



NEVADA LEGISLATURE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

(Nevada Revised Statutes [NRS] 218E.320)

DRAFT MINUTES

March 13, 2024

The second meeting of the Joint Interim Standing Committee on Growth and Infrastructure for the 2023–2024 Interim was held on Wednesday, March 13, 2024, at 9 a.m. in Room 3138, Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401, Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada.

The agenda, minutes, meeting materials, and audio or video recording of the meeting are available on the Committee's meeting page. The audio or video recording may also be found at <https://www.leg.state.nv.us/Video/>. Copies of the audio or video record can be obtained through the Publications Office of the Legislative Counsel Bureau (LCB) (publications@lcb.state.nv.us or 775/684-6835).

COMMITTEE MEMBER PRESENT IN CARSON CITY:

Senator Dallas Harris, Chair

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblywoman Tracy Brown-May
Assemblyman Max Carter
Assemblyman Howard Watts, Vice Chair

COMMITTEE MEMBERS ATTENDING REMOTELY:

Senator Skip Daly
Senator Lisa Krasner (Alternate for Senator Carrie A. Buck)
Assemblywoman Danielle Gallant
Assemblywoman Jill Dickman

COMMITTEE MEMBER ABSENT:

Senator Carrie A. Buck (excused)

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Kristin Rossiter, Senior Policy Analyst, Research Division

Julianne King, Assistant Manager of Research Policy Assistants, Research Division

Cameron Newton, Deputy Legislative Counsel, Legal Division

Jessica Dummer, Senior Principal Deputy Legislative Counsel, Legal Division

Julie Waller, Principal Deputy Fiscal Analyst, Fiscal Analysis Division

Items taken out of sequence during the meeting have been placed in agenda order.
[Indicate a summary of comments.]

AGENDA ITEM I—CALL TO ORDER AND OPENING REMARKS

[Chair Harris called the meeting to order. She reviewed housekeeping measures and noted that Senator Krasner was attending as an alternate for Senator Buck.]

Chair Harris:

I would like to mention that a solicitation of recommendations memorandum and related information has been uploaded to our Committee web page. This memo asks all interested parties to submit recommendations to us for potential legislation. As a reminder, this Committee may request up to ten BDRs (bill draft requests), and I encourage all Members of the Committee as well individuals and organizations to bring forward recommendations on possible legislation. We want to hear suggestions from you, so please submit them. No idea too big or small, no problem too big or small to try and tackle. If you have any issues with submitting those recommendations or finding that memo, you can email me directly or text me, and I will help facilitate that.

AGENDA ITEM II—PUBLIC COMMENT

[Chair Harris reviewed public testimony guidelines.]

Chair Harris:

Is there anyone here in Carson City who would like to provide public comment?

Drew Ribar, Private Citizen:

I am a candidate for Assembly District 40. This is why. Tonya Laney, the Director of DMV (Department of Motor Vehicles), is here today. I am glad for this. I am here because the DMV, NTA (Nevada Transportation Authority), DPS (Department of Public Safety), and the Nevada Attorney Generals have been creating ad hoc rules. As defined by the Nevada Supreme Court decision in the *Trolley v. Public Service Commission* [Las Vegas Transit System v. Las Vegas Strip Trolley] 1989 decision, ad hoc rules are unconstitutional and a violation of the Administrative Procedures Act. Tonya Laney, her team director, Butler, before her, J.D. Decker, the Nevada Transportation—all of these agencies have created ad hoc rules. The NTA and DPS have created an ad hoc rule that have created attacks across the State, primarily affecting those in the urban areas, leaving those alone in the rural areas. This was illegal, unconstitutional. Director Laney's organization has created ad hoc rules to deny businesses profit, specifically, stated multiple times in emails and other documents generated therein. I sent an email over this morning with some of these documents so that you can see what these documents are (Agenda Item II). If you compare these documents in their timing to Assembly Bill 57, you will notice that, gee, you probably should not have been forcing these violations of law. *Nevada Revised Statutes* 233B, the Administrative Procedures Act, is very clear on the process to create regulations, yet the Executive Branch does not need the Assembly, does not need any of you, does not need me to run because they can create rules all by themselves and enforce them with their guns and badges—God bless them. This is America. This is why I am running—because our system is screwed up. The Executive Branch has taken over. The Assembly does not matter. The Senate does not matter. None of your voices matter. Thank you very much.

Chair Harris:

[Chair Harris called for further public comment. There was none.]

AGENDA ITEM III—APPROVAL OF THE MINUTES FOR THE MEETING ON JANUARY 24, 2024

Chair Harris:

We will then move on to Item III, which is approval of the minutes for the meeting of January 24, 2024.

VICE CHAIR WATTS MOVED TO APPROVE THE MINUTES OF THE MEETING HELD ON JANUARY 24, 2024.

SENATOR DALY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY

AGENDA ITEM IV—PRESENTATION BY THE DEPARTMENT OF MOTOR VEHICLES ON PROGRAMS AND PLANS

Chair Harris:

We will now turn to several presentations today that will focus on transportation issues, traffic safety, and transportation infrastructure. First up is Mr. Sever and the rest of the team from DMV.

Tonya Laney, Director, DMV:

Good morning, Chair Harris and Members of the Committee. Thank you for having us here today. I am the new Director of the DMV, and I assumed my position on March 2nd. We appreciate your time today to give you updates on where we are with our Agency. In the audience with me today, we have our new Deputy Director, Angela Smith-Lamb. We are excited she has accepted that role. She comes with a ton of experience and a fiscal background with the Agency. We are excited to continue marching forward with the missions we have. With my operations experience and her fiscal, we think we will make a great team. Also at the table is our Administrator of our Research and Project Management team, Molly Lennon. She is also leading our Department Transformation Effort (DTE). To my right, I have our Deputy Administrator and Legislative Liaison, Sean Sever. We are going to give you an update on where we are in our Agency today. (Agenda Item IV)

One of my main priorities carrying the Agency forward, and that I take in my position very seriously, is to be the sponsor of our DTE. That means I will be continuing to lead the Agency, supporting our staff and all of our leadership team on those initiatives moving forward, so we can provide our constituents the system they have asked for that gives them the ability to complete service transactions through our Agency online whenever possible, or freeing up space in our offices, at our windows, for our most at-need customers that need to come in and see us and are not able to do so now in a timely manner because of all the demand on the Agency currently. Our hope is through our transformation service offerings, we are freeing up some of that capacity to allow additional customers to have access to us

and sooner. I will let Molly give you an update on where we are on our transformation effort.

Molly Lennon, Administrator, Division of Research and Project Management, DMV:

Our DTE is a multiyear project with an identified 800-plus products and features as well as 90-plus integrations being moved online and prepared for cloud mobilization. Currently, we are on track and within approved budget. Transformation of our services will be an ongoing effort, even after project end date, as its focus is not just on technology but full transition of our business model and continuous improvement and innovation. We have made amazing progress since we began implementation, including: release of case management for our Compliance Enforcement Division (CED) in Salesforce; two dealer title releases; design of the new registration online application process, which is currently in development and slated for release in July; our content services platform box was selected and is currently being implemented; a proof of concept for future State online payment design, including service fees, has been completed; implementation of future State insurance verification through Motor Vehicle Solutions—or NVIVS (NevadaIVS)—to name a few.

The next few slides will give you a glimpse into some of the screens that we see internally and our customers see. The first is our CED Case Management System used by our DMV officers and our CED staff. Customers can now file complaints online. These screens give notices, tasks, reminders, et cetera, that are useful to our staff. Continuous enhancement is underway, including upcoming use of Amazon web services and Tableau for reporting and visualization of case information.

The next slide—you will see a glimpse into our customer portal. Our customer portal has been designed, and this screen gives you an idea of the information requested to complete their Salesforce portal accounts in order to request a product.

The next slide is our payment record review screen. This is the design and proof of concept for our customer payments review. They will be able to view all fees and other important information related to their transactions, including their fee history.

The last is our NevadaIVS insurance company login page. Most of our Nevada insurance companies are already registered and excited to participate in preparation for our modernized verification processes. This will be integrated with our Salesforce platform when we go live with new registration.

Additional progress related to our Information Technology (IT) teams—collaborative efforts between our vendor partners and our in-house IT includes identity management functionality for our customers and staff to securely log into Salesforce; data model refinement; ABBYY, OCR, and document verification implementation within our dealer titles pilot; integrations to auto-verify VIN (vehicle identification number) and address; Amazon web services and Salesforce data sharing capabilities have been stood up; and our Amazon connect implementation is under way for modernization of our call center. Version One is in the design phase.

Additional features that the overall DMV has added since launch of DTE include allowing customers to self-track shipment of their driver's license and IDs, chatbot, online title fee payments for dealers, online movement permits, online written testing for instruction permits and driver's licenses, to name a few more.

The last thing I want to highlight is our dealer title pilot program. We released version one in February of 2023. This allowed submission of documents electronically prior to a check and hard copies being mailed in allowing pre-approval. It reduced the turnaround time for those participants to one week. In November 2023, we released version two and increased the participants to 21 dealerships, adding real-time notifications of document upload inaccuracies and allowed electronic title payment through our existing EDRS (electronic dealer report of sale) portal. This dropped turnaround time for those participants to one to two days. Expansion planning efforts to add additional dealers is underway now. With that, I will pass it to Sean Sever for more highlights on additional DMV efforts to improve our services.

Sean Sever, Legislative Liaison and Deputy Administrator, Division of Research and Project Management, DMV; and Vice Chair, Nevada Advisory Committee on Traffic Safety (NVACTS):

Hello, Chair and Committee Members. Online written testing is one of the things I am going to talk about here. This interests me because I have a 15-year-old son that is close to driving. We now have our online written drive tests. They are online now, so you do not have to come into an office. It is \$6.75 each day to take the test. It is available in Spanish, but you have to do it on a laptop or a desktop computer. This is a taste of what the DTE will do for the DMV. Since we launched this in October, more than 33,000 tests have been taken online, preventing many visits to our offices, which equals about 6,000 a month and 300 people a day that are not coming into our offices. It is good news all the way around.

The next topic I wanted to cover is customer service. You are going to like this one because I assume you get complaints from people that wait until the last minute to renew their driver's license or registrations. We humbly ask that you encourage these customers to go online or visit a kiosk to avoid a trip to the DMV. We are doing a pilot test with this new system, WaitWell, in our Reno and Fallon offices. It will be offered in all of our offices by the end of April. The way it works is customers can check in on their mobile devices, get text message reminders and real wait time estimates, and customers can provide feedback on their experience. Rural customers can scan a QR code when they walk into the building and get into the walk-in queue, and then return later when their appointment draws near.

The Reno DMV office is currently ten days out for appointments. The third-party drive exams is yet another way we are trying to keep people out of our offices. It is not that we do not like to see people; we just cannot handle the old business model of everyone trying to pile into a DMV office. This program allows third-party drive schools to conduct drive exams and certified drivers. The drive school instructors will be trained and certified by the DMV, and they must take a refresher course every four years. We have nine Southern Nevada schools interested, and one in the North that will participate in this pilot program.

Classic car insurance—AB 349 from the 2021 Legislative Session required owners of classic cars to carry classic vehicle insurance. What was happening was that people with older vehicles who were using them for everyday use were claiming them to be classic vehicles so they could avoid taking smog tests in our two largest counties. We received quite a few complaints when this program started at the DMV because people blamed us for putting it in place, but that has since settled down. This is a success story—and we thank the Vice Chair for reducing the amount of people taking advantage of this program—because it has gone from 35,000 people to 25,000 in one year.

Legislative bill implementation—we are happy to report that we have implemented all DMV-related bills from the 2023 Legislative Session by the required dates. We want to

thank you for being patient with us and delaying implementation of your bills until after our transformation is complete. We have implemented some of these bills early, and we will be asking you to do the same in 2025; however, please realize that we will put these bills in place as soon as we possibly can.

Two of the bills I wanted to point out were AB 151, which is the University of Nevada, Reno's (UNR) 150th anniversary license plate. Another license plate was Senate Bill 164, which is the Divine Nine license plate honoring Black fraternities and sororities colleges in Nevada. That plate is available right now.

This is our contact information. Please be sure to contact me if you need anything from the DMV. We are ready to answer questions now.

Chair Harris:

I have a couple of questions, and then Senator Daly has questions as well. My first question is related to the insurance verification system. Will law enforcement agencies have access to that as well? I am asking because the classic question we get when pulled over is for insurance and registration. If we had a statewide system where we can automatically verify insurance, it seems like it would be nice to make that system also compatible where law enforcement agencies can verify insurance. Has there been any discussion about making that a possibility?

Ms. Laney:

Where it comes into play with the insurance status on a vehicle is it is tied to the registration status. If there is an insurance issue on the vehicle, then when the registration on the vehicle is pulled, it will be inactive or suspended, and that will give law enforcement an indicator there may be an insurance issue. The insurance itself—no, it is currently not tied.

Chair Harris:

If I am understanding you correctly, this system will allow you all to almost immediately suspend registration when insurance lapses, and the lack of registration information will be available to law enforcement officers.

Ms. Laney:

That is correct. That, in combination of whatever the customer is able to provide roadside as far as a digital or paper-based copy of their insurance. You have to have insurance on the vehicle to do that initial registration, but if it is past that initial registration point, and they are pulled over, and they have had a lapse of insurance, there will be an indicator on their registration, and the registration is suspended until they get the insurance situation cleared up.

Chair Harris:

Will they be allowed to clear up insurance information online?

Ms. Laney:

You can do that today. If you go to our website through dmv.nv.gov, there is information on updating your insurance if you have switched companies, or if you have received a letter

from us in the mail that states we do not have your current insurance—could be something as simple as the insurance company does a download to us and for some reason, your policy did not update—then the customer has the ability to do that themselves today to put the insurance in there to make sure we have the most up-to-date information, and that is real time.

Chair Harris:

Does that also include, “Oh, my insurance lapsed, but I now have new insurance, and I want to make sure the DMV is aware of that”?

Ms. Laney:

Yes, that is a perfect situation to update it.

Chair Harris:

I believe currently, if your registration has expired, you still have to go in. But if your registration is current and you are updating, you can do that at a kiosk. Do we anticipate allowing folks to be able to go to the kiosk or online after the lapse, or are we going to keep forcing them to go in?

Ms. Laney:

You can do that transaction online today as well. We have expanded the time period of the cancellation or suspension of the registration. You can go online up to 18 months past the expiration of your registration to reinstate.

Chair Harris:

I am wishing more Nevadans watch this. There are probably not as many as we would like who want to have that information. If you are watching, tell your friends because that is great news to hear. Thank you. Senator Daly.

Senator Daly:

You might have answered one of my questions on how long the wait is if you are trying to make an appointment. I tried making one—this is several months back—and it was like six weeks. You get on there, and it said, “The next available date is six weeks out.” I said, “No, we will figure something else out,” because the temporary plate would have expired by then. I see a lot of expired temporary plates when I drive around town. I think the gentleman said it is down to ten days currently.

