

RESOLUTION: R23-118

WHEREAS, the federal Bipartisan Infrastructure and Jobs Act (“Infrastructure Act”) recognizes that, due to decades of disinvestment, county and local roads, especially in underserved and rural areas across the United States, are in poor condition which has had a negative effect on those economies and has diminished economic connectivity, and led to increased rates of crashes on these roads; and

WHEREAS, the Infrastructure Act has made funds available to county and local governments for the repair, maintenance, and safety of rural roads, bridges, and last mile connectivity; and

WHEREAS, these funds are available to counties for infrastructure and connectivity only if the counties hold title to the roads and bridges; and

WHEREAS, establishing title to thousands of county roads in Nevada’s underserved rural and remote communities is hindered because of costly and prolonged litigation with the federal government, or is otherwise questioned or disputed; and

WHEREAS, many of these county roads are badly in need of repair and maintenance to ensure the safety of the travelling public and continuity of commercial activity; and

WHEREAS, most of these roads would qualify for funding under the Infrastructure Act; and

WHEREAS, the objectives of the Infrastructure Act cannot be achieved so long as county title to roads established pursuant to the Mining Act of 1866, reenacted and recodified as Revised Statutes 2477, (R.S. 2477) 43 U.S.C. 932 (repealed October 21, 1976) is questioned or tied up in federal litigation; and

WHEREAS, establishment of an administrative adjudication process for titling of historic county rights-of-way that largely incorporates the evidentiary test established by the federal courts for R.S. 2477 entitlement determination would significantly reduce the cost and time to establish title of rural county roads established prior to 1976.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, that Board supports the introduction and passage by the United States Congress of a bill to provide an administrative process to allow counties to obtain title to certain rural county highways in an expedited, cost-efficient manner.

Adopted this 22nd day of August 2023

Alexis Hill, Chair
Washoe County Commission

ATTEST: _____