

State Highway Preservation Report, 2003

State Level Emergency Operations Plan, 2007

Storm Water Management Program, 2005

Annual Report 2007 for AB 595

Blue Ribbon Task Force Report, 2008 – 2015

Nevada Bicycle Plan, 2005

Nevada Pedestrian Plan, 2004

Nevada Rail Plan, 1996

Long Range Mass Transit Study, 2008

Water Quality Planning and Design Guide, 2006

Water Quality Construction Site Best Management Practices, 2006

[www.nevadadot.com](http://www.nevadadot.com)

Nevada Motor Transport Association

American Trucking Association – Trucking and the Economy, 2007-2008

Nevada Fast Facts

[www.nmta.com](http://www.nmta.com)

Nevada Natural Heritage Program

Scorecard 2006 NV Highest Priority Conservation Sites

[heritage.nv.gov/index.htm](http://heritage.nv.gov/index.htm)

Regional Transportation Commissions

Carson Area Regional Transportation Plan 2030 ([www.carson-city.nv.us](http://www.carson-city.nv.us))

Southern Nevada, Regional Transportation Plan 2009-2030

([www.rtcsonthernnevada.com](http://www.rtcsonthernnevada.com))

Lake Tahoe Basin Regional Transportation Plan, 2004 – 2027 ([www.trpa.org](http://www.trpa.org))

2040 Regional Transportation Plan Washoe County ([www.rtcwashoe.com](http://www.rtcwashoe.com))

State Demographer

2007 Annual Population Estimates

[www.nsbdc.org/what/data\\_statistics/demographer](http://www.nsbdc.org/what/data_statistics/demographer)

State Energy Office

Status of Energy in Nevada, 2007

Energy Conservation Plan for State Government, 2001

[energy.state.nv.us](http://energy.state.nv.us)

State Gaming Control Board / Nevada Gaming Commission

Gaming Regulation In Nevada, 2006

[gaming.nv.gov](http://gaming.nv.gov)

State Lands

Public Lands Planning and Policy Manual

[lands.nv.gov](http://lands.nv.gov)

Transportation Research Board

Special Report 290: Potential Impacts of Climate Change of US Transportation, 2008

[www.trb.org](http://www.trb.org)

US Department of Interior

Strategic Plan, 2007 – 2012

[www.doi.gov](http://www.doi.gov)

US Fish & Wildlife Services

Initiative Areas of CA, NV, and OR, 2007

[www.fws.gov/nevada/about%5Fus/field\\_sup.html](http://www.fws.gov/nevada/about%5Fus/field_sup.html)

US Forest Service

Pathway Newsletter, Fall 2005, Summer 2006, Winter 2007

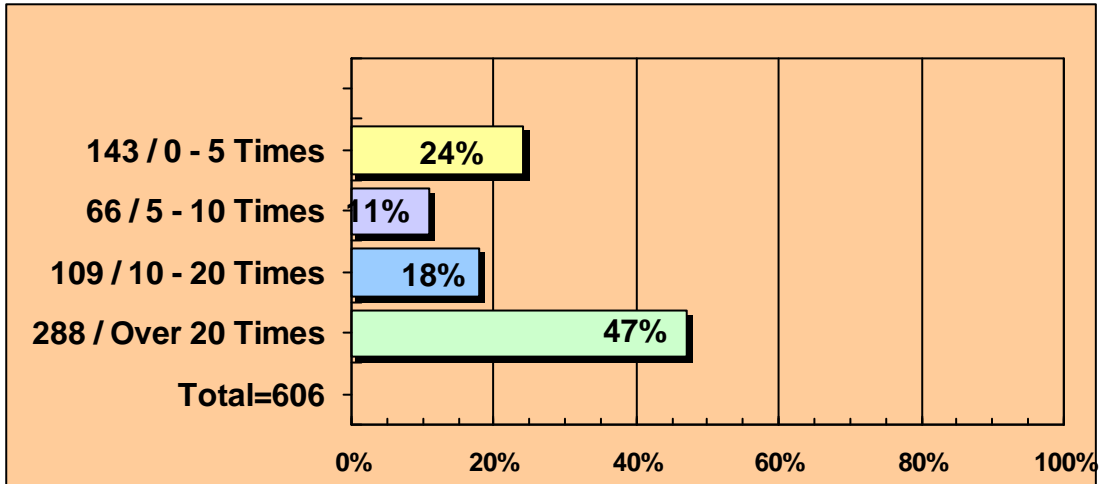
Lake Tahoe Environmental Protection Program Progress Report, 1997 – 2007

[www.forestry.nv.gov](http://www.forestry.nv.gov)

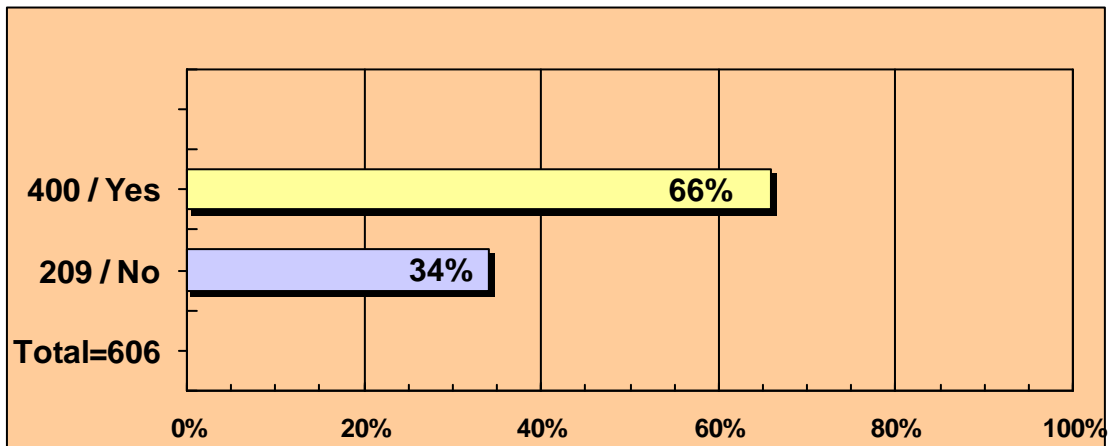
# **APPENDIX C**

# Survey Results

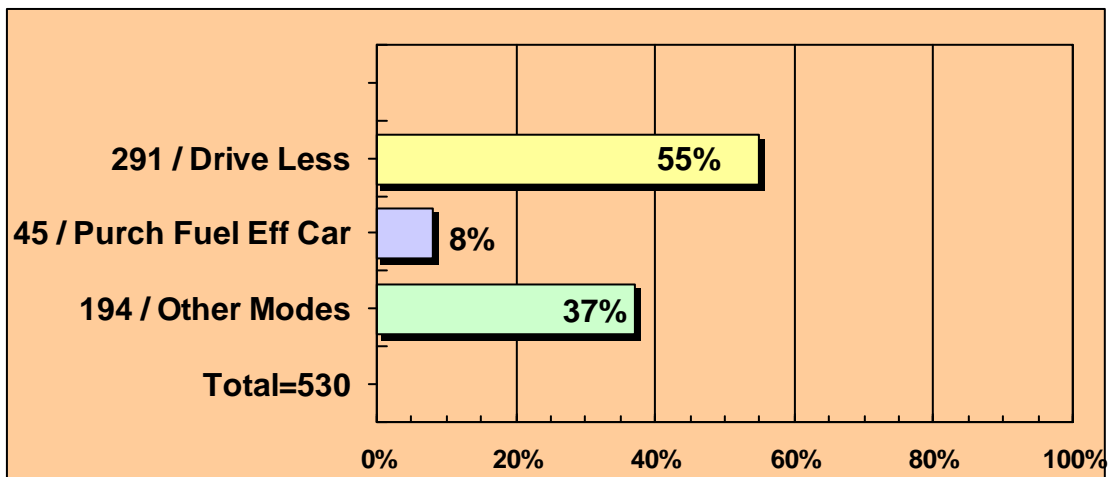
1. On average, how many times a month do you drive (round trip) a private automobile to work?