Ms. Laney:

It is, and that is the average right now statewide for our metro offices that accept appointments. We are at a ten-day average right now to get in. In addition to the point that you just made, if the vehicle was purchased from a Nevada dealership—so it has that Nevada dealership temporary placard on it—all those vehicles are eligible to do their registration online through the EDRS paper they are given at the dealership without a visit to the DMV. Sometimes you will still see those plates on the vehicles, and it may be expired, but it could be that they have already registered online, but they are waiting for their plates to come in the mail. If it is grossly expired, then that may indicate a problem. We occasionally see where individuals will use that up to the end of that 30 days they have on

that placard, and then they are still waiting for their plates in their mail, which can take an additional seven to ten days. There is occasionally a window where you will see it is expired, but they are registered and waiting for their products in the mail.

Senator Daly:

I understand. I am assuming this is fairly new because the last time I had to do a new registration, I had to go in. There might have been other factors on title change and other things that caused having to go in. I tried to set up the appointment, and it did not work out. The second question related to that, and these are all Northern Nevada-related questions—you could do walk-ins, and then there was walk-ins only at certain times, and then walk-ins were canceled, and now they have walk-ins again on Saturdays. It is not very well advertised. People do not know. I think part of the frustration—and then the timing that you have to make an appointment, have you been able to adjust the number of cancellations? What is the cancellation rate? Someone makes an appointment, and then they do not show up, and when those appointments do not show up, how are you guys then creating space or trying to take advantage of, hey, that one canceled? Do you call somebody? Do you send emails? Do you say, “We are going to open up walk-ins?” Because when you had cancellations as high as 40 percent, then you had people sitting at their stations because you turned everybody away—no walk-ins; we are full—and then it turns out you were only 60 percent full and not 100.

Ms. Laney:

You are the best at being advertisers for our Agency and all the great things that are going on. We are currently, with our appointment system, only about seven days out in Northern Nevada. Ten days is the statewide average between all the offices that take appointments. In Northern Nevada, you can find an appointment as soon as this afternoon on occasion because, with our new appointment system that we started with WaitWell, you get indications throughout your journey as the customer via text. If you cannot keep your appointment, you can cancel via link through the text messages that are coming to you, and that frees up that appointment immediately for somebody else in the community to pick up.

Back to your original comment that we are seeing about a 40 percent no-show rate. That is accurate, and that is probably on the low end from what we are seeing. In the South, we are seeing closer to a 50 to 60 percent no-show rate, depending on the day. Currently, we still have Walk-In Wednesdays giving the customers the ability—if they cannot wait seven days for an appointment, then they have the ability to walk in on a Wednesday. We are seeing the crowds waiting outside of the office on Walk-In Wednesdays get less because we believe the appointments are available much sooner. That new appointment system does two things. It sends you a link to confirm your appointment, so the customer is saying, “Yep, I did intend to make it. That is the day and time. That is the office. That is where I want to go.” It is reminding you ahead of time before your appointment, and then it is providing a link for you to be able to cancel that appointment if you do not want to keep it so that somebody else can pick it up. If you go to our website, you will see that WaitWell is implemented in Reno right now, which is the first office that is accepting appointments. Starting around April 6th, we start the rollout with the rest of our offices statewide, and we will be complete with the rollout of our offices by the end of April. All of the offices will be on the same appointment system, and we anticipate to see the exact same return on our investment through that system that we see in Reno, giving more constituents the same ability we have in Reno to manage their appointments in that manner, and notice the rest of the public there are appointments available if those customers cannot keep them. We are very excited that system has worked the way we intended it to, and that it is providing a

benefit to the community and to our staff, so they can manage the flow better in the offices and have customers at their windows continuously versus sitting there calling an appointment that never intends to show up at their window.

Mr. Sever:

I think it is important to point out, of course we want people to go online, and I think the majority of people that come in to our offices can do their business online, and we have not fully implemented our transformation yet. One important fact to point out is when people renew on the kiosk or online, they have to wait through the mail to get their registration, their plates. But once they register, they are live at that point. If you are waiting until the last minute, we have kiosks in Reno, Las Vegas, also kiosks in grocery stores. Those are great registration options, and trying to encourage people to think online first.

Senator Daly:

Thank you for the update. Those are the things I have heard from people and experienced myself. Last time, I had to go to DMV on a Saturday and got there an hour and a half before you opened, and I was like the 200th person in line, wrapped around the building in Reno; if you have been there and seen it. But we got in, and it went relatively quickly, all things considered. I tend to use the kiosks. They work very well. I will advocate for those as well.

Vice Chair Watts:

One of the questions I had is around the in-person drive test. You shared information about opening it up to third-party providers to help provide a little bit of a release valve. As far as folks that are choosing to come and take those tests in offices, how are the wait times looking for that? Because I know that was an issue in the past.

Ms. Laney:

We can get that information to you, Vice Chair. Last time I looked, we are about 60 days out on average for those in-person drive test requests in our metro offices.

Vice Chair Watts:

It would be great to see how those trends are looking over the last little bit of time. It is great to see that we have decreases in our staff vacancies in many of the positions across the Division. To me, that shows the improvements we made for pay and benefits during the last session are working. I saw there are still high vacancy rates among technicians, and also the salaries are low. I know we try not to turn this into the budget committee, but I look forward to seeing the Department submit something to help get technician pay to be competitive and attractive, and I look forward to seeing the Governor include it in his next recommended budget.

Ms. Laney:

Thank you for that comment. Absolutely. We intend, as an Agency, to work on that with our leadership. Our staff are our most important assets. First, we would like to say thank you for everything that occurred last session to give our employees a little bit of the benefits back that we have seen lost throughout the years. We think the Governor's executive order that puts a moratorium on the minimum qualifications to be able to get staff in at the higher rates—because you touch on our technicians. One, that is en masse; the majority of the positions we have at the DMV are our front counter staff that are face-to-face, the face of

the Agency that most of our constituents come in contact with when they visit our offices. Without them and that continuing expertise, the turnover in those positions—because other State agencies love DMV staff because they are trained very well—they are great stewards of public servitude and customer service. But we need to submit additional recommendations to get those staff more equitable with what we see in the State. There is a classification study being done, and we are anxiously awaiting our turn to meet with the consultants to let them know what our staff are doing work duty-wise that compares with other positions in the State to create that equity, so we do not, at a minimum, lose our staff to other State agencies for the same positions they are competing in our Agency for higher pay. That is something we are looking at. But again, we thank this Body and the Governor's office a million times over for the benefits we saw last session because we think that helped a lot with the turnover. We are not having an issue recruiting at this point in time. We are getting the positions filled, but depending on the day of the week that you ask for the numbers, we could have a higher vacancy rate because we do, in turn, lose those positions elsewhere in the State for higher pay. But it is something that we are keeping an eye on, and we are very appreciative of everything that has been done to date.

Chair Harris:

I have a couple more questions for you. Do we see a future where folks will be able to register online after a private sale, or is that coming at some point?

Ms. Laney:

Yes, absolutely. That is going to be our first initiative that is going to be the most public facing and visually available transaction for the Agency. The Coronavirus Pandemic of 2019 (COVID-19) taught us a lot of things, and one of those was that the biggest roadblock for customers accessing the DMV is if they had a private party vehicle sale, because either they purchased it out of state or they purchased it from their neighbor, but because it was not from a Nevada dealership, we did not have that information readily available to us. Those are the customers that needed our services the most during COVID. That is the first priority of the transactions we are rolling out with our DTE.

Ms. Lennon:

Our first release in July will be new registration, and immediately following by the end of the year is that private party title availability. They go hand in hand. The title and registration are required for those private party transitions, so those are our two most visible and will be our most highly used transactions, which is why we are starting with those releases. We are piloting the new registration that is releasing in July with our Sahara and Elko offices. We will be looking to expand that to as many offices as possible as quickly as we can, knowing how feasible that is as we learn from the release.

Chair Harris:

Let us keep pushing. Do we ever see a future where you can register the vehicle simultaneously with the purchase?

Ms. Laney:

Yes. Through our current EDRS process, that is available now if you purchase from the Nevada dealership. As long as the lien holder has already been identified, because that information is needed to perfect the title and to be able to offer the registration online, you are provided an EDRS. That gives you a link today to register that vehicle online. If you are

purchasing the vehicle and paying cash, or maybe you had pre-approved funding and that lien holder is available to you immediately, then essentially you can go home that day and register your vehicle through our EDRS transaction. We are going to continue to enhance on that program, but that is an option available today in certain situations.

Chair Harris:

I recently purchased a vehicle in February, but it took about a week and a half to get that EDRS form from the dealership, even though I already had the lien holder identified. I do not know why the dealership was taking so long to get me the paperwork if they are supposed to be able to do it instantaneously, but that was not happening quite yet with the particular dealer that I purchased from. But, good to know that is a goal and still coming and is physically possible, but maybe not happening. I believe Senator Krasner had questions.

Senator Krasner:

The SR-22 form, which is lapse in insurance coverage—twice now, I have had experiences where I have heard of, one, we were at the DMV, and there was a senior citizen woman at the kiosk next to us dealing with the employees, and we overheard her because she was crying and talking about how she did not get the letter, and her insurance had lapsed, and even though it had only been a couple of days, it was a \$250 fine. When she called down to the DMV, they said, “You cannot even drive your car here to take care of it because the police will pull you over, and they will take your license plates, and they will impound your vehicle, and it is against the law.” So she said, “Well, how am I going to get there?” And they said, “You will have to take a bus or get a ride from a friend.” And then they told her, “Go online and make an appointment.” I guess it was before the Saturday walk ins. This woman was in tears. She also said there was a large fee. It was only a few days, but it was a \$250 fee, plus reinstatement fees, plus this fee and that fee. She was very distraught. That was the first example. Then, more recently, a college student, a young man, the same thing happened. He missed the letter, and it was only 24 hours, but it was going to be a \$250 fee, whether it is 24 hours or 30 days. He did not have the money, and he was considering committing suicide because it was such a mess. He did not know what to do, and appointments were two weeks out, and there are all these fees and penalties and “You cannot even drive your car down here.” I am wondering if there might be a better way. It has been twice now, I have overheard horror stories. Why is it the same penalty for 24 hours or 48 hours as it is for 30 days? Maybe we could graduate that penalty, like if it is 48 hours, you get zero penalty, but then after that, it is \$250 or—I do not know. I am wondering if you have any thoughts on how we can help as lawmakers.

Ms. Laney:

Per the current statute, the 1- to 30-day lapse of insurance is one fee structure, which is \$250, and then on the 31st day through the 60th day, it is the second tier. Those tiers are outlined in current statute. The customers have an option in regard to exceptions to those rules. We hear from customers all the time that maybe they were in the hospital, or they are a student that is out of state, and they did not receive notice, and the vehicle is at home and is not being driven because they are in the hospital or out of state. We have an affidavit of non-operation that those customers can fill out that waive that fee. We have a whole list of hardship exceptions that our staff look at for making sure the customer really does owe that fee. There are exceptions to the rule, but as far as the fee structure, that is clearly outlined in statute, currently, for the insurance verification program that was passed by the Legislature several years ago. But where we can, we do take those situations on a

case-by-case basis. One of the things that we know we are lacking in currently, that we are expanding on through our DTE, is having our constituents be able to have better access to speak to a DMV employee one-on-one in regard to these situations. Currently, we have a phone room team of six individuals that take the calls for the entire State of Nevada when it comes to DMV business. As you can imagine, that is not sufficient for what we see for customers that need to access information with us. We have taken steps to increase that accessibility to this point. We have a chatbot in place that is learning. As our customers submit questions to it, it grows as the database grows with the questions and the answers. We have a contact center model that kicked off their project at the beginning of this week. That is a sub-project to our main DTE to get a contact center set up to allow customers to be able to access us by phone, by chat, to have web calls where they could talk—like we are talking to you now in the South—to get answers to those questions. As far as communication, we know that is something we need to get better at, to hear those stories from customers and give them options, if possible, to have an exemption to waive those fees if it meets the criteria that is currently outlined in statute.

As far as if we have revisited what the fee structure would look like—that bill was passed in the Legislature several years ago. It was not one DMV brought forward. It was brought forward by the Legislative Body, and if there are language changes or additional things that could be done there—I know we have heard rumblings of that in the past, and we are always happy to work with legislators if they have questions or they believe a change needs to be done to that structure. I hope that answers your question.

Ms. Lennon:

One of the things we are doing in modernizing with our Motor Vehicle Solutions, NVIVS—the insurance verification solution—we are moving to modernize and give us the ability to better support our customers. Motor Vehicle Solutions acts as a direct liaison with our insurance company and adds an additional layer of support for our customers to try to resolve those lapses before they even have to go into the DMV. We are hopeful there will be even more ways for us to modernize and further support the customers to avoid missing notices, to avoid not being able to get through in time to take care of those issues. A lot of great functionality will come from modernizing with this new vendor partner.

Chair Harris:

Senator Krasner, I think I am hearing a couple of things. Hopefully, one, in the future, there will be no requirement that folks have to go in person to update their registration or their insurance when it lapses. Hopefully, we can limit occurrences where folks feel like they must take the bus because their registration is lapsed one day or two. I also want to invite you to submit a recommendation for the Committee to consider if you would like to look at legislation that either adjusts those fees or creates better guidelines for when those hardship exemptions should be put into place. It sounds like that might have to be a legislative solution. If that is something you would like to bring forward, please do.

Mr. Sever:

I am happy to help out your constituents as well with these one-off cases. Legislators send me cases all the time that are hardship cases like this, and I am happy to work with you on them.

Assemblywoman Gallant:

I am happy that you brought this up because I think we are seeing something that is not one-off. It recently happened to me where my insurance company decided to drop us, and I am still waiting for a letter letting me know they have canceled our car insurance. The only reason why I happen to know is because it did not charge my credit card. I caught it a week later, so I had a week lapse. I am now stuck with four fees of \$1,000 for four cars. The insurance company decided to drop us because my mom had three claims on our insurance last year. I think maybe this Body needs to go ahead and take a look at the burden that needs to be on the insurance companies to notify. I was told I was sent one letter several months prior, but no confirmation on whether I actually received it—obviously not. I think the severity of the lack of responsibility from the insurance companies in trying to contact their customers probably should be taken care of or looked at when you were taking a look at this automatic suspension of registration because the insurance company was quick to let DMV know, but not quick to let me know. Maybe that is something we can look at, Senator Krasner, in terms of legislation and making sure we are protecting our customers.

Question—I have been in conversation with Mr. Sever about this. It turns out in 2026, the City of Henderson is no longer going to have a DMV in our city limits. It is moving 10 to 15 miles away from us, depending on where you live in Henderson. It will be over on the west side of 215. I understand we are going to have this amazing online portal that we are going to be able to access, and I have to give kudos that you are using Salesforce because that is an excellent company when it comes to software. We have a lot of constituents that are not computer savvy, and my mom being one of them—she is 81. What are you going to do? We have a huge age-restricted community, 55-plus community, throughout Las Vegas and Henderson. It is going to be a big trek for them to be able to drive over to Silverado Ranch area, and it is going to be even a heavier lift for them to be able to use the computer. Maybe if the DMV is open to working with community partners to allow the ability to utilize the online portal, but with guidance from community partners, so those who are uncomfortable with the computer system or even have language barriers or maybe do not have scanners or a desktop could be able to drive a few miles from their home to utilize the fantastic services that DMV will be presenting online.

Ms. Laney:

I am happy to announce that we have partnered with AAA. You may be familiar that we do DMV transactions with them over the counter in different areas in Las Vegas and in an office in Sparks, Nevada. They are going to be opening up services over the counter at the AAA in Henderson. We have that option as one community partner. We have been actively engaging with Document Preparation Services, otherwise known as Registration Services, for several years because today they currently hand walk-in paper documents to our offices for staff to complete over the counter. We have been encouraging them and trying to push them along to let them know we have been very transparent that our online world is coming, this is what our customers have asked for, and we encourage them to get involved in adapting their business model to be able to assist those customers. There is nothing that restricts them from doing transactions online for a customer today. We have looked at integrating our software, not a separate portal, but a box that can essentially be checked to let the Agency know that somebody else is completing that transaction on behalf of another customer, so if there are later complaints about the transaction not being done appropriately or they did not do the transaction, we would have a mechanism to track those types of transactions. But yes, we have been taking that into consideration.

With the contact center I mentioned earlier, we will have, for the ones that can use the technology with the assistance of family or a neighbor—even though we cannot deal with somebody on their behalf electronically for some of those transactions, if we could, at a minimum, have somebody assist them, we could still talk like we are talking today if they have a neighbor or family member that could help them out. But yes, we are looking at the community partnerships as well, particularly in the Henderson area. We have heard from that community the concern that office is shutting down. We have had many questions as to why, and a very quick question [answer] as to why that is—we are legislatively kept under a cap for our operations, and we simply cannot afford to have the new facility in addition to the Henderson facility; we have outgrown the Henderson facility. We cannot split our staff and put half in the new building and leave half in Henderson because we do not have the staffing to fill the new facility and use it for its intended purposes. But yes, we are looking at community partners where we can to help with those transactions and taking that into consideration throughout our transformation as we go through it.

Assemblywoman Gallant:

In terms of AAA, what kind of services do they provide currently? What types of services are they going to be able to provide once the new system is in place? Why is it just AAA? Why has it not been extended to Allstate, State Farm, Geico, and all the other insurance companies as well?

Ms. Laney:

We had a provision in statute several years ago that allowed us to partner with AAA because our missions aligned as far as road safety. We have been approached by other insurance companies that have stated they would like to support the same model. We have seen that a lot of those insurance companies serve a dual purpose as an insurance company and Registration Services, so they end up getting licensed through the Secretary of State's Office as a document preparation service that can help with DMV transactions as well. There is an outlet for those that have been interested to assist the community through that means. As far as the transactions that are available today through AAA, I do not have an exhaustive list. I can get that to you. We list it on our website as well, but it is the majority of our registration and titling transactions that we offer at the DMV that we would consider standard, so no special circumstances as far as a probate case, an estate, a transfer on death, or something like that. But if it is your standard across the board, title and registration, then AAA is able to assist with those transactions. For obvious reasons, when it comes to identity and driver's license and ID credentialing, that is still only done at the DMV because of the nature of those transactions and us verifying the breeder documents, which would be passports, birth certificates, social security cards, all the other requirements to be able to establish identity. We house that within the Agency.

Assemblywoman Gallant:

Is that going to be able to be done online with the new software?

Ms. Laney:

Yes, we are expanding our services in all of our categories where we can online. And yes, part of that does include bringing on tooling that can do identity verification for us. For example, you would submit your documents or your information, and we work with a software-type platform that can verify those identity documents are valid. We are looking at that as we expand our transactions as well. As we expand our online availability, we will look at expanding our partnerships with AAA and our kiosk transactions as well. We are not

there yet, but it is something that, as we expand and it becomes easier for our partners to be able to manage that, where they do not have to have the full breadth of knowledge that a technician needs to have at DMV now where they are going through four months of training and then six months on a window to get comfortable with the basic transaction—it is a balancing act. We have to make sure that we are being responsible, that we have the right people performing those transactions, so we do not have fraud or a high error rate that is taking our resources somewhere else to get those transactions done. It is absolutely something we are looking at expanding. We have already had conversations with AAA. They are interested in expanding their service offerings to the community as well.

Assemblywoman Gallant:

But not ID, correct?

Ms. Laney:

At this point in time, we have not had the conversation with expanding our partnerships in the ID realm, but it is a focus of our DTE to move more of that availability online and to use the tools to do some of the document verification.

Assemblywoman Gallant:

Once you reach a certain age, you have to have your driver's license renewed every four years. I have a huge constituent base here in Henderson that, if we are not allowed to do it online or have assistance close by to home, we are now going to have people driving 10 to 15 miles to get their driver's license every four years rather than every eight, which seems like a high burden, considering we have moved DMV outside of Henderson. I hope we can explore that further, so we can provide more accessibility to our elderly constituents.

Ms. Laney:

We collect something from our customers now called a CPR; it is a physician's certification that the individual has the medical ability to continue to drive safely. Part of the check now when those customers come into our office is a visual inspection of the customer. Are they speaking clearly? Did they walk to the window ok? Because a lot of times, our staff will be the front line that catch a medical condition or something that is going on with the older population that, if they do not have family around or other people they interact with, they are not catching. Part of the reason for having that interaction with the customer is to be able to make sure they are safe to operate a vehicle on the roadways. But I will tell you, we are looking at expanding that partnership where we could receive the physician's report of that customer having a safe ability to drive that they can get done at their closest doctor's appointment before their driver's license is due to expire and being able to accept that documentation electronically, avoiding that visit to the DMV office.

Ms. Lennon:

One of the things we will be doing, as we move closer to lifting our credentialing product online, is public outreach campaigns. That is going to include asking our customer base of all walks to participate, give feedback, at different stages in our software development life cycle. I would encourage any of you who have constituents who are concerned either about learning how to use online process or have very specific concerns like what you have outlined, to please reach out to us. We would love to take note of individuals that are willing to participate, and also those concerns so we can specifically focus on those when we do our public outreach, focus groups, et cetera.

Senator Krasner:

A question came up after Assemblywoman Gallant spoke to you. You said if somebody who is over a certain age comes into the DMV, the person behind the kiosk sees something like the way they are talking or walking, they could not reissue their license. Are the people behind the kiosk trained medical professionals? Are they doctors and nurses? I can see if they do not pass the eye test, but just based on their non-medical view, they could not reissue someone's license because of their age. Did I understand that correctly?

Ms. Laney:

You are correct. There is a place on the application for customers to let us know if they have an existing medical condition. If the customer in front of us is exhibiting signs that there is confusion going on, and we have caught, on occasion, where customers are sitting in front of you and cannot remember their name, for example. If something like that occurs, our staff are mandatory reporters. They have the right to be able to request a letter from a physician stating that individual is safe to operate a vehicle on Nevada roadways.

Senator Krasner:

That is pretty random, seeing as how they are not health care professionals. They can make that judgment and then immediately suspend and not reinstate someone's license based on their age, which sounds like age discrimination, which is a violation of federal law. And then the person has to go get a doctor's letter to say that the non-health care professional at the DMV is wrong? They cannot drive, then how are they going to get to the doctor? The only way they can overcome the non-health care professional behind the DMV kiosk's judgment upon them is to go get a letter from their doctor. That is the only way they can refute that false claim, is that correct?

Ms. Laney:

They can provide a letter from their physician, and also our drive examiners have the ability to retest them to make sure they can operate that vehicle safely. Not only do our DMV technicians have that availability but also our local law enforcement. If local law enforcement has an engagement with a customer roadside, and they have reason to believe there is something going on that deems them an unsafe driver, either because they visually saw the vehicle swerving on the road, and there is no reason to believe that they are under the influence of anything, but there might be a medical condition going on, they also have the right to request a physician's report on that driver. It is our staff and law enforcement that could have those interactions, and then we also have mandatory reporting from physicians. If a constituent has a seizure that occurs, then that is something that has to go through reevaluation to make sure they can safely operate that vehicle and they are not at risk of having one in the middle of driving as well. There are different situations that occur that tie in law enforcement and the Agency to either retest their driving ability with the driving exam or with that confidential physician's report to make sure they can safely operate a vehicle.

Senator Krasner:

I can understand law enforcement. They see somebody swerving, they pull them over—law enforcement are trained professionals to see these things. But is there any training of the non-health care professionals at the DMV behind the kiosk that are given the right to not give somebody their license based on zero medical knowledge? What kind of training do they have? What exactly are the flags? I know you said if they cannot remember their

name. What are the other flags? I am ok with the eye test, but this sort of random, "You are not speaking clearly today, so I am so sorry, we are not able to give you your license reinstatement. And, oh, by the way, you are over a certain age." Maybe you can explain that to me. What is their training, and what exactly are the other factors, not including these items?

Ms. Laney:

Our drive examiners are trained through the American Association of Motor Vehicle Administrators, and we have a standard which—all jurisdictions in the United States are members of this organization, and they have expanded training on making sure our drivers are safe on the roadways. We follow the standards through that organization, and they have the expanded training on that for the customers where it is identified at the DMV, not through law enforcement or a report through a physician about a seizure disorder or something of that nature. Other items that our staff—a better example, other than slurred speech or somebody not remembering their name, would be a customer that came in that maybe had an accident, and they are now missing a limb. There are special provisions that need to be on your driver's license to state that you can safely operate a vehicle with adaptive equipment, if that is what it takes to operate the vehicle. There are different situations such as that that occur, the customer might not have—maybe it is their first visit to the DMV since they have been in an accident and incurred the loss of that limb, or they had a medical condition that came up in the interim. Your first thing you think about is not going to the DMV to have something put on your driver's license to make sure your interaction with medical personnel or law enforcement roadside tells them that you have a condition or something of that nature that has occurred, or to let the DMV know because you need to have a restriction placed on your driver's license for daytime driving only if there is a visual issue, nighttime hours, stuff like that. Our staff are the front line to catch those issues as they occur because the next time they see that customer is typically when they come in for renewal. We can get you numbers on what we see as far as staff having those interactions with customers. It is not high. The situations that we see, it avoided somebody that possibly had a stroke the night before that did not know they had a medical condition, but that technician, looking out for that individual's welfare, knowing there is something off with them, and they have not disclosed something on the application, they are required to report that so that individual does not get into their vehicle and cause an accident on the roadways because they themselves do not even realize that something has occurred. It does not happen frequently, but it is something that our staff are responsible for being aware of. We have the expanded training with our drive examiners to test their ability to make sure they could safely operate that vehicle on the roadways.

Senator Krasner:

Your DMV personnel—is this people of all ages they can do this to, or people of a certain age?

Ms. Laney:

It is every single customer that sits in front of us at the DMV, regardless of age.

Assemblywoman Gallant:

This has added a whole other question about this non-health care person—and I understand there is training. I am curious, is it ongoing, or do they go through it once? My second question is, if they deem somebody who showed up to the DMV as unable or concerned about being safe on the road, what is the process for them once they are stuck at

DMV and now not allowed to drive? How would a person handle that situation, or how does the DMV handle that situation? It seems like there is no due process, and we do not have a trained health care professional doing this, and now this person is stranded at the DMV.

Ms. Laney:

We are going to get together information for the Committee, so you have our process and what our staff look for in the checklist they follow in regard to these situations, so you have the information readily available on how these situations are handled.

Assemblywoman Gallant:

Is the training ongoing, or is it just one time?

Ms. Laney:

It is ongoing.

Chair Harris:

Committee Members, do we have any additional questions for the DMV while we have them? Not seeing any. Thank you all so much for hanging in there and answering all our questions. Sounds like you are up to great things. We look forward to seeing the DMV of the future here shortly.

AGENDA ITEM V—PRESENTATION BY THE NEVADA ADVISORY COMMITTEE ON TRAFFIC SAFETY ON ITS ANNUAL REPORT

Chair Harris:

We will move on to the next item on our agenda, which is a presentation by the Nevada Advisory Committee on Traffic Safety (NVACTS). They will be discussing their annual report, and hopefully, if I know Ms. Davey, recommendations for us.

Andrew Bennett, Director and Chair, NVACTS, Nevada Association of Counties/Clark County Office of Traffic Safety (OTS):

Good morning. The NVACTS is committed to enhancing the safety and wellbeing of our communities across Nevada by improving traffic safety. In the brief time we have together today, it would be impossible to comprehensively paint the full picture of traffic safety challenges and the solutions in Nevada. The complexity of the issue intertwined with the diverse experiences of our communities defies a simple summarization. However, it is our goal to provide you with an overview of the current landscape of road safety in our State. We aim to highlight the most pressing concerns, underscore the human impact of traffic fatalities, and outline actionable steps that we can pave a way for a safer Nevada. Today is just the beginning. We are not here to offer a onetime presentation, but to initiate and continue an ongoing dialogue. Traffic safety is not a static issue. It evolves with our roads, technologies, and our communities. The NVACTS is committed to being a continuous resource for each and every one of you. We are here to provide data, insights, and support for you all as you make the critical decisions that shape the future of transportation safety in our State. Today, I have the privilege to be joined by two of my incredible colleagues. Amy Davey is the Highway Safety Director for Nevada OTS and the immediate past Chair of NVACTS, and Sean Sever from DMV, who is currently the Vice Chair of NVACTS. I will pass it over to my colleagues in the North for the presentation.

Amy Davey, Highway Safety Director, OTS, Department of Public Safety (DPS):

Nevada has had a State Traffic Safety Committee since 2005. In 2021, the Advisory Committee was defined in statute. The role of the Advisory Committee is to review, study, and make recommendations regarding evidence-based practices for reducing and preventing crashes, review and analyze data on motor vehicle crashes, including factors that cause them and measures to prevent them, and to consider policies intended to reduce or prevent crashes.

Mr. Sever, Previously Identified:

I serve as Vice Chair and DMV's representative on the Advisory Committee. Traffic safety continues to be a huge issue in our State, with fatalities up 31 percent in February over the last year at this time. For example, pedestrian deaths have gone from 11 to 23, and motorcycle fatalities from 4 to 10 in Clark County so far this year. It is an epidemic at this point. We have hundreds of safety partners that work on different emphasis area actions across the State that roll it up into four key areas that all provide input to NVACTS. Our four key areas of emphasis are safer roads, vulnerable road users, safer drivers and passengers, and impaired driving prevention. Our member agencies on the NVACTS include: Nevada's Department of Education; Health and Human Services; DMV; DPS, including OTS and NSP (Nevada State Police); NDOT (Nevada's Department of Transportation); State Legislators are on our Advisory Committee; Administrative Office of the Courts; the Inter-Tribal Council, NACO (National Association of Counties); League of Cities; Nevada Sheriffs' and Chiefs' Association; NSHE (Nevada's System of Higher Education); Carson Area MPO (Metropolitan Planning Organization); the RTCs (Regional Transportation Commissions) in the north and south; and the TRPA (Tahoe Regional Planning Agency). All of us deeply care about the families that have an empty seat at their table at night from a traffic safety fatality. We want to move the needle in our State to prevent more deaths.