2. Have increased fuel prices changed your driving habits?

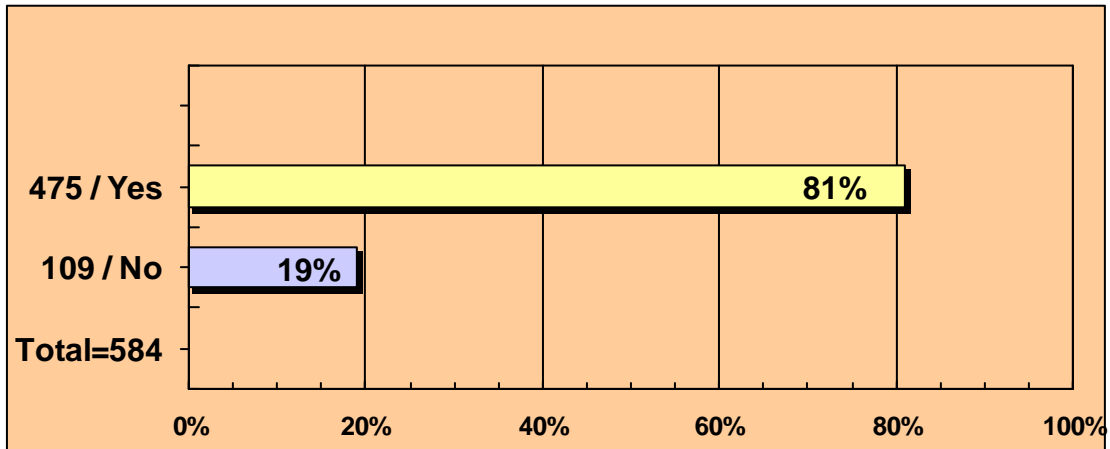


3. If yes, how?

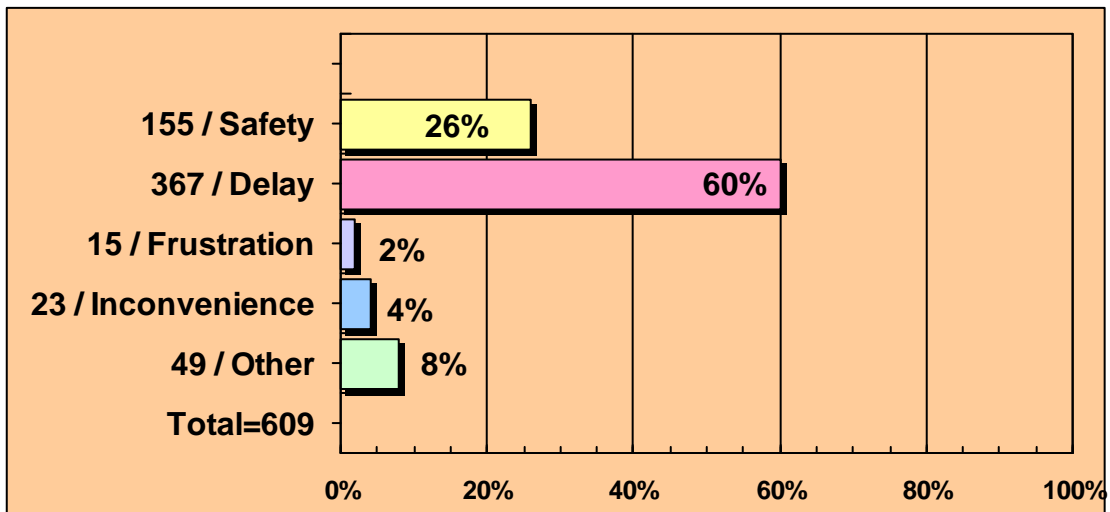


# Survey Results

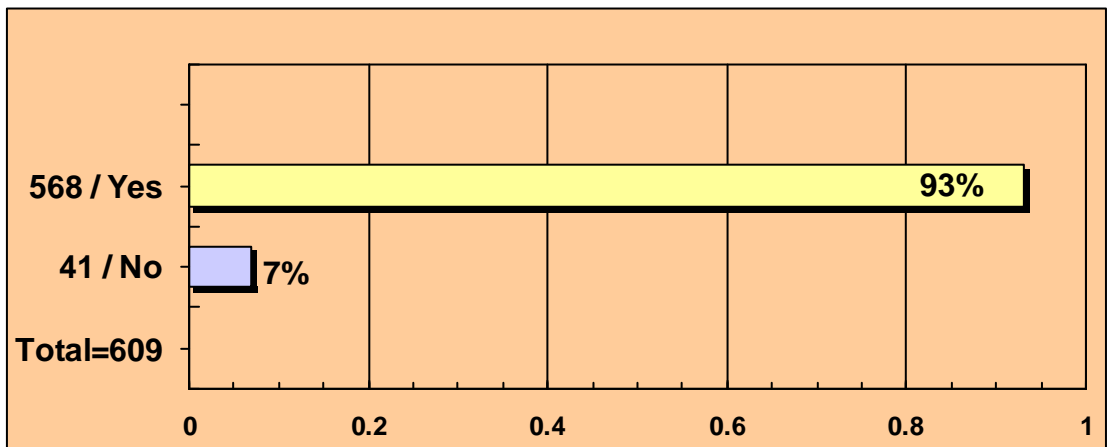
4. Would you be willing to change personal habits (work hours or commute options) to reduce vehicle trips and/or driving distances?



5. What is the most troublesome part of highway construction?

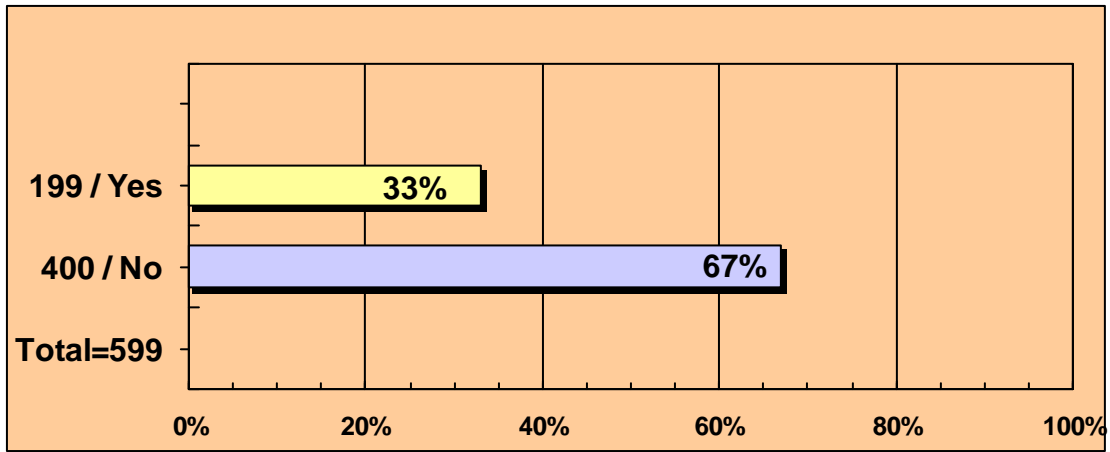


6. Do you slow down in highway construction zones?

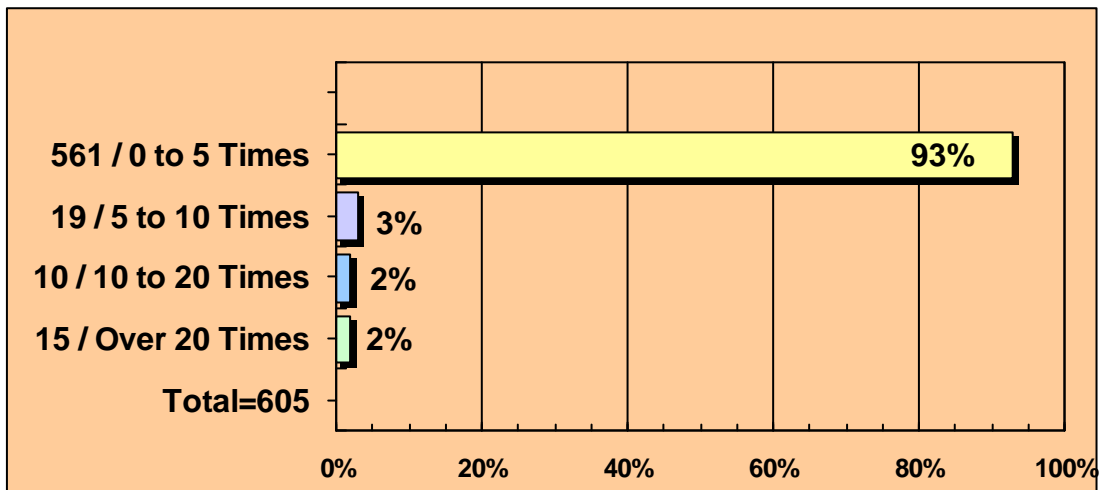


# Survey Results

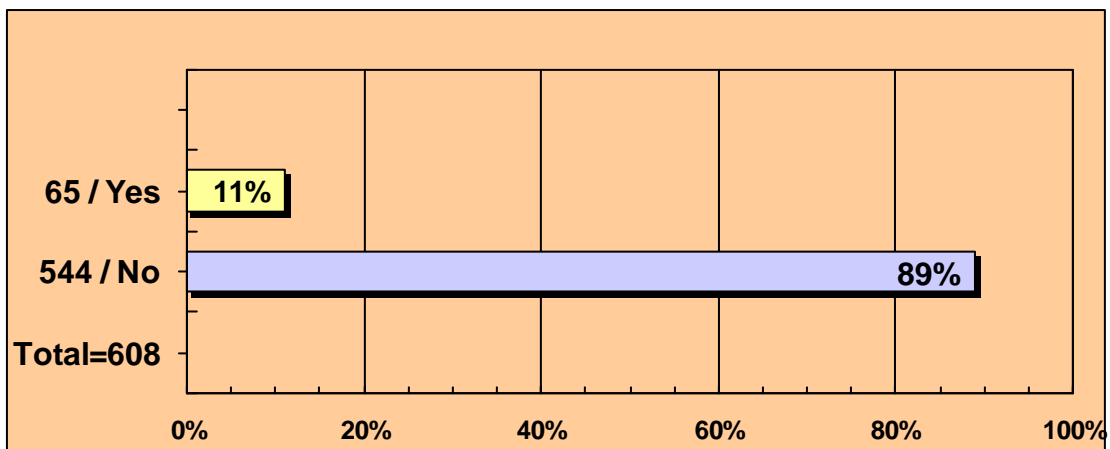
7. Do you feel your local community (city, county, GID, etc.) provides adequate road infrastructure to accommodate growth?



8. How many times a month do you ride public transportation?

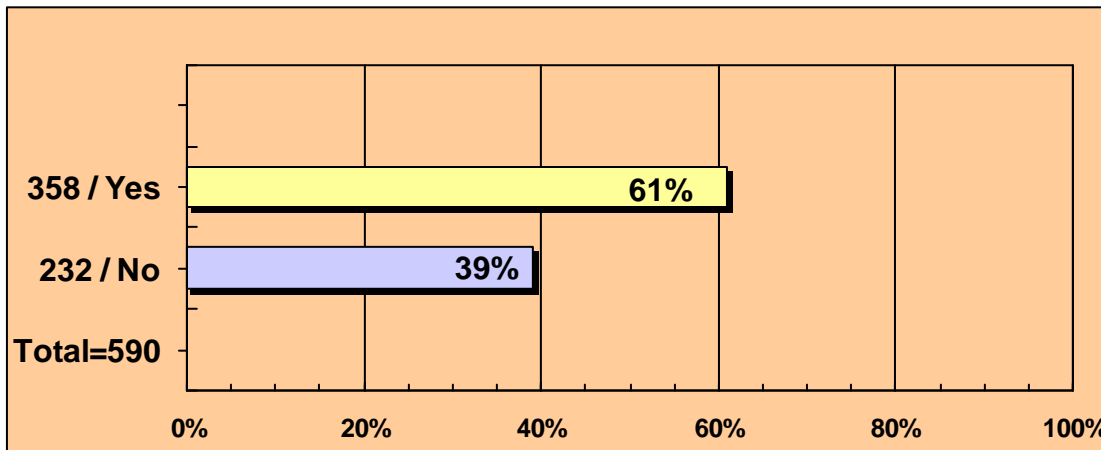


9. As a result of higher gas prices, have you used public transportation to get to your destination?

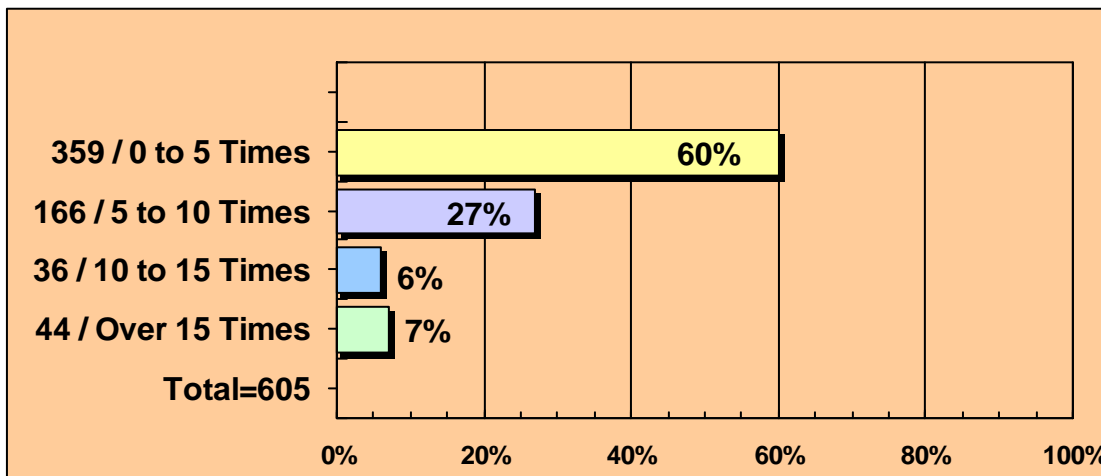


# Survey Results

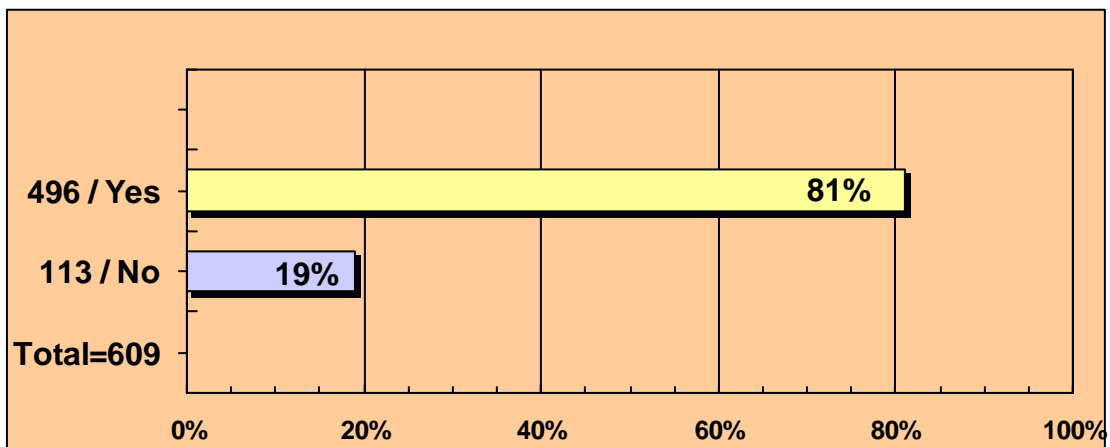
10. Would you choose to ride public transportation to your daily activities (work, shopping, medical appointments) if there were more buses, bus stops and/or route changes?