The annual report is a summary of our recommendations, including evidence-based practices to reduce or prevent fatalities, data on motor vehicle crashes in our State, and policies intended to reduce or prevent deaths and injuries. We submit it to the Governor and LCB, and we hope it provides legislators tools so you can join us in trying to reduce and prevent fatalities.

Ms. Davey:

I am going to walk through the data and roadway fatality trends in our State. This is the information considered by the Advisory Committee when developing its annual report. I will not have time to go into much detail, but I am happy to follow up with any Members of the Committee to provide data specific to their districts or jurisdictions or to go further into particular issues or areas. We have also recently updated our Equity and Traffic Safety in Nevada fact sheets. I would be happy to provide those as well. The Pandemic marked a notable change in roadway safety and risky driving behavior. This trend has continued, and we are concerned there is now a new norm in Nevada on our roadways. You may have seen that yourself in your communities with speeds, aggressive driving, or a general less of a sense of community for those on the roadways.

The two-year change from 2020 through 2022 reflects a steep increase in traffic fatalities in our communities. This was on top of numbers that were already too high and that we have been working for years to reduce. We also convert our numbers into rates, so we can put them in context with factors like the number of vehicle miles traveled in our State and

population growth. These are two questions that come up frequently when we look at our numbers. You can see within these metrics, our fatality rates have also increased.

Our pedestrian fatalities are high and increasing. Nevada has been designated a pedestrian-focused state by the U.S. Department of Transportation (DOT) and the Federal Highway Administration due to the high proportion of pedestrian roadway fatalities. In January and February of this year, close to 50 percent of our fatalities in those two months are pedestrians, and this represents a significant increase over last year. Pedestrians are what we call “vulnerable road users.” This is a term which includes people who walk or ride bicycles or use other types of micromobility for their transportation. We know there is a transportation and infrastructure equity component for individuals who do not have access to a vehicle or to safe and sufficient roadway facilities or public transportation options. We know in Clark and Washoe Counties, our unhoused populations are at increased risk. National and Nevada statistics bear out that minority and low-income communities are disproportionately represented in crashes. For our student populations, Clark County School District (CCSD) is reporting that 98 students have been struck this school year in school zones. Washoe County is reporting that 64 school-age children have been struck in school zones this school year.

With respect to speeding and the speeds we are seeing on our roadways—since 2020, there has been a marked increase in speeding. I do not mean five or ten miles over the speed limit. I mean speeds double the posted speed limit and speeds in excess of 100 miles per hour, sometimes even on our surface streets or on our community roads, and 100 miles per hour is not a posted speed limit anywhere in Nevada. A review of our data system shows close to 5,000 citations written last year for speeding in excess of 100 miles per hour.

Intersections are dangerous places in Nevada. You can see a high number of fatalities occur at intersections. This can be red light or stop sign running. Sometimes it is what we call “darting,” or drivers who are attempting to turn left with unrestricted oncoming traffic. Vulnerable road users who are crossing at signalized or unsignalized intersections are particularly at risk.

Regarding impaired driving—the numbers on this chart are alcohol impaired driving numbers only. In my office, we have been hand-tracking fatal crash toxicology results for a number of years and find there is substance involvement in 50 to 55 percent of fatal crashes, with polysubstance use growing most quickly. It is a higher component now than alcohol use. Polysubstance would be alcohol in combination with drugs or multdrug use.

Unbelted vehicle occupants represent 40 percent of our vehicle occupant fatalities. If you think about that for a minute, we separate out vehicle occupant fatalities from other things like motorcycle or pedestrian. Forty percent of individuals who were killed in the vehicle are unbelted. This also could include children that are not properly restrained in a car seat or booster seat. You can also see our young drivers we identify between the ages of 15 to 21—these fatality rates have increased steeply in the last number of years as well. This is the data we have brought to you today. And once again, I am happy to provide data for your communities, for your districts. Happy to provide maps. We work closely with our partners to make sure we are bringing forward as much information as we can, so you have the information that you need to make good decisions.

Mr. Bennett:

One of the primary functions of NVACTS is to provide the Legislature and the Governor's Office with a list of priorities intended to reduce and prevent deaths and injuries on Nevada's roadways. This list you see before you is not comprehensive or final. It is an ever-evolving list that addresses possible legislative changes and policies that road owners could adopt today. It is important to note our annual report is over 200 pages long and includes detailed data and further explanation of these policy priorities.

I would like to spend our remaining time going through these policy priorities, as we know there might be several questions on a few of them. I will start by combining the first two, which is road safety cameras, also known as automated traffic enforcement (ATE), and road safety cameras in school zones. The NVACTS recommends eliminating the current NRS that limits local and State agencies' abilities to use road safety cameras. This technology stands out as a critical tool to combat road traffic fatalities and serious injuries. With an evidence-based approach, ATE, including speed cameras, red light cameras, and school bus stop-arm enforcement, has consistently demonstrated its capacity to alter driver behavior, reducing speeds, and decreased red light running—key factors that contribute to severe crashes on our roads. The proof is in the performance. Data and studies across various jurisdictions have showcased the effectiveness of road safety camera systems in enhancing road safety. For instance, the Insurance Institute for Highway Safety (IIHS) reports that cities employing red light cameras have seen a 21 percent reduction in fatalities due to red light cameras. Similarly, speed cameras have led to significant decreases in vehicles exceeding speed limits, contributing to a safer environment for all road users. This is one report out of thousands of pages of resources we can point to, showing the success of road safety cameras.

But—and this is an important but—at the same time, it is vital to learn from the mistakes of others. The journey of ATE implementations in various communities has not been without fault. By examining the pitfalls that others encountered, we can navigate the implementation process more smoothly, ensuring our approach is both effective and publicly acceptable. The key to successful ATE lies in transparent operations. Drawing from the experiences of other regions, we propose a strategic approach that focuses on four key areas. Number one is community engagement, prioritizing dialogue with community members to foster an understanding about and support for ATE initiatives. Number two, and probably most importantly, is transparency—being clear about the objectives of the technology, its operation, and the handling of generated fines; ensuring that safety and not revenue is the primary goal. Three is equitable deployment by placing systems based on traffic safety data to address high-risk areas without disproportionately affecting any single community. Finally, continuous evaluation—regular assessment of the effectiveness of the technology with adjustments made based off data.

Just a brief history—there have been two bills in recent history that have addressed ATE. Last session, there was Assembly Bill 93, which this Committee used one of their BDRs for, which was ATE in school zones. That did not receive a hearing last session. In 2019, the OTS drafted SB 43 in the 2019 Session. That did a fair job in articulating these concerns and building in the safeguards.

Moving on to higher fines in school zones—this was language that we believe NRS needs clarification on. You might be familiar with the signs in the school zones that say that. Currently, that does not exist in NRS. Higher fines in school zones can be applied by judges, but there is not an NRS that addresses it. We are proposing similar legislation to work zones and pedestrian safety zones.

Primary seatbelt law—Nevada continues to experience an alarming number of unrestrained fatalities. Primary seatbelt law is a proven countermeasure that has been implemented by 34 states, the District of Columbia, and four territories—that is for front passengers only—with 17 states, the District of Columbia, and two territories having universal primary seatbelt law for all passengers. What that means is, currently, we have a secondary law in the State of Nevada. If you are pulled over for speeding, you can be cited as well if you are not wearing your seatbelt. Following the lead of those 34 states, the District, and those territories, we believe that is sound policy.

Graduated driver's licensing additions—currently in our State, we have a tiered system. You go through your permit, your restricted driver's license, and then your unrestricted driver's license. We are seeing that teens are currently waiting until they turn 18 to get their license. When that happens, they are no longer going through the driver's education system, the mandatory driving hours, and those safeguards that are in place. Our recommendation is that we at least, at a minimum, move that age to 20, if not for any new drivers. There are sensible solutions currently existing with those minimum hours, with the driver's education experience we believe should be expanded.

With yield to stop, currently Nevada is a yield to pedestrian state instead of a stop for pedestrian state. We have judges across the State of Nevada that, as long as you do not strike the pedestrian, you technically yielded for the pedestrian. As any of us cross our roads, you can understand how dangerous that could be and how uncomfortable for the pedestrians that it can be. We are proposing NRS changes that would simplify and strengthen our pedestrian safety laws to require motorists to stop for pedestrians.

Finally, the last two, which I believe are vital, are not intended for legislative change but are an internal look at road owners, potential policies they could adopt—safe system intersections are designed to minimize and modify conflict points through engineering improvement projects, reduce the speed of vehicles, improve visibility, and provide space and protections for bicyclists and pedestrians. I am proud of the work that has been done by our road owners in this area. These last two were newly adopted in this last annual report. As legislation cannot fix everything, there are things we need to continue to do as road owners.

Finally, appropriate speed limits for all road users. It is almost universally understood in the traffic safety community that speed control is one of the most important methods in reducing fatalities and serious injuries. Our goal is to develop and implement proven safety countermeasures to reduce speed through engineering and infrastructure improvement projects. Those efforts are underway as we speak across our State.

In conclusion, Chair, we all have the opportunity to move forward with a unified vision where our efforts in enhancing road safety echo our commitment to social equity and community wellness. By doing so, we not only honor the lives that have been lost but reaffirm our dedication to creating a Nevada where public safety is a universal reality, social equity is a cornerstone of our policies, and community wellness is the natural outcome of our collective action. Together, we can build a future where these ideas are not viewed as mutually exclusive but as interdependent pillars in the growth and the prosperity of our State. Chair Harris, Vice Chair Watts, Members of the Committee, it has been our privilege to present the work on behalf of all our members of the NVACTS and the hundreds of professionals we have the opportunity to work with every single day. We look forward to answering any questions you might have.

Chair Harris:

There will be a theme if you had not noticed. I want to encourage you all to please submit recommendations if you have not already. If you do not know how to do that, you know how to find me. We will make that happen. Please get your recommendations in for the Committee to consider because this is squarely within the Committee's jurisdiction to bring legislation that will make our roads safer. We want to see those ideas that have been pre-vetted by you all, so we can consider bringing them for the next legislative session. Do Committee Members have questions? We will start with Assemblywoman Brown-May.

Assemblywoman Brown-May:

Thank you, Ms. Davey, Mr. Bennett, and Mr. Sever, for the report. It is sobering, to say the least. I want to go back and look for clarification. You reported this morning that 98 students in Clark County have incidents that have been struck by vehicles, and that is very troubling. One of the things I know Clark County is doing, is approving additional crossing guards. We are talking about suggesting that cameras in school zones would be beneficial. I am curious to know if there is data from other jurisdictions to support the decreases if we employ those as possible solutions. My second question is, with regard to the number of crashes that have grown, are there specific areas in the County that we see higher incidences of these crashes are taking place, or is it widespread?

Ms. Davey:

With respect to your first question on school zone enforcement—and I would like to wrap school bus enforcement into that—there are a number of jurisdictions across the country that use stop-arm cameras as well because this is a particularly vulnerable time for students when the bus is pulled over, the lights are flashing, that stop arm is out, and kids are getting on and off the bus, and somebody pulls out and around the bus. With respect to the use of camera technology in those locations, there is quite a bit of information, and I know the National Conference of State Legislatures (NCSL) is going to talk about trends across the country related to that. There is strong understanding of using this technology. Particularly, when you think about a school zone, somebody who is entering a school zone is doing that repetitively. It is somebody who is bringing their child to school every day, or maybe that is the route to commute to work. In order to get to my job, I had to drive through three school zones. I would do that every day. The cameras are particularly effective in a school zone for a couple of reasons. One, slowing everybody down. Two, you are getting people used to the idea that "I am in a school zone. I have to slow down." It is more than the honor system here because these are people who are in and out of the school zones frequently. They are either commuting through, or they are bringing their children. Your second question was regarding high-crash locations. Yes, we can map high-crash locations. Clark County is doing a pretty good job of mapping at a local level their high-crash locations. They can tell you—and Mr. Bennett can tell you off the top of his head, because I believe he still personally goes to every single fatal crash—where you should not drive or walk in Clark County because there are dangerous corridors. Transportation professionals across the State map data, collect data and understand where those high-crash locations are. That is not a very specific answer, so Mr. Bennett, I do not know if you want to comment on any of the locations in Clark County that you are familiar with.

Mr. Bennett:

To briefly answer the two parts, number one is yes. Recently, the Clark County Board of County Commissioners recently adopted that investment in middle school crossing guards,

which makes us one of the largest jurisdictions to add middle school crossing guards. We followed the data, unfortunately, we saw that the middle schoolers were disproportionately hit, and that solution has already been deployed. Over 60, 70 percent of our crossing guards we recently hired are on the roads today. With that said, we understand that significant investment in infrastructure is also required to ensure we can get students to and from school safely. Not a single piece of policy or legislation is going to fix that; it is going to be a tiered approach, leading with infrastructure, followed up by the safeguards of the crossing guards and the possible technology. Finally, to echo Ms. Davey's point about the mapping, there is plenty of data. We can show you where they are happening. There are efforts underway as we speak about making sure we continue to educate the public and any policymakers of where those crashes are happening, along with the road owners so we can continue to develop those infrastructure investments as well.

Assemblywoman Brown-May:

Thank you for the detail. I look forward to following up with you offline. On behalf of my constituent who emails me regularly relative to middle school safe crossing, I want to say thank you for your efforts there. I miss my bicycle. That is why I am wearing my bicycle pin today because it is not safe to ride throughout Assembly District 42, so whatever efforts we can make to make our roads safer, but equitably. That is also the main concern. I will follow up with you offline.

Chair Harris:

If you all could, at your convenience, provide any of the data you think would be helpful for us as we consider these solutions, please feel free to submit it to the Committee. You can do under this agenda item. I believe it would still be open. That way, Committee Members will have access to all of that backup data.

Senator Daly:

We will get some of that data. It would be interesting to see. I have questions, comments on the ATE through the cameras. I know that has always been a touchy subject and a balance between privacy—did you get the right person? Being able to efface your accuser, all of those types of things that come up with that. I am sure there are statistics that show that. I know they have it in California. How do they do the enforcement, especially in light of the fact there is not a current law in Nevada that requires you to have a front license plate?

Ms. Davey:

There are different models. States and jurisdictions use different models. One of the things that helps in our current environment is the civil citation model, which we proposed when we brought legislation in 2019, that road safety cameras only issue civil citations and they not go against demerit points on a driver's license. What you will see frequently with these systems, is they can do front or rear license plate. It is like a parking ticket if you think about it. If you get a parking ticket, the ticket is on the car. The car infringed, and whoever parked it there may not be the person it is registered to, but somebody has parked it in the wrong place. One of the models we see is not about taking pictures of people. It is not about bringing charges against people. It is about recognizing that the vehicle was traveling at an improper speed or ran a red light, and somebody is responsible for that vehicle. We certainly understand privacy concerns. One of the things that is interesting that has happened in the last ten years is we are on camera frequently on the public roads. You are on dash cams or people's cell phone cams. There are cameras on the sides of buildings. The

RTC uses highway traffic flow cameras. It is not unusual for the public roadways to have some visibility. I do not think it is as unique or unusual as it was when this law was first passed, which I think was in the 1980s. I do not know if my colleagues have anything to add.

Mr. Sever:

What we are proposing is baby steps of a pilot program for cameras on school bus crossing arms. Now when somebody pulls up to a school bus and the lights are on, kids are getting out—if you pass that school bus, you realize you are doing something wrong. It is not like, “Oh, I did not realize I was driving ten miles over the speed limit, or I did this or that.” You know when you pass a school bus you are doing something wrong. That is the idea. We understand there is controversy around cameras, but that might be a baby-steps way of approaching it.

Senator Daly:

The one thing you said about the baby steps is the concern. This worked, that worked, what is the next thing? I have talked to people that say, “Maybe we just need to have the cameras for enforcement.” I realize we have the cameras in a variety of different places, but not for enforcement. We cannot get a ticket for it. Baby steps, you are going to have it. People have said, “Well, let us do it in the school zones, and maybe that makes sense,” and, “Well, let us do it in work zones.” I have heard from people on the other side of that. None of us are going to accept that any fatalities are going to be acceptable. We do not want to go there, and we understand that, but there are tradeoffs on all of this. I can give you an example. There is a stoplight for a right turn. This is an example in California. It happened to my then-father-in-law. He was driving his son's car. It got a picture of him and the license plate, and it sent the son a ticket. When he said, “Hey, it was not me driving. You sent the person the wrong ticket.” They said, “We do not care. It was your car. You are guilty, unless you want to rat out the person that was driving the car, and then maybe we will go after him.” I think that is inherently unfair. You are going to cite the car, when he was driving. I own six vehicles. My father-in-law drives one of them regularly. I am going to have to pay for his tickets now? I do not think that is going to work. You have to refine that a little bit. But I understand people are on there, and we do not want to accept any deaths. I will make this final comment. You watch the race cars on TV. They are going 200 miles per hour, and they get in a wreck and flip and roll and catch on fire, and the guy gets up and walks away. We could make every single car on the street that safe, but it is a cost effectiveness. It is a cost of diminishing returns. It would make every single car \$300,000 in order to make it that safe, so we do not do it. There are inherent risks, and we accept that, and those are the tradeoffs you can have, but there are privacy issues there, “did you get the right person?” issue. I have never been a fan of the enforcement through the cameras, although I will take suggestions and take a good look at the school zone, work zone-type baby steps.

Assemblyman Carter:

I have two questions. It has to start with the recommendation to increase fines in school zones and possibly in work zones. The problem I see with that is, and it was brought up at the end about social equity, I did not hear anything in there about progressive fines or a progressive structure to where, as we know, doubling a citation amount in the bread-and-butter portion of my district, Sunrise Mountain, would have an adversely socioeconomic impact on those residents as opposed to other more affluent neighborhoods.

It is a very regressive structure. Why did we not hear anything about that, or has that even been considered?

Mr. Bennett:

Number one is the report is 200 pages, and there are recommendations in there that go into that. Being limited 10 to 15 minutes, you try to cover the highlights and then fill in the blanks. That is a national structure we are seeing and international structure with progressive fines and the ability to pay, and they are currently in work zones, just to clarify that as well, as well as pedestrian safety zones. The recommendation is to simply look at school zones. There is no legislation proposed currently. There is not a drafted BDR. It is for consideration and conversation, and we understand that we cannot go back to the way of trying to find our way out of everything as well. Integrity is doing the right thing when nobody is looking. As we heard, the school district data is alarming. We believe that through engineering as well as through enforcement and adjudication, we need to address the concerning data around school zones.

Ms. Davey:

I also want to reaffirm something that Mr. Bennett said, which is the Advisory Committee does not have a BDR. The Advisory Committee is not bringing legislation forward. We are making recommendations, and that would certainly be within the scope of recommendations when you start talking about the details of how a program might work. I think one thing to consider is right now, there is a prohibition, so a local jurisdiction would not have any leeway to consider any type of road safety enforcement using cameras. If there was an approach to do this, it is important that you do not remove the prohibition; you create standards for the program so anybody who is going to—again, this is a local jurisdiction issue, and it has to be based on data. It cannot be based on revenue collection or anything else. We have a school district where we need to slow people down. It has to be based on data. You do not just repeal the prohibition; you say there must be x, y, z—a study that shows it reaches this threshold before a local jurisdiction can consider implementation. We are not coming forward with a fully-fledged program. I worked closely with LCB in 2019. This was out of a National Transportation Safety Board recommendation to the State, and it came from a Washoe County Commissioner who contacted the Governor's Office and asked why the local jurisdictions were being prohibited from considering a technology that could make their community roads safer? They had no leeway whatsoever. We can go back and pull up SB 43, which addresses some of these issues if you want to see the work that we did back with LCB a few years ago.

Assemblyman Carter:

We are hearing about safety, and something that I heard my whole life growing up here in Vegas is when are we going to move away—and I know you are not law enforcement, but it gets wrapped in—when are we going to move towards what this Advisory Committee is really talking about, safety, away from hide and seek and where it appears that the school zone enforcement and work zone safeties are based around punishment and revenue. We all see it. The minute the first person gets pulled over in a school zone, everybody slows down. But still, we do not have traffic safety officers in high-visible clothing, in high-visible vehicles. There is still the standard operating procedure. Is somebody around the corner taking radars? Why are we not working towards trying to make it highly visible? Not only to truly make it about safety, but also to help protect our traffic safety officers. We had a horrible accident up on I-15 where the construction workers are required to wear high-visibility clothes, and their vehicles are required to have high-visibility placards on

them, but our law enforcement are still in urban camouflage. Is that addressed at all? Has it been talked about?

Mr. Bennett:

To keep it brief, no, uniform design has not come up at NVACTS. Law enforcement is represented through the Association of Sheriffs and Chiefs, as well as DPS. Lieutenant Colonel is on there. Not to spin the answer, but we are even trying to get away from enforcement as much as we can because the primary focus is the built environment and the infrastructure. We are still 30 to 50 years away, possibly, from that historic change that—the investment was made through the bipartisan infrastructure law. That money is coming directly to the communities. We have the opportunity to enact those engineering changes—and we are—but to give you the brief answer, no, that did not come up.

Ms. Davey:

With respect to high-visibility enforcement, that is a term that is promoted and commonly used through the Highway Safety Office grant program, through the National Highway Traffic Safety Administration (NHTSA). We call it HVE, high visibility enforcement. We have a network across the State of law enforcement agencies that participate in high-visibility enforcement, and the whole purpose there is that educational component. They are required to put out a news release in advance of any enforcement activity. You have probably seen those. I saw one this morning. Sparks Police Department will be enforcing speed limits over the next two weeks. Then, they join up with other jurisdictions to be visible, to have that calming effect, with the idea of not hiding and writing tickets, but letting people know we are here for public safety. We want you to know we are here.

Chair Harris:

Assemblyman Carter, if you are interested in having the Committee consider something around high-visibility enforcement, please feel free to submit that recommendation. If you cannot figure out how to do that, let me know, and I will get that information to you. Any additional questions?

Vice Chair Watts:

I appreciate the description of the approach and methodology moving from infrastructure and looking at these various things. I also appreciate you bringing up the equity concerns and learning from the lessons in other places if we were to look at, for example, ATE. As I know you are aware, the Fines and Fees Justice Center (FFJC) is going to be on the agenda presenting their thoughts and findings since you are up first. I wanted to ask you that, if you have not already, are you committed to working with them and others on the front end? I understand we are the lawmakers and legislators. One of the things that has come to the forefront already is that you need community engagement, not only in the implementation of something, but even in figuring out what those guardrails should look like if a policy were to be passed to explore a pilot program. I want to ask any of the representatives if you have reviewed those, and if you are committed to working with particularly that organization as well as other community members to try and iron out those potential concerns before bringing forward potential policy.

Mr. Bennett:

Yes, absolutely.

Ms. Davey:

Yes, absolutely. I had an opportunity to reconnect with Ms. Moseley Sayles this morning and Mr. Shepack. We have done work previously, and we quickly agreed there is a lot of effort that needs to go into improving our communities and access to safe transportation. I believe that we can have productive dialogue.

Vice Chair Watts:

That is great. I know it is a large body that is already considering these things, but we know there are even more voices that should be part of those conversations as well.

Ms. Davey:

I want to mention one more thing. My Office is engaging right now with NDOT, and we are working with the Nevada Minority Health and Equity Coalition to stand up community-based projects around getting feedback from communities on their safety issues. We want to hear directly from them. We, at the State level, know that community engagement may not be our strong suit. We are looking for those local partners we can work with to get that feedback that gives us important information on interventions that makes sense to that community, whether it is better lighting, or a crosswalk, or more enforcement. I attended a community event last week up here in the North with the community that lost a nine-year-old girl trying to cross the street. They were wanting to have dialogue about all kinds of interventions. I want to let you know at the State level, we understand that sometimes we do not touch and get to every jurisdiction, but we are committed to trying to get better at that. I do not know if I am allowed to say that, but we have a \$2 million program that we are going to implement through the Nevada Minority Health and Equity Coalition, hopefully, to do exactly that, to have that feedback.

Vice Chair Watts:

That is great. That leads right to my next question. You provided excellent, clear data on the impacts of not wearing a seatbelt and being unrestrained in leading to fatality, certainly grave injury. I think historically, there has been a lot of concern about a primary seatbelt law, and how the enforcement of that could potentially have equity impact. I agree that we need to take action on these things. I think that is clearly backed up by data, that we need to address that. At the same time, concerns about, is that being used as a pretense for a stop? Concerns about equity—I second what my colleague, Assemblyman Carter, was saying about—I think the biggest thing is there is visibility, and that people are pulled over and cited and not that that penalty becomes a significant economic burden on folks. Is that also something that you would be looking at to learn from other places and potentially pioneer in looking at an equitable approach to a primary seatbelt law?

Ms. Davey:

I am going to use Utah as an example. They passed a primary seatbelt law, I want to say it was four years ago. They did it through a phased in or what they called a pilot project. In the first two years of that primary seatbelt law, law enforcement could only provide education. They could engage somebody who was not wearing their seatbelt, but they could only provide education. They could provide them with a pamphlet. They could talk to them about the importance of wearing a seatbelt. I think they had a two-year lead-in period where the focus was on incentivizing and educating people to wear that seatbelt for their own safety. That law had a sunset on it. It was a two-year primary seatbelt law with the sunset, and they were required to do a lot of data collection pre and post. When they came

back after two years, the Legislature affirmed that not only had they done a very good job with educating the public about better seatbelt use and compliance, but they felt the timing was then right, and people understood it was a policy going forward. We conduct regular surveys of our citizens across the State. The most recent one showed that because of the large influx, we have a lot of new residents from other states, and Nevada is one of a few states left that does not have a primary seatbelt law—most people think we have one. It is interesting when we do these surveys, most people will say, "I never thought about it. I thought I am supposed to wear my seatbelt." I 100 percent agree with you on enforcing things that have positive benefit for society versus... I am going to leave that there. Sometimes we create a policy just to say it is the right thing to do, and it does not have to be all about, it should not be all about the cops. I think we have a law that says you cannot smoke cigarettes within 25 feet of a building. I do not know anyone that has ever gotten a ticket for smoking cigarettes. Sometimes I think we set policy because as a society that cares about people, we want to say this is the right thing to do. That is probably naive.

Mr. Bennett:

The intent of the Advisory Committee moving forward—we will have one more report before the next legislative session. I cannot speak for the Advisory Committee as a whole, as we have not voted on it, but there is a strong desire to ensure we protect the idea of traffic enforcement for traffic safety. There were several pieces of legislation proposed last session about secondary violations that were proposed by the Chair of this Committee. Largely, we were in support of ensuring that crash-causing violations continue to be the cause. Administrative—we are largely okay with that, but anything that can cause death is going to continue to be the primary focus of our Advisory Committee and ensuring that behavior can be corrected and nothing else.

Vice Chair Watts:

I appreciate all that was said on that. Another thing you noted was the heavy involvement of substances. Some of those substances become tricky. Alcohol is one we have had a structure in place for quite some time. I do not see any recommendations related to alcohol. I do not know if it would be breath interlock devices or anything else, but do you have any thoughts on addressing, particularly, alcohol use on roadways? It seems like we already have all the DUI (driving under the influence) laws in place, and yet it is still a significant factor in the crashes, injuries, and deaths we are seeing.

Mr. Bennett:

I think one of the largest gaps you just identified, which is something we reflected internally on during the Advisory Committee meetings, is we do not have a single policy or recommendation related to impairment. The almost sole focus of us moving forward is to develop those recommendations. I think some of them might not even have to do with the people behind the wheel. There is a conversation about what does it look like, going back to the establishments. Those will be proposed by our Advisory Committee to you all through our next annual report, which will be before the end of the year.

Ms. Davey:

Through my Office, we are also focusing on interventions. Taking somebody who is impaired and driving dangerously off the road is an intervention, but we are also looking at how do we provide more effective interventions. In my Office, we provide a lot of grant funds to DUI courts and to intervention programs. We have recently successfully worked with the DMV on updating the DUI curriculum for those that receive a DUI so that it is an

evidence-based DUI intervention program. We can certainly talk more about an all-offender assessment through the court. We think that could be something that could be considered. Currently, individuals that get a DUI are only getting assessments at 0.18 or later, if they have had multiple DUIs. Those assessments, those interventions can be effective as well in helping somebody with making those choices. To Mr. Bennett's point, we did miss the mark. We did not put forward anything on that, and we are going to go back and—it is March. We are going to have another report out in six or seven months, so we will include that.

Vice Chair Watts:

I appreciate that. I also appreciate that not everything has to be legislation. Unfortunately, some of the things that we find here cannot be legislated. People know what the speed limits are. We have heard there is excess speeding, and there is only so far that legislation can go. Hearing about a range of initiatives to try and address these, and the data collection is key because that helps us make those evidence-based, data-driven decisions. Knowing, for example, how effective deploying crossing guards is going to be in these other nonpolicy interventions as well. That brings me to the last piece. We know there are hotspots. We are a Committee that deals with infrastructure. You mentioned we have more resources coming towards those things. I would like to step back and see at a high level, what does the coordination look like with our State and local planning entities to mesh together infrastructure needs and those high-incident areas to figure out how we can change the built environment to reduce crashes—to either slow folks down in certain areas or make whatever lighting or other structural improvements are needed to clean up the places that are the most dangerous?