11. On average, how many times a year do you travel on commercial airline?



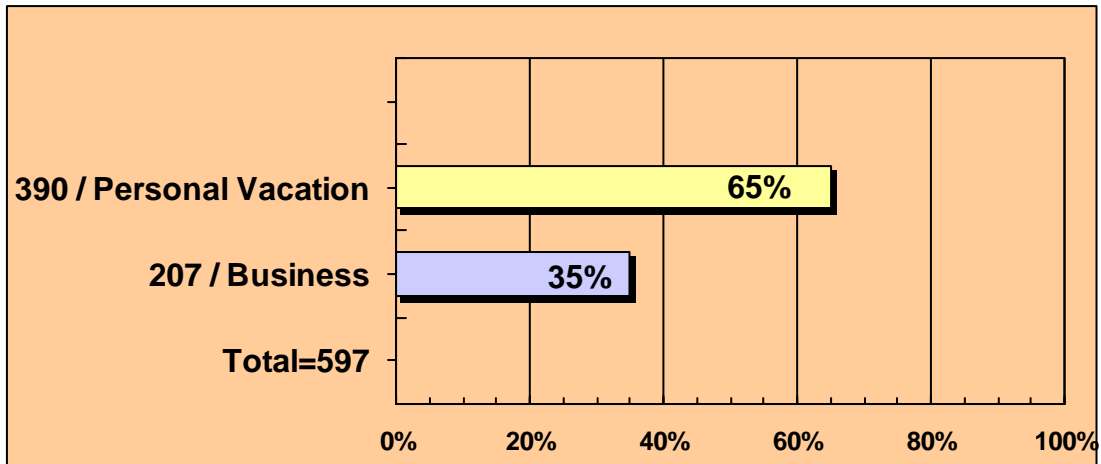
12. Are there enough commercial (general passenger) service airports in Nevada?



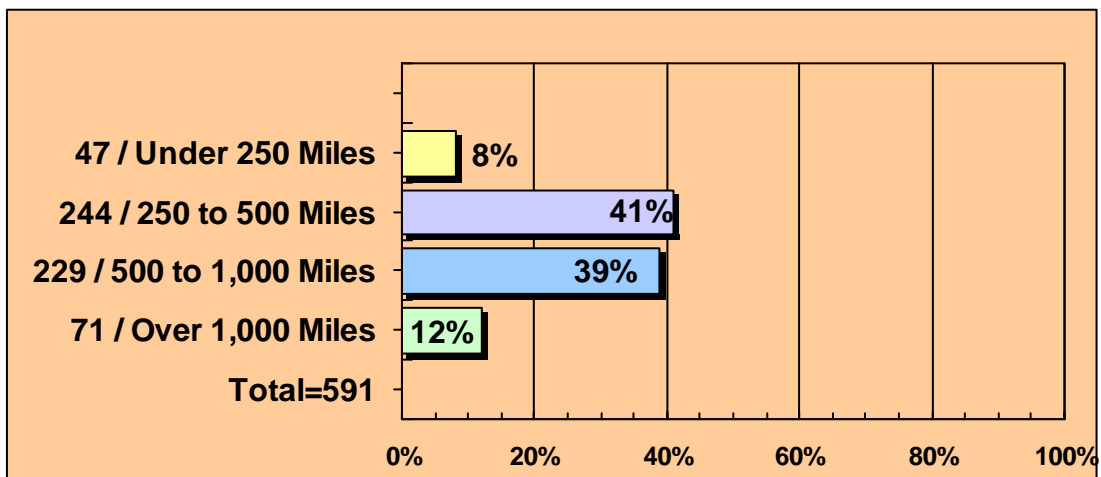


# Survey Results

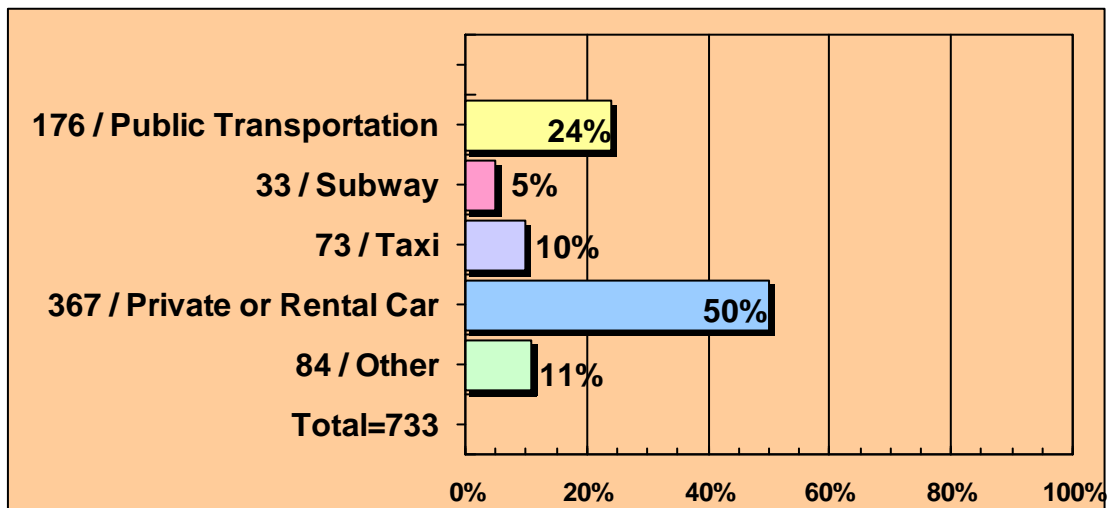
13. What type of air travel do you use more often?



14. At what distance does the decision to fly on a commercial airline become part of the decision making process?

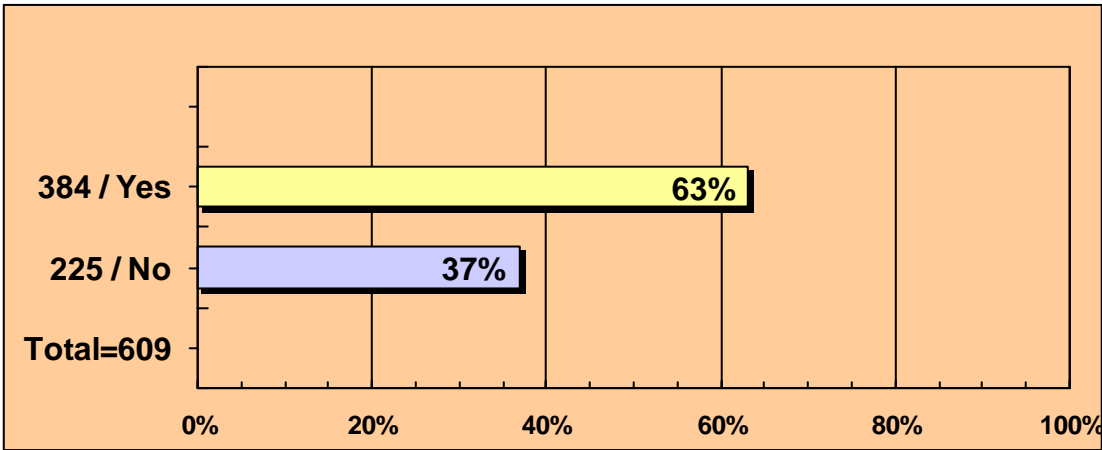


15. When traveling as a tourist how do you prefer to be transported after reaching your destination?

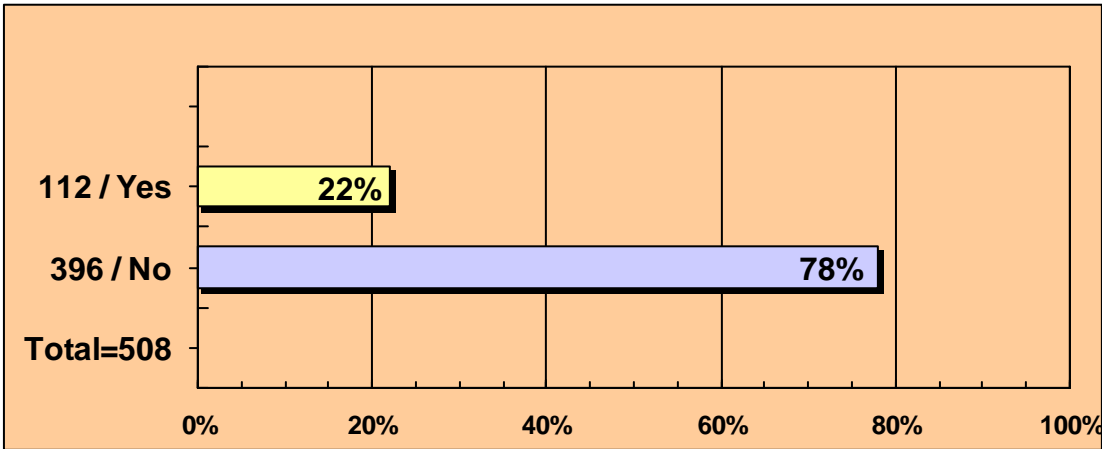


# Survey Results

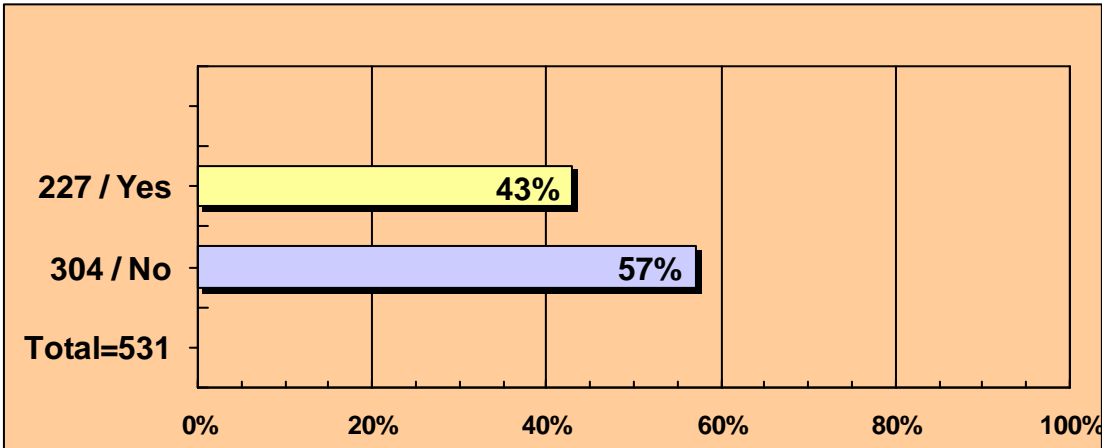
16. Do you ride a bicycle for commuting or recreation?