Mr. Bennett:

There is not a lack of coordination in traffic safety or the hundreds, if not thousands, of dedicated individuals that work in the space. When it comes to infrastructure, any time we touch the road, we should be looking at safety improvements. We all have lived through long and burdensome traffic delays and orange cones recently. There needs to be trust from the community, and we are working on that—when the road is touched, we make improvements. In my day job, it is something we are actively working on. There are three or four projects I am excited about when increasing accessibility for all road users, up to rightsizing the road, making sure the roads are the appropriate width, to help with that built environment. This next month is 15 years that I have spent working in traffic safety. I believe now more than ever before, especially with the historic investments that are out there and the money going directly to the communities, that we have the opportunity, and we need to seize that moment to build those infrastructures in place. The meeting that I am missing right now is with the RTC, the Safe Streets for All programs, and making sure we are aligned as a region, especially here in Southern Nevada. That also includes NDOT. Thirty-three percent of our fatalities in unincorporated Clark County happen on NDOT right-of-way, so making sure they are involved in the conversation as well—which they are—but making sure we continue to see action. The built environment is the number one priority in traffic safety and the engineering improvements that can come along with that.

Vice Chair Watts:

Thank you for your responses and the presentation. I look forward to continuing the discussion and diving in more.

Ms. Davey:

Vice Chair Watts, we have an Assembly position open on the Advisory Committee. You are obviously very knowledgeable about transportation issues, so maybe you would consider joining the Advisory Committee.

Assemblywoman Gallant:

I want to address the cameras. I got an interesting email, which I have in front of me, that I am going to paraphrase. A constituent was law enforcement for 20 years in California. He does not want to tell me where, but he said they had the cameras. After 20 years, the City's fatality traffic collisions average actually increased, and he believed and witnessed that it was more of a revenue stream for the City than it actually reduced the traffic incidences. Instead, he suggests we should look into having the Traffic Unit focus on primary collision factors, citations, and that this is a proven method to reducing collisions, and there are various cities throughout the country that have implemented this. I am wondering if that has been looked at as well.

Ms. Davey:

To my knowledge, for instance, Las Vegas Metropolitan Police Department has a traffic unit. Most law enforcement agencies have traffic units and state police. They call it "the big five." They are focusing on the five top causing crash factors when they are doing enforcement. I had a nice conversation with the folks from the FFJC before our meeting. One of the things I agree with them on is that technology, like photo enforcement or ATE is a stopgap. It is a temporary—to your point, if you leave them there forever in one spot, people avoid that spot, and then you have a high crash area somewhere else because they are now taking a different route. It is not the end all be all. It should not become a prop for any type of revenue for local jurisdiction or State jurisdiction. I hope I touched on his concerns, but yes, top crash-causing factors are what we would like to see primarily focused on by enforcement.

Chair Harris:

Assemblywoman Gallant, is also something that, if you would like, you could put as a recommendation for the Committee to consider. I could see a piece of legislation that directs law enforcement agencies to focus on high crash-causing factors, and then allow those localities to determine what those factors are, because I am sure it would change depending on where you are in the State. But please, if that is something you would like to discuss further, submit it for us to consider.

Do we have any other questions from Committee Members for NVACTS? Seeing none, we will let you all go.

AGENDA ITEM VI—PRESENTATION BY THE NATIONAL CONFERENCE OF STATE LEGISLATURES ON RECENT TRENDS IN HIGHWAY SAFETY LEGISLATION

Chair Harris:

We will now turn to Item VI, which is a presentation by the NCSL on recent trends in highway safety legislation. We have folks from NCSL presenting virtually.

Annie Kitch, Senior Policy Specialist, Environment, Energy & Transportation, NCSL:

You will hear from me and my colleagues on the latest legislative trends in traffic safety. For those of you who have not worked with NCSL or heard of us, we are a nonpartisan membership organization that works with legislators, legislative staff from each state, D.C., and the United States Territories, and we aim to bring our members together on a variety of policy topics ranging from health care policy all the way to transportation. Our team focuses on transportation-related policy, which includes topics like transportation funding, finance, and traffic safety. (Agenda Item VI)

Resources—we have been fortunate to receive funding from NHTSA. We have received funding from NHTSA for over 30 years, which has allowed us to develop resources like our traffic safety legislative database. This tracks legislation under 14 different traffic safety topic areas dating back to 2007. It is a comprehensive resource. We also publish an annual traffic safety trends report that highlights notable traffic safety legislation from the previous year, and we anticipate that our 2023 report will be published this summer. Additionally, because 911 and emergency medical services (EMS) play critical roles in the traffic safety space in terms of providing efficient emergency response, NHTSA also funds our work on these topics. We have been fortunate to be able to host databases, one on 911 legislation, and this tracks legislation throughout all phases of the legislative process. We were able to publish an EMS database in 2021, that is managed by a colleague in our health program, and this tracks enacted legislation.

As we have heard today, traffic crashes and fatalities remain near all-time highs nationwide. These are the issues that can contribute or help combat those problems. We want to recognize these are not all the issues pertinent in the traffic safety world. For time's sake, we are going to cover the eight on this slide; however, if there are topics that we do not cover that you have questions about, please feel free to ask during "Q and A" or reach out separately. I want to flag that we are highlighting the latest trends in these topics. We are not necessarily endorsing any of the laws that we discuss.

First, I am going to cover state distracted driving laws. As we all know, distracted driving continues to hinder roadway safety nationwide, and it is a topic we continue to hear about in the news. To address this, states have enacted laws such as handheld phone bans which prohibits folks from using their phones behind the wheel. Currently, 27 states you will see here in navy and a couple of states in orange have handheld phone bans. Missouri and Alabama are orange because their ban is secondarily enforced. Other states have a variety of texting bans you will see here in this map. We are seeing that some states that have handheld phone bans are considering toughening their bans. Some states currently allow handheld phone use at a temporary stop, such as a red light or when they are pulled over the side of the road. We are seeing that New York is considering extending their ban to temporary stops. That is an interesting trend we are seeing this year overall.

Getting into impaired driving, this is a topic that I receive a good amount of questions on from lawmakers from various states. The latest data is showing that, as of 2021, at least 31 percent of all traffic crash fatalities involved alcohol impaired drivers. That is a pretty staggering, concerning number. Because of this, states are continuing to examine different interventions. I wanted to flag ignition interlock devices because I am seeing more states work to revise their interlock laws. For example, currently, 31 states and D.C. require all offenders, including first-time offenders, to install an interlock. We see maybe one or two states every few years make that change. That is something I wanted to point out. For the [audio cut out] of a vehicle—so if a driver tries to blow into the breathalyzer device with a certain amount of alcohol, the vehicle may not start. Other states that do not require

all-offender laws may require interlocks for high-BAC (blood alcohol content) offenders, repeat offenders, or installation may be up to discretion of a judge. In addition to all-offender laws, we are also seeing that some states are allowing or requiring certain DUI offenders to install an interlock in order to obtain restricted driving privileges. This may allow them to drive to essential locations like work while also factoring in public safety.

Additionally, I would be remiss to not mention drugged driving. This is an issue that data is showing is contributing to the increase in impaired driving cases, not only drugged driving but polysubstance impaired driving. Louisiana, for example, enacted legislation in 2021 that bans smoking or vaping marijuana in a vehicle on a public highway. Additionally, Oregon enacted legislation last year that expanded the list of intoxicants in its DUI statute to include any substance that is capable of impairing a person's ability to safely drive a vehicle. This is where [audio cut out] drugs in their DUI statutes, because in some states, only specific substances may be listed in the law, so if a driver tests positive for a substance that is not in that list, and this includes alcohol substances, then it may be tricky to charge them with a DUI. This may not always apply to cannabis, but it is important to keep in mind and something the traffic safety community flags.

Speaking of cannabis-impaired driving laws, this is a topic that I also receive a good number of questions about because several states are considering legalizing adult use cannabis, or they have already legalized and are looking to evaluate the impact of cannabis-impaired driving on roadway safety. There are currently a few different approaches to these laws. Twelve states currently have zero-tolerance laws, which means it is illegal to drive with any amount of THC in a person's system. Five states, Nevada included, have per se laws, which means that once a person is shown to have reached over the legal limit, then that person is considered impaired by law. I wanted to point out that Nevada passed a law in 2021 that revised the per se law, so it only applies for felony DUI violations, and felony DUI violations often constitute a DUI incident where the driver maybe had repeat offenses, or the crash resulted in serious injury or death. The other states that are grayed out—drivers who are caught driving under the influence of cannabis are usually convicted under the state's general DUI statute.

Lastly, I know we have talked a little bit about seatbelt laws; however, I am going to highlight child passenger safety here. Currently, there are 19 states and D.C. that require children younger than two to be rear facing in a car seat or until they meet the height and weight recommendations from the manufacturer. I am seeing [audio cut out] in '21 followed by Maryland, Hawaii, and New Hampshire.

Matt Wicks, Policy Associate, NCSL:

This portion of the presentation is going to cover legislative trends in three different areas of ATE that NCSL has been seeing, and then we are looking at speeding, aggressive driving, and street exhibition trends in general. Here on your screen, you can see red light cameras. We are going to be looking at legislative trends for automated systems that capture motorists running red lights. Running red lights is a problem. In 2021, IIHS found that over 1,000 people were killed in red light crashes nationwide. In response to these red light crash fatalities, we have been seeing states authorizing the use of more red light cameras in specific areas. New York and Connecticut in 2023, passed red light ATE-related bills, then Hawaii began their pilot program several years ago. It is important to know that states take slightly different approaches to the fine points in their legislation. For example, states have different caps and sets on what fines look like running red lights as well as different approaches to whether the first time is considered a warning or a citation.

The second area of ATE trends we are going to be looking at is for speed cameras. These are automated systems that issue citations to motorists for excessively exceeding speed limits. These citations are not being given to motorists going one or two miles per hour over the speed limit; these citations will be given to motorists going ten miles per hour or over a specific speed limit. The trend we are seeing is that more states are authorizing the use of speed camera automated systems each year. We are seeing two common areas where the permitted use of these cameras is being implemented. The first is in major metropolitan areas. In 2023, California and Pennsylvania permitted the speed enforcement systems in major highways or at major intersections within city limits. The second general area where we are seeing this more commonly used is in school zones. In 2023, Florida enacted a bill permitting local governments to utilize speed cameras in school zones specifically.

The third area we are looking at for ATE is work zone cameras. These are going to be trends that look at automated systems that capture speed violations in work zones. Work zones commonly are known as construction sites. Currently, 13 states permit the use of automated system speed cameras in work zones, and the trend [audio cut out]. In 2023, Indiana, Delaware, and Washington all enacted work zone speed camera systems to be used. One thing to note is some states, but not all, begin with a pilot program first. Pennsylvania concluded a five-year pilot program, and they found post-implementation a reduction in speeding in general. They also found that in the instances when a speed enforcement vehicle was present capturing speed violations, there was a 50 percent reduction in work zone crashes—interesting results from the Pennsylvania pilot that they ran. That wraps up our ATE trend section of the presentation.

These next two slides we will go through rather quickly, but this is looking at general trends in speeding and speed limits and then aggressive driving and street exhibitions. Speeding and speed limits is a big problem and has been for a while, for well over a decade. In 2011, AAA worked on a study that found small increases in speed can lead to significantly higher risks of death for pedestrians. Since the COVID-19 Pandemic, this has gotten significantly worse. In response to this, we have seen states take two general approaches regarding speed limits. The first is that some states have authorized local governments to lower speed limits on roadways or portions of highways within their jurisdiction. For example, Oregon in 2023, permitted cities to specifically lower their speed limits ten miles per hour on designated highways within their jurisdiction, lower than the statutory speed. The other general trend we have been seeing is regarding “Move Over” laws, which is pretty common legislation in 2023. It is important to note all states had Move Over laws, and what we saw in 2023 was at least ten states looked at their Move Over laws to take action on further defining circumstances when a motorist must move over and/or slow down when either approaching a vehicle on the right-hand side of the road or being approached by an emergency vehicle from behind.

Next, what we will be looking at is aggressive driving and street exhibitions since the pandemic. This has also become a big issue, which is a trend within itself. In 2023, nine states enacted legislation either addressing aggressive driving or street exhibitions. Looking at aggressive driving specifically, we have seen a trend that states have been increasing their penalties for aggressive driving, jail or prison time, or even including circumstances where a vehicle in aggressive driving scenarios could be impounded. It is important to note these same penalties could apply to street exhibitions as well. We have a common definition of “street exhibitions.” These are generally going to be street races, burnouts, doughnuts, general stunts. The trend we have been seeing is that states have expanded these definitions further to be more all-encompassing. A second trend within street exhibitions we have seen states take is they have expanded the applicability of these penalties for individuals, not just behind the wheel of the motor vehicle used in street

exhibitions, but for people who help organize these exhibitions, for people who help physically set it up and block roadways in these exhibitions, and in a few cases, even the people who will gamble or place bets on the street exhibitions.

Douglas Shinkle, Director, Environment, Energy & Transportation, NCSL:

I am going to wrap up by talking about school bus safety and bicyclist safety, and then I will share a couple upcoming NCSL programming activities related to traffic safety that may be of interest. I know there was quite a bit of discussion already about school bus stop-arm cameras. It is first important to preface that school buses are indeed, by far, statistically, the safest way to get school children to and from school; however, they are most vulnerable when getting on and off the school bus. Every state has a law requiring a motorist to stop when a school bus is stopped and discharging or letting on passengers. You might be surprised to realize how prevalent illegally passing a school bus is. As someone was saying during the discussion, people know they are doing something wrong when they pass a stopped school bus. It is a pretty obviously dangerous activity. There is an annual survey that is done with school bus drivers across the country, and the 2023 survey had 95,000 school bus drivers from 33 states participating, and they reported almost 63,000 instances of an illegal passing of a school bus in a single day during that survey. You extrapolate that over 180 or 190 school days throughout the year—and that is not even every state and every instance, but it gives you a sense that this happens perhaps more than folks think it does.

This slide shows two of the main school bus safety interventions. The second one, seat belts, I am not going to talk about too much because Nevada is one of the few states that has a law in place to require that eventually, as the fleet turns over, seatbelts are added to school buses—but to mention that 25 states have these laws authorizing a local government or a school district to use school bus stop-arm cameras. This is very significant that half of the United States have these, given all the qualms about ATE. It has been striking the degree to which states are willing to adopt this kind of ATE, and also in work zones but have a little more hesitancy towards red light cameras and speed cameras more generally—although that hesitancy is perhaps decreasing a little bit. Generally, these laws authorize school districts or local governments to use these systems. The school districts are usually on the hook to fund them themselves, although there have been states like Wyoming and Minnesota where they have put in funds to help get these systems put in place.