17. When you ride do you only ride on bicycle facilities that are either marked or signed?

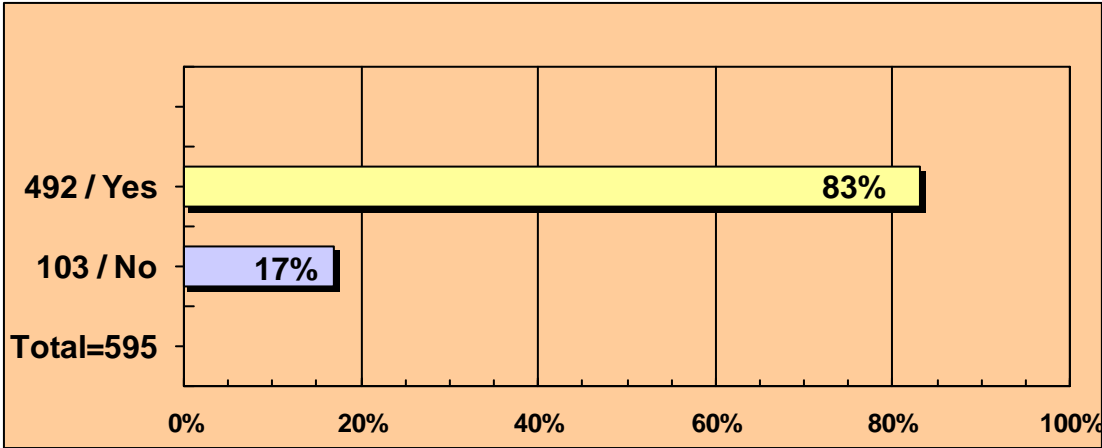


18. Do children in your household ride a bicycle to school or recreation?

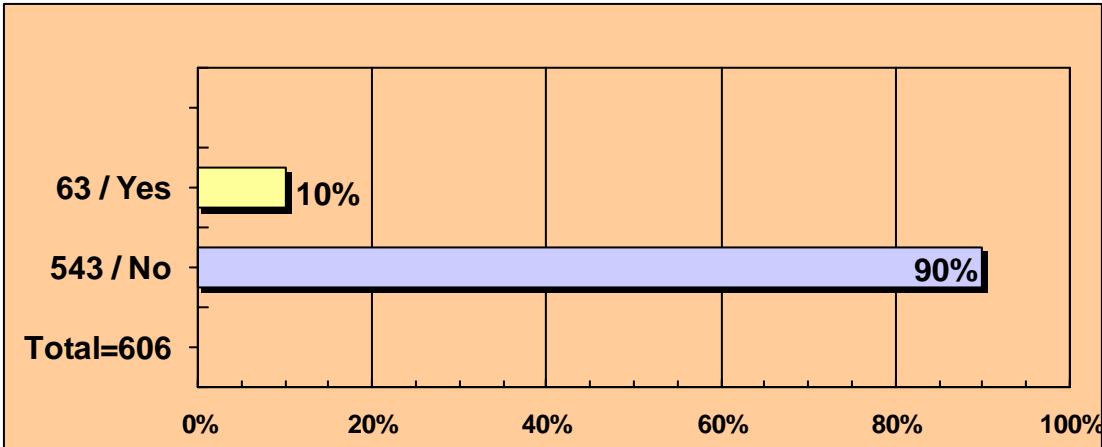


# Survey Results

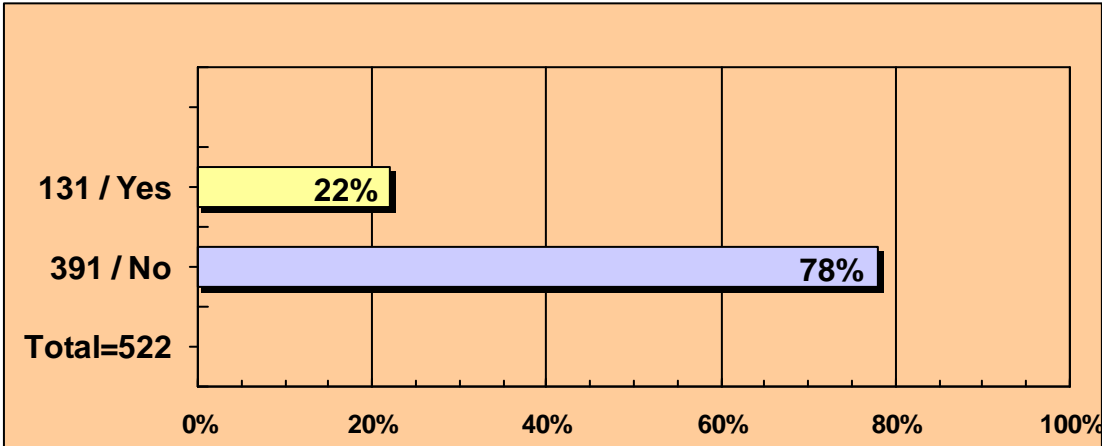
19. Would you support a bicycle helmet law for children?



20. Have you traveled on Amtrak in the last 12 months?

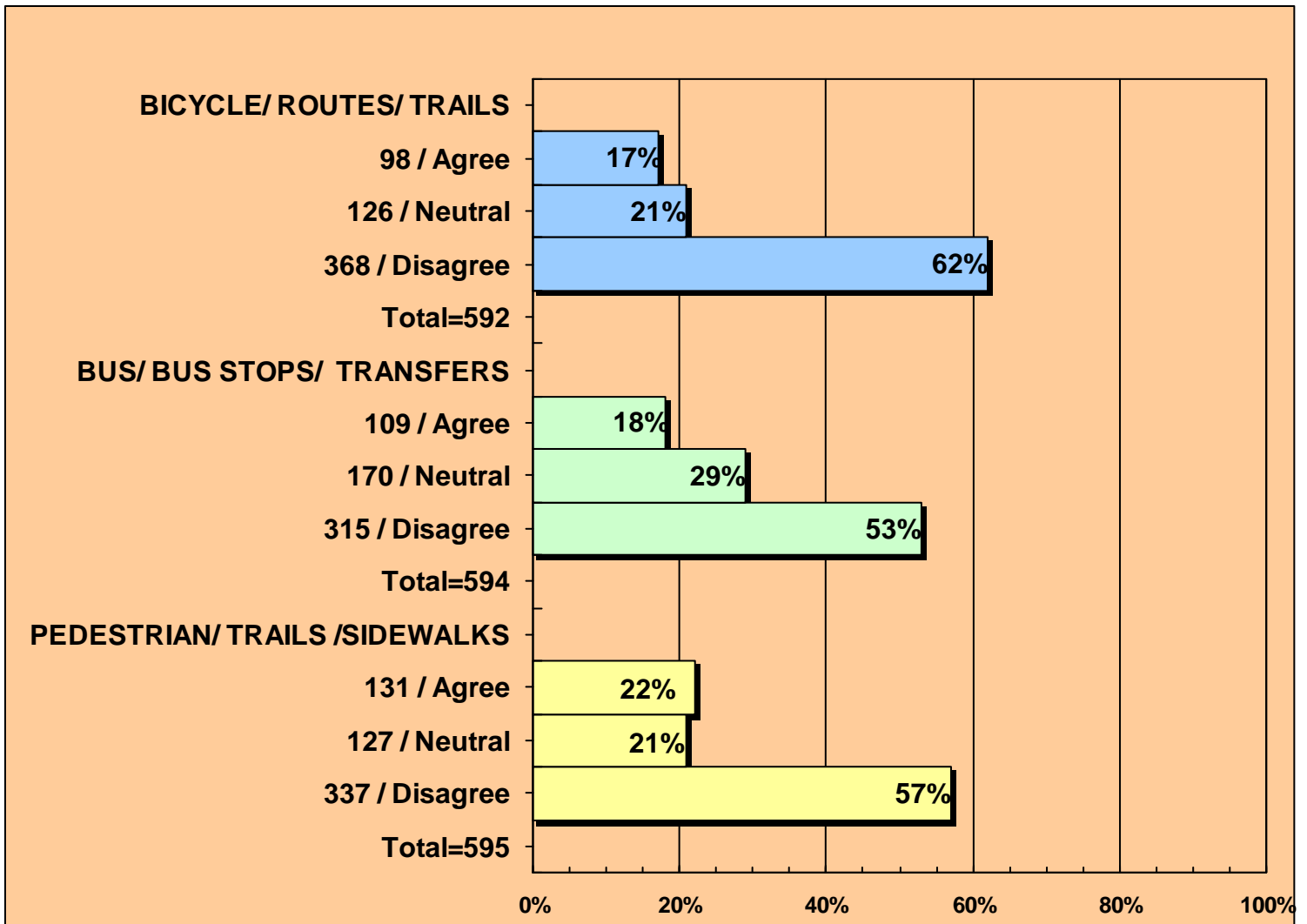


21. Are there enough Amtrak (passenger rail) service in Nevada?

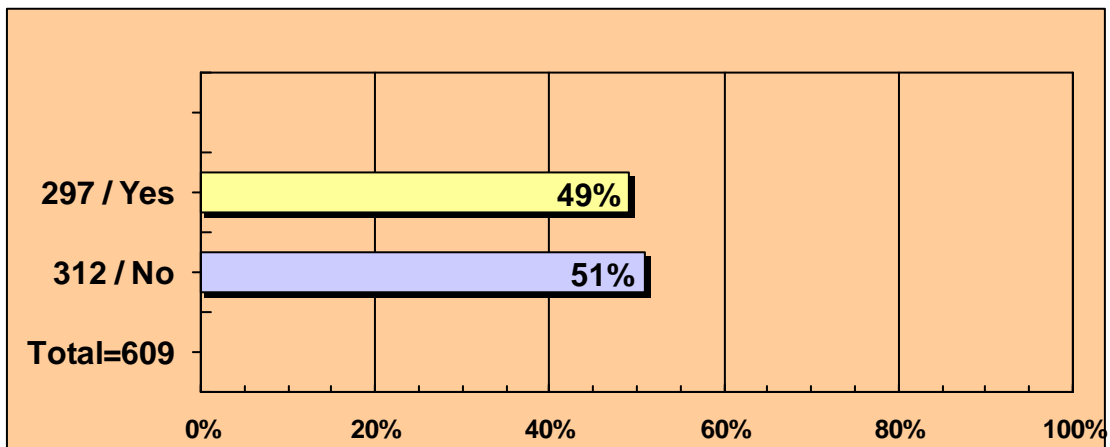


# Survey Results

22. Are connection of transportation services to the following adequate?



23. Do increase public education/outreach efforts (marketing, media campaigns, public involvement, etc.) encourage you to participate in transportation planning activities?



# **APPENDIX D**

**US Code – Title 23, Section 135**

**Code of Federal Regulations 450.200- 214**

**Nevada Revises Statutes 241**

**Nevada Revises Statutes 408**

From the U.S. Code Online via GPO Access  
[wais.access.gpo.gov]  
[Laws in effect as of January 3, 2006]  
[CITE: 23USC135]

TITLE 23--HIGHWAYS

CHAPTER 1--FEDERAL-AID HIGHWAYS

Sec. 135. Statewide transportation planning

(a) General Requirements.--

(1) Development of plans and programs.--To accomplish the objectives stated in section 134(a), each State shall develop a statewide transportation plan and a statewide transportation improvement program for all areas of the State, subject to section 134.

(2) Contents.--The statewide transportation plan and the transportation improvement program developed for each State shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the State and an integral part of an intermodal transportation system for the United States.

(3) Process of development.--The process for developing the statewide plan and the transportation improvement program shall provide for consideration of all modes of transportation and the policies stated in section 134(a), and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

(b) Coordination With Metropolitan Planning; State Implementation Plan.--  
A State shall--

(1) coordinate planning carried out under this section with the transportation planning activities carried out under section 134 for metropolitan areas of the State and with statewide trade and economic development planning activities and related multistate planning efforts; and

(2) develop the transportation portion of the State implementation plan as required by the Clean Air Act (42 U.S.C. 7401 et seq.).

(c) Interstate Agreements.--

(1) In general.--The consent of Congress is granted to two or more States entering into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section related to interstate areas and localities in the States and establishing authorities the States consider desirable for making the agreements and compacts effective.

(2) Reservation of rights.--The right to alter, amend, or repeal interstate compacts entered into under this subsection is expressly reserved.

(d) Scope of Planning Process.--

(1) In general.--Each State shall carry out a statewide transportation planning process that provides for consideration and implementation of projects, strategies, and services that will--

(A) support the economic vitality of the United States, the States, nonmetropolitan areas, and metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;

(B) increase the safety of the transportation system for motorized and nonmotorized users;

(C) increase the security of the transportation system for motorized and nonmotorized users;

(D) increase the accessibility and mobility of people and freight;

(E) protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;

(F) enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;

(G) promote efficient system management and operation; and

(H) emphasize the preservation of the existing transportation system.

(2) Failure to consider factors.--The failure to consider any factor specified in paragraph (1) shall not be reviewable by any court under this title or chapter 53 of title 49, subchapter II of chapter 5 of title 5, or chapter 7 of title 5 in any matter affecting a statewide transportation plan, the transportation improvement program, a project or strategy, or the certification of a planning process.

(e) Additional Requirements.--In carrying out planning under this section, each State shall consider, at a minimum--

(1) with respect to nonmetropolitan areas, the concerns of affected local officials with responsibility for transportation;

(2) the concerns of Indian tribal governments and Federal land management agencies that have jurisdiction over land within the boundaries of the State; and

(3) coordination of transportation plans, the transportation improvement program, and planning activities with related planning activities being carried out outside of metropolitan planning areas and between States.

(f) Long-Range Statewide Transportation Plan.--

(1) Development.--Each State shall develop a long-range statewide transportation plan, with a minimum 20-year forecast period for all areas of the State, that provides for the development and implementation of the intermodal transportation system of the State.

(2) Consultation with governments.--

(A) Metropolitan areas.--The statewide transportation plan shall be developed for each metropolitan area in the State in cooperation with the metropolitan planning organization designated for the metropolitan area under section 134.

(B) Nonmetropolitan areas.--With respect to nonmetropolitan areas, the statewide transportation plan shall be developed in consultation with affected nonmetropolitan officials with responsibility for transportation. The Secretary shall not review or approve the consultation process in each State.

(C) Indian tribal areas.--With respect to each area of the State under the jurisdiction of an Indian tribal government, the statewide transportation plan shall be developed in consultation with the tribal government and the Secretary of the Interior.

(D) Consultation, comparison, and consideration.--

(i) In general.--The long-range transportation plan shall be developed, as appropriate, in consultation with State, tribal, and local

agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation.

(ii) Comparison and consideration.--Consultation under clause (i) shall involve comparison of transportation plans to State and tribal conservation plans or maps, if available, and comparison of transportation plans to inventories of natural or historic resources, if available.

(3) Participation by interested parties.--

(A) In general.--In developing the statewide transportation plan, the State shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and other interested parties with a reasonable opportunity to comment on the proposed plan.

(B) Methods.--In carrying out subparagraph (A), the State shall, to the maximum extent practicable--

(i) hold any public meetings at convenient and accessible locations and times;

(ii) employ visualization techniques to describe plans; and

(iii) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph (A).

(4) Mitigation activities.--

(A) In general.--A long-range transportation plan shall include a discussion of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

(B) Consultation.--The discussion shall be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.

(5) Financial plan.--The statewide transportation plan may include a financial plan that demonstrates how the adopted statewide transportation plan can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted statewide transportation plan if reasonable additional resources beyond those identified in the financial plan were available.

(6) Selection of projects from illustrative list.--A State shall not be required to select any project from the illustrative list of additional projects included in the financial plan described in paragraph (5).

(7) Existing system.--The statewide transportation plan should include capital, operations and management strategies, investments, procedures, and other measures to ensure the preservation and most efficient use of the existing transportation system.

(8) Publication of long-range transportation plans.--Each long-range transportation plan prepared by a State shall be published or otherwise made available, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web.





# Federal Register

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**Wednesday,  
February 14, 2007**

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## **Part III**

### **Department of Transportation**

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**Federal Highway Administration  
23 CFR Parts 450 and 500**

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**Federal Transit Administration  
49 CFR Part 613**

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**Statewide Transportation Planning;  
Metropolitan Transportation Planning;  
Final Rule**

conformity regulation (40 CFR part 93)) that is on a facility which serves regional transportation needs (such as access to and from the area outside the region; major activity centers in the region; major planned developments such as new retail malls, sports complexes, or employment centers; or transportation terminals) and would normally be included in the modeling of the metropolitan area's transportation network. At a minimum, this includes all principal arterial highways and all fixed guideway transit facilities that offer a significant alternative to regional highway travel.

*Revision* means a change to a long-range statewide or metropolitan transportation plan, TIP, or STIP that occurs between scheduled periodic updates. A major revision is an "amendment," while a minor revision is an "administrative modification."

*State* means any one of the fifty States, the District of Columbia, or Puerto Rico.

*State implementation plan (SIP)* means, as defined in section 302(q) of the Clean Air Act (CAA), the portion (or portions) of the implementation plan, or most recent revision thereof, which has been approved under section 110 of the CAA, or promulgated under section 110(c) of the CAA, or promulgated or approved pursuant to regulations promulgated under section 301(d) of the CAA and which implements the relevant requirements of the CAA.

*Statewide transportation improvement program (STIP)* means a statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

*Strategic highway safety plan* means a plan developed by the State DOT in accordance with the requirements of 23 U.S.C. 148(a)(6).

*Transportation control measure (TCM)* means any measure that is specifically identified and committed to in the applicable SIP that is either one of the types listed in section 108 of the Clean Air Act or any other measure for the purpose of reducing emissions or concentrations of air pollutants from transportation sources by reducing vehicle use or changing traffic flow or congestion conditions. Notwithstanding the above, vehicle technology-based, fuel-based, and maintenance-based measures that control the emissions from vehicles under fixed traffic conditions are not TCMs.

*Transportation improvement program (TIP)* means a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

*Transportation management area (TMA)* means an urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the MPO and designated by the Secretary of Transportation.

*Unified planning work program (UPWP)* means a statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area. At a minimum, a UPWP includes a description of the planning work and resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source(s) of funds.

*Update* means making current a long-range statewide transportation plan, metropolitan transportation plan, TIP, or STIP through a comprehensive review. Updates require public review and comment, a 20-year horizon year for metropolitan transportation plans and long-range statewide transportation plans, a four-year program period for TIPs and STIPs, demonstration of fiscal constraint (except for long-range statewide transportation plans), and a conformity determination (for metropolitan transportation plans and TIPs in nonattainment and maintenance areas).

*Urbanized area* means a geographic area with a population of 50,000 or more, as designated by the Bureau of the Census.

*Users of public transportation* means any person, or groups representing such persons, who use transportation open to the general public, other than taxis and other privately funded and operated vehicles.

*Visualization techniques* means methods used by States and MPOs in the development of transportation plans and programs with the public, elected and appointed officials, and other stakeholders in a clear and easily accessible format such as maps, pictures, and/or displays, to promote improved understanding of existing or proposed transportation plans and programs.

## Subpart B—Statewide Transportation Planning and Programming

### § 450.200 Purpose.

The purpose of this subpart is to implement the provisions of 23 U.S.C. 135 and 49 U.S.C. 5304, as amended, which require each State to carry out a continuing, cooperative, and comprehensive statewide multimodal transportation planning process, including the development of a long-range statewide transportation plan and statewide transportation improvement program (STIP), that facilitates the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight (including accessible pedestrian walkways and bicycle transportation facilities) and that fosters economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution in all areas of the State, including those areas subject to the metropolitan transportation planning requirements of 23 U.S.C. 134 and 49 U.S.C. 5303.

### § 450.202 Applicability.

The provisions of this subpart are applicable to States and any other organizations or entities (e.g., metropolitan planning organizations (MPOs) and public transportation operators) that are responsible for satisfying the requirements for transportation plans and programs throughout the State pursuant to 23 U.S.C. 135 and 49 U.S.C. 5304.

### § 450.204 Definitions.

Except as otherwise provided in subpart A of this part, terms defined in 23 U.S.C. 101(a) and 49 U.S.C. 5302 are used in this subpart as so defined.

### § 450.206 Scope of the statewide transportation planning process.

(a) Each State shall carry out a continuing, cooperative, and comprehensive statewide transportation planning process that provides for consideration and implementation of projects, strategies, and services that will address the following factors:

(1) Support the economic vitality of the United States, the States, metropolitan areas, and non-metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;

(2) Increase the safety of the transportation system for motorized and non-motorized users;

(3) Increase the security of the transportation system for motorized and non-motorized users;

(4) Increase accessibility and mobility of people and freight;

(5) Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;

(6) Enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;

(7) Promote efficient system management and operation; and

(8) Emphasize the preservation of the existing transportation system.

(b) Consideration of the planning factors in paragraph (a) of this section shall be reflected, as appropriate, in the statewide transportation planning process. The degree of consideration and analysis of the factors should be based on the scale and complexity of many issues, including transportation systems development, land use, employment, economic development, human and natural environment, and housing and community development.

(c) The failure to consider any factor specified in paragraph (a) of this section shall not be reviewable by any court under title 23 U.S.C., 49 U.S.C. Chapter 53, subchapter II of title 5 U.S.C. Chapter 5, or title 5 U.S.C. Chapter 7 in any matter affecting a long-range statewide transportation plan, STIP, project or strategy, or the statewide transportation planning process findings.

(d) Funds provided under 23 U.S.C. 505 and 49 U.S.C. 5305(e) are available to the State to accomplish activities in this subpart. At the State's option, funds provided under 23 U.S.C. 104(b)(1) and (3) and 105 and 49 U.S.C. 5307 may also be used. Statewide transportation planning activities performed with funds provided under title 23 U.S.C. and title 49 U.S.C. Chapter 53 shall be documented in a statewide planning work program in accordance with the provisions of 23 CFR part 420. The work program should include a discussion of the transportation planning priorities facing the State.

#### **§ 450.208 Coordination of planning process activities.**

(a) In carrying out the statewide transportation planning process, each State shall, at a minimum:

(1) Coordinate planning carried out under this subpart with the metropolitan transportation planning activities carried out under subpart C of this part for metropolitan areas of the State. The State is encouraged to rely on

information, studies, or analyses provided by MPOs for portions of the transportation system located in metropolitan planning areas;

(2) Coordinate planning carried out under this subpart with statewide trade and economic development planning activities and related multistate planning efforts;

(3) Consider the concerns of Federal land management agencies that have jurisdiction over land within the boundaries of the State;

(4) Consider the concerns of local elected and appointed officials with responsibilities for transportation in non-metropolitan areas;

(5) Consider the concerns of Indian Tribal governments that have jurisdiction over land within the boundaries of the State;

(6) Consider related planning activities being conducted outside of metropolitan planning areas and between States; and

(7) Coordinate data collection and analyses with MPOs and public transportation operators to support statewide transportation planning and programming priorities and decisions.