The last thing I want to talk about is bicyclist safety and bicycle safety stops, which I saw was perhaps a new State policy action priority for the NVACTS group. Vulnerable road users, such as pedestrians and bicyclists, are bearing a disproportionate brunt of the increase of fatality and crash rates across the country. Bicyclists and pedestrian death rates from crashes are at or near all-time highs nationwide and in many individual states. One trend we have seen from states is the enactment of what is called a bicycle safety stop law. It is also known as an Idaho stop law because Idaho has had such a law in place since the late 1970s. No other state had such a law until about five or six years ago. We now have ten states that slowly started to look at these and enact these. These laws essentially allow a bicyclist to treat a stop sign as a yield sign. There are four states where they go even further, and this law applies to a stoplight where you have to stop at a stoplight, but then you can proceed if it is clear. That is the key with both of these. Bicyclists do not have anything around them protecting them, so they are not going to proceed through an intersection unless that it is safe for them to do so. They still must yield. In some of the states, they have language about a speed that you have to reduce to when doing so. Some folks may wonder, why is this a safety matter? This seems unsafe, and that perception does

make a certain degree of sense. The research does find, though, that these laws allow cyclists to mitigate risks to their advantage, increase the visibility to drivers, and reduce exposure. A lot of that is around them. If they see that it is safe to get through an intersection quickly—because that is an area where there tends to be more conflicts. These laws also decriminalize a riding behavior, which may lead to more people bicycling. There is a concept referred to as safety in numbers and a lot of research backing it up that the more pedestrians and bicyclists you have in a transportation system, the more likely that motorists will adjust their behaviors accordingly because they are aware there are those vulnerable users out there. If you only see a vulnerable road user every once in a while, you do not drive differently and are not as safe. You can think of any environment in your communities where you know there are a lot more pedestrians or bicyclists, you tend to adjust your driving a little bit more.

We could go in a lot of things about vulnerable road users, and we do not have enough time to share, but generally, we are seeing a trend towards more states dedicating more funding for infrastructure to physically separate bicyclists, pedestrians, people using wheelchairs and other vulnerable road users. Washington State is a good example. California is another example. They have an Active Transportation Division within their State Department of Transportation. The Division, for example, in Washington works to focus state and federal funding from Washington's Pedestrian and Bicycle program and their Safe Routes to School program toward projects in areas of the State with the highest need and potential for success.

In general, many of the interventions that Matt and Annie talked about are very relevant to vulnerable road users—reducing impaired driving and distracted driving and aggressive driving and particularly reducing speeds—but there is a lot of emphasis on infrastructure, increasing visibility at intersections, better crossings, physically separating scooter riders and bicyclists on bike lanes rather than having a stripe of paint—having actually something physical to separate them. That concludes the policy part of the conversation.

I want to mention that we have an upcoming traffic safety webinar. We will make sure to send all this information to the Committee staff. This webinar will have some NHTSA speakers speaking about national crash fatality trends and opportunities to collaborate with the federal government and also access federal grant funding—of which there is a lot from the IIJA (Infrastructure Investment and Jobs Act) around traffic safety—and then a presentation from Annie, Matt, and I that will largely be along these lines but updated a little bit.

I also want to put in a quick plug. Our 2024 legislative summit is in Louisville, Kentucky this summer. If you want to learn and network with your legislative peers from across the country on traffic safety and transportation issues, but generally on any state policy topic under the sun, I strongly encourage you to attend. I want to mention that we will be holding a traffic safety preconference the day before the legislative summit begins. We will plan on inviting Chair Harris and Vice Chair Watts, as well as Assemblywoman Monroe-Moreno, but this is open to anyone who is attending the summit. If you are interested, we will send information, but we hope you can join us because we will be talking about many of these topics that have been discussed today and talking about what has and has not worked in states—what kind of public communication strategies, what kind of political strategies are necessary to get these policies over the finish line? With that, I want to share our contact information. We are happy to answer questions.

Chair Harris:

Thank you so much for being here and for providing a breadth and depth of information that you all always do. Do Committee Members have any questions for our NCSL presenters? [There were none.] That means you did such a great job that no one needs any more information from you at this point. Thank you all for coming. Committee Members, please feel free to reach out to NCSL for additional information or if you are interested in attending any one of those events. Thank you guys so much. We will go ahead and close out that agenda item.

AGENDA ITEM VII—PRESENTATION ON AUTOMATED TRAFFIC ENFORCEMENT

Chair Harris:

We will open up Item VII, which is a presentation on ATE by the FFJC.

Leisa Moseley Sayles, Nevada State Director, FFJC:

Speed cameras, red light cameras—these technologies may not be the solution to the problem of traffic fatalities in the State of Nevada. Good afternoon, Chair Harris, Vice Chair Watts, Committee Members, and staff. I want to thank you for reaching out to us and offering us the opportunity to present to you today and share information in our position on ATE, particularly red light cameras and speed cameras. I am joined by our Deputy State Director, Mr. Nick Shepack, who you will hear from later. He has put together a presentation (Agenda Item VII A-1) and solid recommendations from our organization. Before I start, I want to acknowledge the other presenters and to say thank you to them for their work and diligence on studying this issue and willingness to collaborate. It is very important to us that our streets and our roads are safe.

We at FFJC have significant concerns about the use of red light cameras and speed cameras. One of our major concerns is whether they actually work. There is limited data to support the claim that these cameras significantly enhance road safety. In fact, we have data that shows—we have an analysis of multiple studies, not just one study, on red light cameras. What we found is that although there is evidence these red light cameras may reduce some types of crashes, particularly T-bone crashes, the effect was not significant. In fact, these studies show that crashes, such as rear-end crashes, have increased. We are also deeply concerned these cameras can too easily become revenue generators because in reality, they serve as significant sources of revenue for both the municipalities that employ them as well as the vendors that manufacture and install them. In fact, they have been known to generate millions of dollars annually in fine and fee revenue from citations and through contract stipulations between vendors and municipalities. We will talk a little bit more about that as well.

This Body and the proponents of these tools must ask the question, what is the goal that we are trying to achieve with red light cameras? I think through previous presentations and questions from legislators, that answer has become evident, and that is to eliminate traffic fatalities or reduce them significantly. If that is the answer, then the structure and function of Nevada's streets and roads must be brought in line with that goal through infrastructure investments, investments in traffic-calming measures such as speed humps, raised sidewalks, traffic circles, to name a few. Though we at FFJC are not experts in traffic safety, we have extensively researched this issue and the use of ATE tools, including red light and speed cameras. The research shows they are not always the solution, and the best way to

reduce traffic fatalities is to fix the underlying road infrastructure problems that contribute to unsafe driving. Two great examples of this—Hoboken, New Jersey and Jersey City, New Jersey. Both of these cities have achieved the goal of zero fatalities without the use of speed cameras or red light cameras. A quick note about Hoboken—it is the only city in America that has achieved seven consecutive years without a traffic death. This was achieved through systematic safety and infrastructure improvements, such as installing roundabouts, reflective pillars, and entrances to crosswalks, things like that. I should note that, like Nevada, New Jersey currently prohibits the use of red light cameras. We at the FFJC are just as concerned about the number of fatalities and crashes on Nevada's roads and streets attributed to speeding, distracted drivers, particularly in school zones. I currently have a 16-year-old in CCSD who takes the bus, so I am personally concerned about that. But it would seem more effective in these cases that having mechanisms in place that slow drivers down immediately rather than a delayed citation in the mail seems like that would be more effective. We are equally concerned about the undeniable harms to residents that inevitably result from the use of these technologies. Automated traffic enforcement programs draw more people into the criminal legal system and are known to exacerbate poverty, to perpetuate racial disparities, and financially devastate communities, particularly communities of color. Enforcement does nothing to solve that problem. This Body must examine these technologies closely and continue to research them. You must weigh the benefits of these technologies against the harms they cause to communities and decide whether the benefits outweigh the harm.

Nick Shepack, Nevada State Deputy Director, FFJC:

The FFJC has been studying this issue for multiple years, and we have created guidance for states that either have this on the books and are allowing ATE or states that may be considering it. The current state of ATE in Nevada is we have a ban. It was banned in 1999. It was a bipartisan bill that passed the Senate with only two “no” votes, and it passed the Assembly unanimously. I encourage everyone to go back to the legislative history. Much of the same concerns we have today were discussed during those hearings when this bill passed. Twenty-two states do not allow ATE, including a diverse group of states, Arkansas, Mississippi, Texas, Maryland, Maine, New Jersey. Three states allow only speed cameras, while another two states only allow red light cameras.

In order to understand how we got to our recommendations, it is important to understand the concerns we found when researching this topic. Studies on the effectiveness are mixed. A 2020 meta-analysis of 37 independent studies on red light cameras found there was no significant effect. The NHTSA notes that while speed cameras have impact on safety, they are never a solution and only should be used appropriately as part of a broader strategy. They are an after-the-fact punishment. We live in a State where people visit. It is one of our main sources of our economy. People who visit will not receive a ticket, will not receive an interaction with law enforcement, until possibly weeks or a month later. This does not lead to direct behavior change. Same thing for anyone who drives through a school zone. We want people to drive through a school zone slow the first time, not get a ticket three weeks later. We do not want a child hit in a school zone and then a ticket sent to that individual. The after-the-fact punishment that comes with ATE is of concern.

They fail to address infrastructure needs. What we have seen is that years and years of fine-based enforcement trying to address road safety has not worked. Traffic fatalities are up across the country and increasing. What we are doing has not proven to be an effective strategy, whereas infrastructure investment has. Many jurisdictions currently operate more ATE tools than ever before, and many of those jurisdictions continue to see a rise in traffic injuries and traffic fatalities. They draw significantly more people into the system than

regular enforcement. A couple of examples—between October 2020 and March 2021, in Washington, D.C., ATE issued a total of 666,686 tickets. That is almost as many tickets as there are residents in D.C. If you look at fatalities in D.C., in 2022 there were 35 traffic fatalities. In 2023, there were 52, even with the increased use. If you go back from 2012 to 2016, there were under 30. While there may be some safety impacts in a city that has chosen to use this enforcement, we are still seeing a rise in fatalities very similar to what we are seeing here in Nevada. When Chicago chose to decrease the threshold from ten miles an hour over to six miles an hour over in their speed enforcement cameras, they issued more than 2 million tickets. That is more than there are residents in the city of Chicago.

Increased fines exacerbate poverty. The DOT calls flat fee tickets an aggressive scheme. Tickets may be a slight inconvenience to those who have the means; however, to a poor family, a ticket can be absolutely devastating financially. What we know from recent research is, if faced with an unexpected \$400 expense, 37 percent of adults would not be able to pay that expense with current cash or savings, meaning they would need to borrow money from a friend or seek other relief. Low-income individuals are more likely to share cars with their families, and since these cameras do not ticket drivers, they ticket owners of vehicles, we increase the likelihood that the lowest income individuals receive a higher number of tickets.

Automated Traffic Enforcement creates perverse incentives. Even if revenue is intended for worthy public projects, government reliance on it entrenches profits over safety. We have seen this in community after community. Even when revenue is directed directly to traffic-related improvements, funding to increase safety is only sustainable if new or ongoing ways to issue fine-based traffic violations can be found.

Racial disparities are also exacerbated. Researchers in D.C. found that drivers in one of the city's predominantly black areas were over 17 times more likely to receive a violation at a cost of 16 times more per resident. The historical lack of investment in these communities, especially in infrastructure, leads to more dangerous streets, leads to high-impact areas, leads to places where these cameras tend to be placed, and leads to a higher level of tickets in these areas. These areas also have the highest number of people that rely on walking and bicycles in order to get to and from work, the store, and other places.

Cameras do not always get it right. Red light and speed cameras are far from error free. In fact, in Baltimore, traffic cameras are found to have an error rate of more than 10 percent, leading to as many as 70,000 unjustified tickets issued in that city alone.

There is also a myth that ATE has a significant positive impact on the interaction between police and residents. You could set up an ATE system where you reduce traffic enforcement and use the cameras instead; however, as we learned today, some of our biggest concerns on the roads are aggressive driving, DUIs, and impaired driving, and you need robust traffic enforcement in order to capture that. Sending a ticket to somebody who is drag racing is not the same as citing them for this type of racing. The true solution, if one of the things we are looking at is reducing interactions between law enforcement and the communities, is to talk about legislation, as we did last session, that would prioritize dangerous driving stops and make certain offenses secondary offenses.

Understanding those concerns, and due to the prevalence and potential harms of ATE across the country, the FFJC has developed guidance to mitigate these harms. First off, if ATE is used at all, it should be temporary. What we mean by this and what we see in certain places like the new legislation in California, is ATE is used with certain goals in mind, including infrastructure changes, as a very temporary solution.

You prioritize nonfinancial sanctions. This can be warnings, driver education, driver safety training, instead of tickets.

In extreme cases, develop graduated responses based on the frequency and severity of behavior. We suggest the first offense is a warning. The second offense is a smaller fine. You graduate these sanctions up, so you target people who have bad driving behavior that continues instead of a blanket punishment across the board.

Ensure fines are proportionate to an individual's ability to pay. This includes a robust and well-functioning ability-to-pay system. If you are going to implement a new system that is going to capture millions more people a year, especially in certain communities, there needs to be a way that the state takes the income of the individual receiving the ticket into account, and it cannot be over-burdensome for the individuals who are receiving these tickets.

Do not use ATE with a goal of raising revenue. Use revenue on one-time and discretionary expenses, and do not allow added fees, or surcharges, or penalties, or interest on these fines and those added fees to include things like the administrative assessment that goes to the General Fund. If we implement this and allow the administrative assessment to be on these tickets, it will be hard for the State to ever give up that revenue.

Investment in street design, engineering, and infrastructure before adding or increasing enforcement. As mentioned, Hoboken and Jersey City have both reached their vision zero goals without the use of ATE. Sometimes when we talk about infrastructure, we think of these high-costs projects that disrupt traffic, like putting in new roundabouts which they did in Hoboken and Jersey City. But the main parts of their infrastructure investments were high-visibility crosswalks, plastic pillars that have reflectors. They increased the use of four-way stops instead of two-way stops—really low-cost infrastructure investment that has seen extremely significant impacts.

Develop clear and consistent policies for determining whether ATE technology captures a true violation and how it should be sanctioned. This includes mandatory human review of all violations and clear metrics on whether these cameras are effective. If we are not meeting those metrics, those cameras need to be pulled. Just because you are getting a lot of speeding citations, if you are not seeing a reduction in speeding crashes or fatalities, these cameras need to be removed, and we need to be looking for better options.

We also went through contracts from across the country with ATE companies. These companies tend to be for-profit companies. Their goal is revenue for themselves. We have highlighted the red flags we have found inside these contracts. (Agenda Item VII A-2) Everything you will hear is in an existing contract. Automated Traffic Enforcement—you have to prohibit vendors from making site recommendations based on their own analysis of locations. These for-profit vendors are not safety experts. Your departments of transportation, your local cities and counties, are much better poised to make the decisions of where these cameras need to be than the vendors.

All contracts should expressly prohibit ATE vendors from changing the lengths of yellow lights. In places they have allowed ATE vendors to reduce yellow lights, they have seen a massive increase in red light running and huge revenues. The times that yellow lights exist need to be set by state, city, and county.

Ensure your ATE contracts explicitly define how violations will be determined. This is paying special attention to the need for human review and not allowing the ATE companies to solely review these violations.

We also warn of vendors that include collection services in their contracts. While this often brings down the price of the contract to the state or municipality, that cost is passed directly on to the individual who is receiving the ticket and results in more wealth extraction from communities.

Avoid contracts that pay vendors per citation. This also often results in cheaper contracts for states and municipalities; however, it creates the perverse incentive for vendors to get as many citations as possible instead of focusing on addressing safety needs.