(b) The State air quality agency shall coordinate with the State department of transportation (State DOT) to develop the transportation portion of the State Implementation Plan (SIP) consistent with the Clean Air Act (42 U.S.C. 7401 *et seq.*).

(c) Two or more States may enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities under this subpart related to interstate areas and localities in the States and establishing authorities the States consider desirable for making the agreements and compacts effective. The right to alter, amend, or repeal interstate compacts entered into under this part is expressly reserved.

(d) States may use any one or more of the management systems (in whole or in part) described in 23 CFR part 500.

(e) States may apply asset management principles and techniques in establishing planning goals, defining STIP priorities, and assessing transportation investment decisions, including transportation system safety, operations, preservation, and maintenance.

(f) The statewide transportation planning process shall (to the maximum extent practicable) be consistent with the development of applicable regional intelligent transportation systems (ITS) architectures, as defined in 23 CFR part 940.

(g) Preparation of the coordinated public transit-human services transportation plan, as required by 49 U.S.C. 5310, 5316, and 5317, should be coordinated and consistent with the statewide transportation planning process.

(h) The statewide transportation planning process should be consistent with the Strategic Highway Safety Plan, as specified in 23 U.S.C. 148, and other transit safety and security planning and review processes, plans, and programs, as appropriate.

#### **§ 450.210 Interested parties, public involvement, and consultation.**

(a) In carrying out the statewide transportation planning process, including development of the long-range statewide transportation plan and the STIP, the State shall develop and use a documented public involvement process that provides opportunities for public review and comment at key decision points.

(1) The State's public involvement process at a minimum shall:

(i) Establish early and continuous public involvement opportunities that provide timely information about transportation issues and decisionmaking processes to citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and other interested parties;

(ii) Provide reasonable public access to technical and policy information used in the development of the long-range statewide transportation plan and the STIP;

(iii) Provide adequate public notice of public involvement activities and time for public review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed long-range statewide transportation plan and STIP;

(iv) To the maximum extent practicable, ensure that public meetings are held at convenient and accessible locations and times;

(v) To the maximum extent practicable, use visualization techniques to describe the proposed long-range statewide transportation plan and supporting studies;

(vi) To the maximum extent practicable, make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford

reasonable opportunity for consideration of public information;

(vii) Demonstrate explicit consideration and response to public input during the development of the long-range statewide transportation plan and STIP;

(viii) Include a process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services; and

(ix) Provide for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties and revise the process, as appropriate.

(2) The State shall provide for public comment on existing and proposed processes for public involvement in the development of the long-range statewide transportation plan and the STIP. At a minimum, the State shall allow 45 calendar days for public review and written comment before the procedures and any major revisions to existing procedures are adopted. The State shall provide copies of the approved public involvement process document(s) to the FHWA and the FTA for informational purposes.

(b) The State shall provide for non-metropolitan local official participation in the development of the long-range statewide transportation plan and the STIP. The State shall have a documented process(es) for consulting with non-metropolitan local officials representing units of general purpose local government and/or local officials with responsibility for transportation that is separate and discrete from the public involvement process and provides an opportunity for their participation in the development of the long-range statewide transportation plan and the STIP. Although the FHWA and the FTA shall not review or approve this consultation process(es), copies of the process document(s) shall be provided to the FHWA and the FTA for informational purposes.

(1) At least once every five years (as of February 24, 2006), the State shall review and solicit comments from non-metropolitan local officials and other interested parties for a period of not less than 60 calendar days regarding the effectiveness of the consultation process and any proposed changes. A specific request for comments shall be directed to the State association of counties, State municipal league, regional planning agencies, or directly to non-metropolitan local officials.

(2) The State, at its discretion, shall be responsible for determining whether to adopt any proposed changes. If a proposed change is not adopted, the State shall make publicly available its reasons for not accepting the proposed change, including notification to non-metropolitan local officials or their associations.

(c) For each area of the State under the jurisdiction of an Indian Tribal government, the State shall develop the long-range statewide transportation plan and STIP in consultation with the Tribal government and the Secretary of Interior. States shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with Indian Tribal governments and Federal land management agencies in the development of the long-range statewide transportation plan and the STIP.

#### **§ 450.212 Transportation planning studies and project development.**

(a) Pursuant to section 1308 of the Transportation Equity Act for the 21st Century, TEA-21 (Pub. L. 105-178), a State(s), MPO(s), or public transportation operator(s) may undertake a multimodal, systems-level corridor or subarea planning study as part of the statewide transportation planning process. To the extent practicable, development of these transportation planning studies shall involve consultation with, or joint efforts among, the State(s), MPO(s), and/or public transportation operator(s). The results or decisions of these transportation planning studies may be used as part of the overall project development process consistent with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*) and associated implementing regulations (23 CFR part 771 and 40 CFR parts 1500-1508). Specifically, these corridor or subarea studies may result in producing any of the following for a proposed transportation project:

(1) Purpose and need or goals and objective statement(s);

(2) General travel corridor and/or general mode(s) definition (e.g., highway, transit, or a highway/transit combination);

(3) Preliminary screening of alternatives and elimination of unreasonable alternatives;

(4) Basic description of the environmental setting; and/or

(5) Preliminary identification of environmental impacts and environmental mitigation.

(b) Publicly available documents or other source material produced by, or in

support of, the transportation planning process described in this subpart may be incorporated directly or by reference into subsequent NEPA documents, in accordance with 40 CFR 1502.21, if:

(1) The NEPA lead agencies agree that such incorporation will aid in establishing or evaluating the purpose and need for the Federal action, reasonable alternatives, cumulative or other impacts on the human and natural environment, or mitigation of these impacts; and

(2) The systems-level, corridor, or subarea planning study is conducted with:

(i) Involvement of interested State, local, Tribal, and Federal agencies;

(ii) Public review;

(iii) Reasonable opportunity to comment during the statewide transportation planning process and development of the corridor or subarea planning study;

(iv) Documentation of relevant decisions in a form that is identifiable and available for review during the NEPA scoping process and can be appended to or referenced in the NEPA document; and

(v) The review of the FHWA and the FTA, as appropriate.

(c) By agreement of the NEPA lead agencies, the above integration may be accomplished through tiering (as described in 40 CFR 1502.20), incorporating the subarea or corridor planning study into the draft Environmental Impact Statement or Environmental Assessment, or other means that the NEPA lead agencies deem appropriate. Additional information to further explain the linkages between the transportation planning and project development/NEPA processes is contained in Appendix A to this part, including an explanation that is non-binding guidance material.

#### **§ 450.214 Development and content of the long-range statewide transportation plan.**

(a) The State shall develop a long-range statewide transportation plan, with a minimum 20-year forecast period at the time of adoption, that provides for the development and implementation of the multimodal transportation system for the State. The long-range statewide transportation plan shall consider and include, as applicable, elements and connections between public transportation, non-motorized modes, rail, commercial motor vehicle, waterway, and aviation facilities, particularly with respect to intercity travel.

(b) The long-range statewide transportation plan should include

capital, operations and management strategies, investments, procedures, and other measures to ensure the preservation and most efficient use of the existing transportation system. The long-range statewide transportation plan may consider projects and strategies that address areas or corridors where current or projected congestion threatens the efficient functioning of key elements of the State's transportation system.

(c) The long-range statewide transportation plan shall reference, summarize, or contain any applicable short-range planning studies; strategic planning and/or policy studies; transportation needs studies; management systems reports; emergency relief and disaster preparedness plans; and any statements of policies, goals, and objectives on issues (e.g., transportation, safety, economic development, social and environmental effects, or energy) that were relevant to the development of the long-range statewide transportation plan.

(d) The long-range statewide transportation plan should include a safety element that incorporates or summarizes the priorities, goals, countermeasures, or projects contained in the Strategic Highway Safety Plan required by 23 U.S.C. 148.

(e) The long-range statewide transportation plan should include a security element that incorporates or summarizes the priorities, goals, or projects set forth in other transit safety and security planning and review processes, plans, and programs, as appropriate.

(f) Within each metropolitan area of the State, the long-range statewide transportation plan shall be developed in cooperation with the affected MPOs.

(g) For non-metropolitan areas, the long-range statewide transportation plan shall be developed in consultation with affected non-metropolitan officials with responsibility for transportation using the State's consultation process(es) established under § 450.210(b).

(h) For each area of the State under the jurisdiction of an Indian Tribal government, the long-range statewide transportation plan shall be developed in consultation with the Tribal government and the Secretary of the Interior consistent with § 450.210(c).

(i) The long-range statewide transportation plan shall be developed, as appropriate, in consultation with State, Tribal, and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation. This consultation shall involve comparison of transportation

plans to State and Tribal conservation plans or maps, if available, and comparison of transportation plans to inventories of natural or historic resources, if available.

(j) A long-range statewide transportation plan shall include a discussion of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the long-range statewide transportation plan. The discussion may focus on policies, programs, or strategies, rather than at the project level. The discussion shall be developed in consultation with Federal, State, and Tribal land management, wildlife, and regulatory agencies. The State may establish reasonable timeframes for performing this consultation.

(k) In developing and updating the long-range statewide transportation plan, the State shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and other interested parties with a reasonable opportunity to comment on the proposed long-range statewide transportation plan. In carrying out these requirements, the State shall, to the maximum extent practicable, utilize the public involvement process described under § 450.210(a).

(l) The long-range statewide transportation plan may (but is not required to) include a financial plan that demonstrates how the adopted long-range statewide transportation plan can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. In addition, for illustrative purposes, the financial plan may (but is not required to) include additional projects that would be included in the adopted long-range statewide transportation plan if additional resources beyond those identified in the financial plan were to become available.

(m) The State shall not be required to select any project from the illustrative list of additional projects included in the financial plan described in paragraph (l) of this section.

(n) The long-range statewide transportation plan shall be published or otherwise made available, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web, as described in § 450.210(a).

(o) The State shall continually evaluate, revise, and periodically update the long-range statewide transportation plan, as appropriate, using the procedures in this section for development and establishment of the long-range statewide transportation plan.

(p) Copies of any new or amended long-range statewide transportation plan documents shall be provided to the FHWA and the FTA for informational purposes.

**§ 450.216 Development and content of the statewide transportation improvement program (STIP).**

(a) The State shall develop a statewide transportation improvement program (STIP) for all areas of the State. The STIP shall cover a period of no less than four years and be updated at least every four years, or more frequently if the Governor elects a more frequent update cycle. However, if the STIP covers more than four years, the FHWA and the FTA will consider the projects in the additional years as informational. In case of difficulties developing a portion of the STIP for a particular area (e.g., metropolitan planning area, nonattainment or maintenance area, or Indian Tribal lands), a partial STIP covering the rest of the State may be developed.

(b) For each metropolitan area in the State, the STIP shall be developed in cooperation with the MPO designated for the metropolitan area. Each metropolitan transportation improvement program (TIP) shall be included without change in the STIP, directly or by reference, after approval of the TIP by the MPO and the Governor. A metropolitan TIP in a nonattainment or maintenance area is subject to a FHWA/FTA conformity finding before inclusion in the STIP. In areas outside a metropolitan planning area but within an air quality nonattainment or maintenance area containing any part of a metropolitan area, projects must be included in the regional emissions analysis that supported the conformity determination of the associated metropolitan TIP before they are added to the STIP.

(c) For each non-metropolitan area in the State, the STIP shall be developed in consultation with affected non-metropolitan local officials with responsibility for transportation using

## CHAPTER 241 - MEETINGS OF STATE AND LOCAL AGENCIES

<a href="#">NRS 241.010</a>	<b>Legislative declaration and intent.</b>
<a href="#">NRS 241.015</a>	<b>Definitions.</b>
<a href="#">NRS 241.020</a>	<b>Meetings to be open and public; limitations on closure of meetings; notice of meetings; copy of materials; exceptions.</b>
<a href="#">NRS 241.030</a>	<b>Exceptions to requirement for open and public meetings; waiver of closure of meeting by certain persons.</b>
<a href="#">NRS 241.031</a>	<b>Meeting to consider character, misconduct or competence of elected member of public body or certain public officers.</b>
<a href="#">NRS 241.033</a>	<b>Meeting to consider character, misconduct, competence or health of person or to consider appeal of results of examination: Written notice to person required; exception; public body required to allow person whose character, misconduct, competence or health is to be considered to attend with representative and to present evidence; attendance of additional persons; copy of record.</b>
<a href="#">NRS 241.034</a>	<b>Meeting to consider administrative action against person or acquisition of real property by exercise of power of eminent domain: Written notice required; exception.</b>
<a href="#">NRS 241.035</a>	<b>Public meetings: Minutes; aural and visual reproduction; transcripts.</b>
<a href="#">NRS 241.0353</a>	<b>Absolute privilege of certain statements and testimony.</b>
<a href="#">NRS 241.0355</a>	<b>Majority of all members of public body composed solely of elected officials required to take action by vote; abstention not affirmative vote; reduction of quorum.</b>
<a href="#">NRS 241.036</a>	<b>Action taken in violation of chapter void.</b>
<a href="#">NRS 241.037</a>	<b>Action by Attorney General or person denied right conferred by chapter; limitation on actions.</b>
<a href="#">NRS 241.038</a>	<b>Board of Regents to establish requirements for student governments.</b>
<a href="#">NRS 241.040</a>	<b>Penalties; members attending meeting in violation of chapter not accomplices; enforcement by Attorney General.</b>

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**NRS 241.010 Legislative declaration and intent.** In enacting this chapter, the Legislature finds and declares that all public bodies exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

(Added to NRS by 1960, 25; A 1977, 1099)

**NRS 241.015 Definitions.** As used in this chapter, unless the context otherwise requires:

1. "Action" means:
  - (a) A decision made by a majority of the members present during a meeting of a public body;
  - (b) A commitment or promise made by a majority of the members present during a meeting of a public body;
  - (c) If a public body may have a member who is not an elected official, an affirmative vote taken by a majority of the members present during a meeting of the public body; or
  - (d) If all the members of a public body must be elected officials, an affirmative vote taken by a majority of all the members of the public body.
2. "Meeting":
  - (a) Except as otherwise provided in paragraph (b), means:
    - (1) The gathering of members of a public body at which a quorum is present to deliberate toward a decision or to take action on any matter over which the public body has supervision, control, jurisdiction or advisory power.
    - (2) Any series of gatherings of members of a public body at which:
      - (I) Less than a quorum is present at any individual gathering;
      - (II) The members of the public body attending one or more of the gatherings collectively constitute a quorum; and
      - (III) The series of gatherings was held with the specific intent to avoid the provisions of this chapter.
  - (b) Does not include a gathering or series of gatherings of members of a public body, as described in paragraph (a), at which a quorum is actually or collectively present:
    - (1) Which occurs at a social function if the members do not deliberate toward a decision or take action on any matter over which the public body has supervision, control, jurisdiction or advisory power.
    - (2) To receive information from the attorney employed or retained by the public body regarding potential or existing litigation involving a matter over which the public body has supervision, control, jurisdiction or advisory power and to deliberate toward a decision on the matter, or both.

3. Except as otherwise provided in this subsection, “public body” means any administrative, advisory, executive or legislative body of the State or a local government which expends or disburses or is supported in whole or in part by tax revenue or which advises or makes recommendations to any entity which expends or disburses or is supported in whole or in part by tax revenue, including, but not limited to, any board, commission, committee, subcommittee or other subsidiary thereof and includes an educational foundation as defined in subsection 3 of [NRS 388.750](#) and a university foundation as defined in subsection 3 of [NRS 396.405](#). “Public body” does not include the Legislature of the State of Nevada.

4. “Quorum” means a simple majority of the constituent membership of a public body or another proportion established by law.

(Added to NRS by 1977, 1098; A 1993, 2308, 2624; 1995, 716, 1608; [2001, 1123, 1836](#))

**NRS 241.020 Meetings to be open and public; limitations on closure of meetings; notice of meetings; copy of materials; exceptions.**

1. Except as otherwise provided by specific statute, all meetings of public bodies must be open and public, and all persons must be permitted to attend any meeting of these public bodies. A meeting that is closed pursuant to a specific statute may only be closed to the extent specified in the statute allowing the meeting to be closed. All other portions of the meeting must be open and public, and the public body must comply with all other provisions of this chapter to the extent not specifically precluded by the specific statute. Public officers and employees responsible for these meetings shall make reasonable efforts to assist and accommodate persons with physical disabilities desiring to attend.

2. Except in an emergency, written notice of all meetings must be given at least 3 working days before the meeting. The notice must include:

- (a) The time, place and location of the meeting.
- (b) A list of the locations where the notice has been posted.
- (c) An agenda consisting of:

(1) A clear and complete statement of the topics scheduled to be considered during the meeting.

(2) A list describing the items on which action may be taken and clearly denoting that action may be taken on those items.

(3) A period devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to subparagraph (2).

(4) If any portion of the meeting will be closed to consider the character, alleged misconduct or professional competence of a person, the name of the person whose character, alleged misconduct or professional competence will be considered.

(5) If, during any portion of the meeting, the public body will consider whether to take administrative action against a person, the name of the person against whom administrative action may be taken.

3. Minimum public notice is:

(a) Posting a copy of the notice at the principal office of the public body or, if there is no principal office, at the building in which the meeting is to be held, and at not less than three other separate, prominent places within the jurisdiction of the public body not later than 9 a.m. of the third working day before the meeting; and

(b) Providing a copy of the notice to any person who has requested notice of the meetings of the public body. A request for notice lapses 6 months after it is made. The public body shall inform the requester of this fact by enclosure with, notation upon or text included within the first notice sent. The notice must be:

(1) Delivered to the postal service used by the public body not later than 9 a.m. of the third working day before the meeting for transmittal to the requester by regular mail; or

(2) If feasible for the public body and the requester has agreed to receive the public notice by electronic mail, transmitted to the requester by electronic mail sent not later than 9 a.m. of the third working day before the meeting.

4. If a public body maintains a website on the Internet or its successor, the public body shall post notice of each of its meetings on its website unless the public body is unable to do so because of technical problems relating to the operation or maintenance of its website. Notice posted pursuant to this subsection is supplemental to and is not a substitute for the minimum public notice required pursuant to subsection 3. The inability of a public body to post notice of a meeting pursuant to this subsection as a result of technical problems with its website shall not be deemed to be a violation of the provisions of this chapter.

5. Upon any request, a public body shall provide, at no charge, at least one copy of:

- (a) An agenda for a public meeting;

(b) A proposed ordinance or regulation which will be discussed at the public meeting; and  
(c) Subject to the provisions of subsection 6, any other supporting material provided to the members of the public body for an item on the agenda, except materials:

(1) Submitted to the public body pursuant to a nondisclosure or confidentiality agreement which relates to proprietary information;

(2) Pertaining to the closed portion of such a meeting of the public body; or

(3) Declared confidential by law, unless otherwise agreed to by each person whose interest is being protected under the order of confidentiality.

➤ As used in this subsection, “proprietary information” has the meaning ascribed to it in [NRS 332.025](#).

6. A copy of supporting material required to be provided upon request pursuant to paragraph (c) of subsection 5 must be:

(a) If the supporting material is provided to the members of the public body before the meeting, made available to the requester at the time the material is provided to the members of the public body; or

(b) If the supporting material is provided to the members of the public body at the meeting, made available at the meeting to the requester at the same time the material is provided to the members of the public body.

➤ If the requester has agreed to receive the information and material set forth in subsection 5 by electronic mail, the public body shall, if feasible, provide the information and material by electronic mail.

7. A public body may provide the public notice, information and material required by this section by electronic mail. If a public body makes such notice, information and material available by electronic mail, the public body shall inquire of a person who requests the notice, information or material if the person will accept receipt by electronic mail. The inability of a public body, as a result of technical problems with its electronic mail system, to provide a public notice, information or material required by this section to a person who has agreed to receive such notice, information or material by electronic mail shall not be deemed to be a violation of the provisions of this chapter.

8. As used in this section, “emergency” means an unforeseen circumstance which requires immediate action and includes, but is not limited to:

(a) Disasters caused by fire, flood, earthquake or other natural causes; or

(b) Any impairment of the health and safety of the public.

(Added to NRS by 1960, 25; A 1977, 1099, 1109; 1979, 97; 1989, 570; 1991, 785; 1993, 1356, 2636; 1995, 562, 1608; [2001, 2395](#); [2003, 488](#); [2005, 2243](#); [2007, 1122](#))

**NRS 241.030 Exceptions to requirement for open and public meetings; waiver of closure of meeting by certain persons.**

1. Except as otherwise provided in this section and [NRS 241.031](#) and [241.033](#), a public body may hold a closed meeting to:

(a) Consider the character, alleged misconduct, professional competence, or physical or mental health of a person.

(b) Prepare, revise, administer or grade examinations that are conducted by or on behalf of the public body.

(c) Consider an appeal by a person of the results of an examination that was conducted by or on behalf of the public body, except that any action on the appeal must be taken in an open meeting and the identity of the appellant must remain confidential.

2. A person whose character, alleged misconduct, professional competence, or physical or mental health will be considered by a public body during a meeting may waive the closure of the meeting and request that the meeting or relevant portion thereof be open to the public. A request described in this subsection:

(a) May be made at any time before or during the meeting; and

(b) Must be honored by the public body unless the consideration of the character, alleged misconduct, professional competence, or physical or mental health of the requester involves the appearance before the public body of another person who does not desire that the meeting or relevant portion thereof be open to the public.

3. A public body may close a meeting pursuant to subsection 1 upon a motion which specifies:

(a) The nature of the business to be considered; and

(b) The statutory authority pursuant to which the public body is authorized to close the meeting.

4. This chapter does not:

(a) Apply to judicial proceedings.

(b) Prevent the removal of any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical.



(c) Prevent the exclusion of witnesses from a public or private meeting during the examination of another witness.

(d) Require that any meeting be closed to the public.

(e) Permit a closed meeting for the discussion of the appointment of any person to public office or as a member of a public body.

5. The exceptions provided by this section, and electronic communication, must not be used to circumvent the spirit or letter of this chapter to act, outside of an open and public meeting, upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.

(Added to NRS by 1960, 25; A 1977, 1100; 1983, 331; 1993, 2637; [2005, 977, 2244](#))

**NRS 241.031 Meeting to consider character, misconduct or competence of elected member of public body or certain public officers.**

1. Except as otherwise provided in subsection 2, a public body shall not hold a closed meeting to consider the character, alleged misconduct or professional competence of:

(a) An elected member of a public body; or

(b) A person who is an appointed public officer or who serves at the pleasure of a public body as a chief executive or administrative officer or in a comparable position, including, without limitation, a president of a university, state college or community college within the Nevada System of Higher Education, a superintendent of a county school district, a county manager and a city manager.

2. The prohibition set forth in subsection 1 does not apply if the consideration of the character, alleged misconduct or professional competence of the person does not pertain to his role as an elected member of a public body or an appointed public officer or other officer described in paragraph (b) of subsection 1, as applicable.

(Added to NRS by 1993, 2636; A [2005, 2245](#))

**NRS 241.033 Meeting to consider character, misconduct, competence or health of person or to consider appeal of results of examination: Written notice to person required; exception; public body required to allow person whose character, misconduct, competence or health is to be considered to attend with representative and to present evidence; attendance of additional persons; copy of record.**

1. A public body shall not hold a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of any person or to consider an appeal by a person of the results of an examination conducted by or on behalf of the public body unless it has:

(a) Given written notice to that person of the time and place of the meeting; and

(b) Received proof of service of the notice.

2. The written notice required pursuant to subsection 1:

(a) Except as otherwise provided in subsection 3, must be:

(1) Delivered personally to that person at least 5 working days before the meeting; or

(2) Sent by certified mail to the last known address of that person at least 21 working days before the meeting.

(b) May, with respect to a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, include an informational statement setting forth that the public body may, without further notice, take administrative action against the person if the public body determines that such administrative action is warranted after considering the character, alleged misconduct, professional competence, or physical or mental health of the person.

(c) Must include:

(1) A list of the general topics concerning the person that will be considered by the public body during the closed meeting; and

(2) A statement of the provisions of subsection 4, if applicable.

3. The Nevada Athletic Commission is exempt from the requirements of subparagraphs (1) and (2) of paragraph (a) of subsection 2, but must give written notice of the time and place of the meeting and must receive proof of service of the notice before the meeting may be held.

4. If a public body holds a closed meeting or closes a portion of a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, the public body must allow that person to:

(a) Attend the closed meeting or that portion of the closed meeting during which his character, alleged misconduct, professional competence, or physical or mental health is considered;

(b) Have an attorney or other representative of his choosing present with him during the closed meeting; and

(c) Present written evidence, provide testimony and present witnesses relating to his character, alleged misconduct, professional competence, or physical or mental health to the public body during the closed meeting.

5. Except as otherwise provided in subsection 4, with regard to the attendance of persons other than members of the public body and the person whose character, alleged misconduct, professional competence, physical or mental health or appeal of the results of an examination is considered, the chairman of the public body may at any time before or during a closed meeting:

(a) Determine which additional persons, if any, are allowed to attend the closed meeting or portion thereof; or

(b) Allow the members of the public body to determine, by majority vote, which additional persons, if any, are allowed to attend the closed meeting or portion thereof.

6. A public body shall provide a copy of any record of a closed meeting prepared pursuant to [NRS 241.035](#), upon the request of any person who received written notice of the closed meeting pursuant to subsection 1.

7. For the purposes of this section, casual or tangential references to a person or the name of a person during a closed meeting do not constitute consideration of the character, alleged misconduct, professional competence, or physical or mental health of the person.

(Added to NRS by 1993, 2636; A [2005, 977, 2246, 2248](#))

**NRS 241.034 Meeting to consider administrative action against person or acquisition of real property by exercise of power of eminent domain: Written notice required; exception.**

1. Except as otherwise provided in subsection 3:

(a) A public body shall not consider at a meeting whether to:

(1) Take administrative action against a person; or

(2) Acquire real property owned by a person by the exercise of the power of eminent domain,

↳ unless the public body has given written notice to that person of the time and place of the meeting.

(b) The written notice required pursuant to paragraph (a) must be:

(1) Delivered personally to that person at least 5 working days before the meeting; or

(2) Sent by certified mail to the last known address of that person at least 21 working days before the

meeting.

↳ A public body must receive proof of service of the written notice provided to a person pursuant to this section before the public body may consider a matter set forth in paragraph (a) relating to that person at a meeting.

2. The written notice provided in this section is in addition to the notice of the meeting provided pursuant to [NRS 241.020](#).

3. The written notice otherwise required pursuant to this section is not required if:

(a) The public body provided written notice to the person pursuant to [NRS 241.033](#) before holding a meeting to consider his character, alleged misconduct, professional competence, or physical or mental health; and

(b) The written notice provided pursuant to [NRS 241.033](#) included the informational statement described in paragraph (b) of subsection 2 of that section.

4. For the purposes of this section, real property shall be deemed to be owned only by the natural person or entity listed in the records of the county in which the real property is located to whom or which tax bills concerning the real property are sent.

(Added to NRS by [2001, 1835](#); A [2001 Special Session, 155](#); [2005, 2247](#))

**NRS 241.035 Public meetings: Minutes; aural and visual reproduction; transcripts.**

1. Each public body shall keep written minutes of each of its meetings, including:

(a) The date, time and place of the meeting.

(b) Those members of the public body who were present and those who were absent.

(c) The substance of all matters proposed, discussed or decided and, at the request of any member, a record of each member's vote on any matter decided by vote.

(d) The substance of remarks made by any member of the general public who addresses the public body if he requests that the minutes reflect his remarks or, if he has prepared written remarks, a copy of his prepared remarks if he submits a copy for inclusion.

(e) Any other information which any member of the public body requests to be included or reflected in the minutes.

2. Minutes of public meetings are public records. Minutes or audiotape recordings of the meetings must be made available for inspection by the public within 30 working days after the adjournment of the meeting at which taken. The minutes shall be deemed to have permanent value and must be retained by the public body for at least 5

years. Thereafter, the minutes may be transferred for archival preservation in accordance with [NRS 239.080](#) to [239.125](#), inclusive. Minutes of meetings closed pursuant to:

(a) Paragraph (a) of subsection 1 of [NRS 241.030](#) become public records when the public body determines that the matters discussed no longer require confidentiality and the person whose character, conduct, competence or health was considered has consented to their disclosure. That person is entitled to a copy of the minutes upon request whether or not they become public records.

(b) Paragraph (b) of subsection 1 of [NRS 241.030](#) become public records when the public body determines that the matters discussed no longer require confidentiality.

(c) Paragraph (c) of subsection 1 of [NRS 241.030](#) become public records when the public body determines that the matters considered no longer require confidentiality and the person who appealed the results of the examination has consented to their disclosure, except that the public body shall remove from the minutes any references to the real name of the person who appealed the results of the examination. That person is entitled to a copy of the minutes upon request whether or not they become public records.

3. All or part of any meeting of a public body may be recorded on audiotape or any other means of sound or video reproduction by a member of the general public if it is a public meeting so long as this in no way interferes with the conduct of the meeting.

4. Except as otherwise provided in subsection 6, a public body shall, for each of its meetings, whether public or closed, record the meeting on audiotape or another means of sound reproduction or cause the meeting to be transcribed by a court reporter who is certified pursuant to [chapter 656](#) of NRS. If a public body makes an audio recording of a meeting or causes a meeting to be transcribed pursuant to this subsection, the audio recording or transcript:

(a) Must be retained by the public body for at least 1 year after the adjournment of the meeting at which it was recorded or transcribed;

(b) Except as otherwise provided in this section, is a public record and must be made available for inspection by the public during the time the recording or transcript is retained; and

(c) Must be made available to the Attorney General upon request.

5. Except as otherwise provided in subsection 6, any portion of a public meeting which is closed must also be recorded or transcribed and the recording or transcript must be retained and made available for inspection pursuant to the provisions of subsection 2 relating to records of closed meetings. Any recording or transcript made pursuant to this subsection must be made available to the Attorney General upon request.

6. If a public body makes a good faith effort to comply with the provisions of subsections 4 and 5 but is prevented from doing so because of factors beyond the public body's reasonable control, including, without limitation, a power outage, a mechanical failure or other unforeseen event, such failure does not constitute a violation of the provisions of this chapter.

(Added to NRS by 1977, 1099; A 1989, 571; 1993, 449, 2638; [2005, 978, 1404](#))

#### **NRS 241.0353 Absolute privilege of certain statements and testimony.**

1. Any statement which is made by a member of a public body during the course of a public meeting is absolutely privileged and does not impose liability for defamation or constitute a ground for recovery in any civil action.

2. A witness who is testifying before a public body is absolutely privileged to publish defamatory matter as part of a public meeting, except that it is unlawful to misrepresent any fact knowingly when testifying before a public body.

(Added to NRS by [2005, 2242](#))

#### **NRS 241.0355 Majority of all members of public body composed solely of elected officials required to take action by vote; abstention not affirmative vote; reduction of quorum.**

1. A public body that is required to be composed of elected officials only may not take action by vote unless at least a majority of all the members of the public body vote in favor of the action. For purposes of this subsection, a public body may not count an abstention as a vote in favor of an action.

2. In a county whose population is 40,000 or more, the provisions of subsection 5 of [NRS 281A.420](#) do not apply to a public body that is required to be composed of elected officials only, unless before abstaining from the vote, the member of the public body receives and discloses the opinion of the legal counsel authorized by law to provide legal advice to the public body that the abstention is required pursuant to [NRS 281A.420](#). The opinion of counsel must be in writing and set forth with specificity the factual circumstances and analysis leading to that conclusion.

(Added to NRS by [2001, 1123](#); A [2003, 818](#))

**NRS 241.036 Action taken in violation of chapter void.** The action of any public body taken in violation of any provision of this chapter is void.

(Added to NRS by 1983, 1012)

**NRS 241.037 Action by Attorney General or person denied right conferred by chapter; limitation on actions.**

1. The Attorney General may sue in any court of competent jurisdiction to have an action taken by a public body declared void or for an injunction against any public body or person to require compliance with or prevent violations of the provisions of this chapter. The injunction:

(a) May be issued without proof of actual damage or other irreparable harm sustained by any person.

(b) Does not relieve any person from criminal prosecution for the same violation.

2. Any person denied a right conferred by this chapter may sue in the district court of the district in which the public body ordinarily holds its meetings or in which the plaintiff resides. A suit may seek to have an action taken by the public body declared void, to require compliance with or prevent violations of this chapter or to determine the applicability of this chapter to discussions or decisions of the public body. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this subsection.

3. Any suit brought against a public body pursuant to subsection 1 or 2 to require compliance with the provisions of this chapter must be commenced within 120 days after the action objected to was taken by that public body in violation of this chapter. Any such suit brought to have an action declared void must be commenced within 60 days after the action objected to was taken.

(Added to NRS by 1983, 1012; A 1985, 147)

**NRS 241.038 Board of Regents to establish requirements for student governments.** The Board of Regents of the University of Nevada shall establish for the student governments within the Nevada System of Higher Education requirements equivalent to those of this chapter and shall provide for their enforcement.

(Added to NRS by 1983, 1013; A 1993, 369)

**NRS 241.040 Penalties; members attending meeting in violation of chapter not accomplices; enforcement by Attorney General.**

1. Each member of a public body who attends a meeting of that public body where action is taken in violation of any provision of this chapter, with knowledge of the fact that the meeting is in violation thereof, is guilty of a misdemeanor.

2. Wrongful exclusion of any person or persons from a meeting is a misdemeanor.

3. A member of a public body who attends a meeting of that public body at which action is taken in violation of this chapter is not the accomplice of any other member so attending.

4. The Attorney General shall investigate and prosecute any violation of this chapter.

(Added to NRS by 1960, 26; A 1977, 1100; 1983, 1013)

**NRS 408.245 Acceptance of federal acts.**

1. The State of Nevada and its Department hereby accepts and assents to the provisions of:
  - (a) The Federal Aid Road Act, being an Act of Congress entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916 (c. 241, 39 Stat. 355); and
  - (b) The Federal Highway Act, being an Act of Congress entitled "An Act To amend the Act entitled 'An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," approved November 9, 1921 (c. 119, 42 Stat. 212).
2. The State and its Department accepts as a continuing obligation any and all acts amendatory or supplementary to such federal acts.  
(Added to NRS by 1957, 671)