Avoid agreements that allow ATE vendors to add supplemental fees. Not only do we need to ensure that the State or municipalities do not add fees onto these citations, many contracts allow the vendors to add fees on the back end, increasing the price of the tickets and again, extracting wealth from these communities.

Never grant private ATE vendors the power to set the terms of enforcement or prosecution. This may seem like a no-brainer; however, there are ATE contracts that exist in America today where the terms of enforcement and the right to prosecute individuals who have violated are given directly to these private companies. California is the only state who has passed legislation, and it was very recent in 2023, that addresses many of our concerns when talking about ATE (Agenda Item VII A-3). California has started a pilot program in five cities that meet specific requirements. These cities are both large, such as L.A. (Los Angeles), and much smaller cities. These are only for speed cameras. They have strict requirements that speed cameras in school zones are only during hours in which school children are present, that is, a certain time before, after school, and during. They establish fines, but there are no fees added, and there is a mandatory reduction for low-income drivers. Revenue from citations goes directly to street calming infrastructure with the goal of removing the cameras. They have strict requirements for these vendor contracts written into the law. They have strong due process and privacy protections for people cited, and they have mandatory review for efficacy and equity with strict metrics. If metrics are not met, once these cameras are added, they are removed in quick order because they are not producing the safety results that they were set out to prove.

The pilot programs such as they have—there are a few must-haves, such as adopting a speed safety use policy and impact reports and strong engagement with the communities. All the communities that will be receiving these pilot program cameras have the ability to have public input. They know where these cameras are going to be. They know all the terms around these cameras, and they have to have community buy-in in order to install these.

Detailed public information campaign prior to the start of pilots—this cannot be a hide and seek. These should be highly visible, and the public should be very aware that this pilot program is going into effect. They issued warnings for the first 60 days that the cameras are in effect with no citations, giving people time to adjust. After 60 days, the first offenses for speeding of 11 to 15 miles over are also limited to warnings. We end with the recommendations for the Committee.

Ms. Moseley Sayles:

I will briefly, specifically, identify the problem that we are trying to solve. We already discussed and determined the most effective evidence-based approach to addressing the

problem. I think all of us here, including previous presenters, Committee Members, all agree: if ATE appears to be a solution, study it, like we are doing now. Continue to study it, monitor it, and wait for what California has to say since they are the only state that has legislation regarding this. Let us wait and see what their programs look like. Let us wait and see what the data shows coming from California. Thank you. We will be happy to answer any questions.

Chair Harris:

Committee Members, do we have questions for the FFJC on their presentation and recommendations? [There were none.] Thank you all so much. We appreciate it. I am sure further discussions will continue.

Ms. Moseley Sayles and Mr. Shepack submitted the following for the record:

- A link to a report published by the FFJC. (Agenda Item VII A-4)

AGENDA ITEM VIII—PRESENTATION BY THE NEVADA DEPARTMENT OF TRANSPORTATION ON PROGRAMS AND PLANS

Chair Harris:

We will open Item VIII, which is a presentation by NDOT on its programs and plans.

Tracy Larkin Thomason, P.E., Director, NDOT:

I have put a lot of information on each of the slides (Agenda Item VIII). I will not read that, but it will give you more details about the projects I plan to talk about.

First, we will start with the overview. Just a reminder, we have three districts around the State. We have three major divisions: Administration and Planning; Project Delivery; and Operations and Maintenance. We have approximately 981 people around the State.

I am going to talk about current major projects. One of the big ones is I-15/Tropicana in Southern Nevada. The details are on there, but we also made it through the Formula One and Super Bowl. Our biggest success there was we were not in the news, and we appreciated that. In the North, we have the U.S. 395 North Valleys project. This is Phase 1B. Phase 1A was the Parr Boulevard Bridge, and there will be one more phase after this that we have already received a grant for, so we are in phases to relieve the traffic. The U.S. 395-Pyramid Highway Connector is in Phase 1. It is well underway. It is widening the Pyramid Connector, and it will be completed next year. The I-515 Charleston Boulevard—this was an alternate delivery project using CMAR (construction method at risk). It is a \$75 million project. It will be completed at the end of this year, so it has been a multiyear project, but those orange cones will disappear in that area. On the I-15 North Phase 3—this is the intersection that goes up from North Las Vegas up to the intersection with U.S. 95. It was a \$72 million construction contract that widened the freeway, and it will be complete at the end of this year; we will be looking at the fourth quarter. The I-15 Sloan to Warm Springs—this started in January 2024 and is anticipated completion at the end of next year.

Upcoming major projects—everything I have talked about now is fully underway and hope to be complete soon. We will be looking at starting the Ely Downtown Improvement Project, Phase 2 on this one. It is about a \$50 million construction one, but we did receive a \$24 million grant from RAISE and another \$5 million in earmark, so that covers well over

half of the project. It will be coming up soon. We have heard references to Henderson before and the Henderson Interchange. This is an alternate design build. We are in the phase of the RFP (request for proposal) is out. All the submittals are due at the end of April. We will be looking at awarding in midsummer. It is a multiyear project, and it should probably go before the Transportation Board for award in the July time frame.

This was with a grant that we worked with RTC of Southern Nevada, also the Nevada State Patrol and UNLV (University of Nevada, Las Vegas). This is on the Advanced Transportation and Congestion Management Technology. These are your overhead signs, things that go along that help manage the traffic. If you are in Las Vegas and have seen those big overhead signs with the green X's, you will be seeing more of those.

The next page shows wrong-way driver systems, which are effective in about 84 percent of them putting up. That is a very high percentage—and posted messages in law enforcement, so we looked around to see where they should be placed.

As we are looking into the future—what I have told you is what is actively going on, what is coming up soon, and now what we are looking at in future years. The Project NEON Phase 2 is basically the reconstruction of the Sahara Interchange in Southern Nevada. It is looking at final design now, and we are looking at construction in 2026.

The Reno Spaghetti Bowl Phase 2 is currently going through design and looking at the different right-of-way and the final design. It is from about \$4 [400] to \$600 million. We are looking at the alignment in the right-of-way. This is basically 2.5 miles from the Spaghetti Bowl out to East McCarran.

There is the I-80 West Reno and Verdi Bridge replacements. We have special federal bridge funding for this. These are two separate projects that ultimately will replace almost 15 different structures. They are reaching the end of their design life, but I do not mean to imply they are unsafe at all—it is time to go through and start working on them.

Other studies we are looking at, to look at future projects, is we have the I-80 East widening. We are in the middle of NEPA (National Environmental Policy Act). That is the environmental review. It should be completed next year, and then we will start looking at final design. It will be a phase project. It comes out from the east side of Vista, so the east side of Reno, and goes out to the intersection with USA Parkway.

On Sahara to Flamingo—this is the I-15 Central Corridor again. It goes down from the I-15 from Oakey to about the SR intersection with 215. This is looking for safety evaluations, for optimizing safety and travel liability, and reviewing the interchanges. How can we best get the traveling public through there more reliably and safer?

The I-15 Stateline to Sloan Feasibility Study—this is looking at all the impacts along from the State line up to Sloan. We are looking at having Brightline in the center line over there. We are looking at the impacts of the future airport, Ivanpah. We are looking at proposed interchanges and growth from the City of Henderson in Clark County. Taking a hard look at how best to incorporate them and keep the I-15 moving.

The SR 613, also known as Summerlin Highway—we began a NEPA study. Again, we are looking at safety, redoing some of the interchanges like Durango there, and mobility. How can we improve that corridor? The U.S. 95 is the extension of, as we are looking from the edge of Kyle Canyon up through Indian Springs up to Mercury, that is the next section of I-11. We are looking at what it needs to take to raise the U.S. 95 up to interstate standards,

and that means control of access, restricted access, and what we need to do to up upgrade that one.

Brightline West—what they are looking at is securing the remaining funding, completing the administrative actions, and working on the design and putting it through. Nevada's Department of Transportation is focused on working with FRA (Federal Railroad Administration). We have ongoing meetings with them on a regular basis into the grant agreement, and then we are also looking at the subrecipient agreement—that is with Brightline. We have joint meetings between Brightline, FRA and NDOT. We are also getting the right-of-way occupancy permit, which is the vehicle of what will be in the median. We are looking at the conditions for that, and then we are looking at construction augmentation RFP going out later this year.

Challenges—I have gone through the projects. The highway fund revenue resources—this is what came in in Fiscal Year 2022–2023. We had about \$1.3 billion of State Highway Fund revenue. I also remind people that some of this funding also goes to DPS and DMV. This State Highway Fund is about half of our revenue for the Department, and the other part for us is Federal Highway funds. It is close to a 50/50 split.

On the next side, it shows our expenditures, which was \$1.4 billion. You may note that is a higher expenditure than there is the income coming in. That will be one of our challenges. Nevada's Department of Transportation uses approximately 75 percent; DMV has 11.2 percent; DPS has about 6 percent, and then there is another about \$44.5 million that is about 3.2 percent, but that covers things like CORE.NV, bond debt, and the Governor's Finance Office. That is where that other funding goes. The smaller circle to the right shows the breakdown of NDOT's area, so our construction, administration, and maintenance and what we use in each of those areas.

The next slide shows the inflation, what is coming in. This is an impact to our program. This is the National Highway Construction Cost Index, so that is where the basis for this comes from. If you look at it from 2003 to 2023, you can see in the last two or three years that the cost of the materials we are using—in particular, asphalt-based things, concrete, and steel—those are three products that are highly used on almost any of our projects. It is impacting our estimates. It is costing more to put out the same project.

The next slide gives comparisons of the Highway Fund over several years. If you look at the 20-year average, the Highway Fund revenue has gone up 3.5 percent, but the construction inflation has been just under 10 percent at 9.7 percent. The next one is how much is per year; it is an average year. A single year is 2.5 percent, and then the inflation was 17.2 percent, but if you look at the last three years, the total part went up 7.8 percent in revenue, and we went up 51.5 percent in costs. That inflation is—we are slowing down some projects and looking very hard at the projects we are putting out to make sure, as they come in higher, projects fall off the list. When I say fall off the list, they are delayed; they do not necessarily fall off the list.

With that challenge going, I want to talk about staff vacancies. We have 1,951 full-time positions; we have 402 vacancies. We are at 20.7 percent. On a bright note, last year, we were at 26 percent, so we are headed in the right direction. Like DMV, I also would like to thank the Legislature for the salary increases. That is definitely helping. There is a little bit more retention. We have some of the same problems as other State agencies where we can attract the people, but we cannot necessarily retain them for a great time. I did break underneath there between the districts and Las Vegas and Tonopah, because you are going to see different challenges around the State. If you look at Tonopah, it is almost a

30 percent vacancy. We cannot get professional engineers in the rural areas there, but it also competes with the mines. We are trying to look at what the real challenges are in the areas. If you look at the Reno area itself, the Reno-Sparks-Carson, we have a higher vacancy, particularly with the professional areas—engineers—but we are competing with local agencies there. In the rural areas, we are doing quite well, like Fernley, Fallon, Lovelock—actually pretty stable, where working for a State agency is a solid job in those communities. In District 3, the 15 and 16 percent in Elko and Ely is still high, but Winnemucca competes directly with the mines, so we have more trouble there. In the rural areas, we have trouble getting professional engineers, traffic engineers, on there. But when it is directly in the mines, it is a much different salary base than what we pay with the State.

On the unassigned positions—I listed them primarily. The one I was going to start with is seasonal help. We used to hire up to 50 people in both the summer season and the winter season. We used to turn away people. We now are lucky if we can get between five and ten. It does impact snow removal activities across the State, just winter maintenance. The same thing more in the south. We just cannot hire the extra people.

The next slide is a visual representation. The ones that are on the map represent the subdistricts that we are talking about. It shows the same data, just more of a visual. The impact the vacancies have is we do outsource more. This next slide shows the ten years from 2013 to 2023, the difference of what we are doing for outsourcing. When I say outsourcing, it is consultants for designing; it is outsourcing for geotechnical work. It is outsourcing construction, augmentation, and administration. It is also manpower for when we have needed to bring in office support for accounting, payroll, and training. We have gone from over the ten years of looking at about \$40 million to looking at almost \$120 million this year. Those are dollars that would normally go towards either services, agreements, or projects.

The next slide is showing the construction crew augmentation. That is a subset of the slide that I just showed, particularly in the last few years. These are the people we hired, the testers, the inspectors, the people who do the construction augmentation and the federal reporting on it. They are necessary for us for the oversight of the project. But again, particularly in Las Vegas, it is very hard to get engineers. We are looking at working with the State and looking at the specifications, looking at the credentials needed on those—what is the correct level—taking a hard look at it.

We also do workforce development. We have student internships. That is something we started about two legislatures ago. It is still fairly new, and COVID-19 had it on pause, but we look to hire 16 to 18-year-olds on a part-year basis. They can start at 16. They stay in school, and then they can work until six months after graduation. It is to introduce them into more of the trades. We are also looking at expanding that one. You may see something later on to do it for the business side. If high school students want to come in and work in accounting part time and full time in the summer—introduce them to the workforce and give them the skillset to move on later. We look at public service interns. These are the college student programs. This is a good program, and it is fairly successful. We have 69 positions. The college students come for the summer. We have 152 applicants this year, so that is a good program. Many times, they come back for two or three years. We have rotating engineers. It is a two-year program that rotates through the Department. We also have outreach to kindergarten through grade 12. We have job fairs. We are working with Hope for Prisoners on CDL (commercial driver's license) programs—also with Workforce Connections in Southern Nevada, we are pairing up with them. We work with both the AGC (Associated General Contractors) and the Nevada Contractors Association. That concludes

my presentation. I am happy to answer any questions, and if I cannot answer them, I am sure I have the people with me that can.

Chair Harris:

That was a lot of information in the perfect amount of time, thank you so much. I want to remind Committee Members, although you all are down south, we have the folks from Brightline with us in Las Vegas. If you have any questions about that project, please feel free to ask those questions now, and we will bring them up. First on my list, I have Vice Chair Watts.

Vice Chair Watts:

Thank you for the presentation. I have two quick questions, one for my colleagues in the Southwest. I saw a lot of great information on ongoing and upcoming major projects. I know there has been a lot of conversation about Blue Diamond and that corridor in the Southwest, so I was wondering if you have any updates to provide on projects and improvements, particularly on or around that corridor?

Ms. Larkin Thomason:

I do not have a study there at this time.

Vice Chair Watts:

I will reiterate since I know if some of my other colleagues were on this Committee, they would be asking about that—to bump it up. Obviously, we have seen tremendous growth in that area. With that as a State route and a major traffic corridor, I know folks are interested in seeing upgrades and improvements out there.

I will start with the question portion. I appreciate the updates on the vacancy rates. I am glad to see they are going down since our activities in the last Legislative Session. You spoke well to the issues we are having in certain rural communities, some of the competition we are seeing, particularly for those engineering positions. In the past, we have also had conversations about the folks on the ground taking care of shoveling snow, other things. We also know those tend to be the lower paid positions within the Department, doing that on-the-ground work. What have you seen in terms of vacancy rates in those positions since the action we took last session?

Ms. Larkin Thomason:

The actions that you did helped stem people leaving. What we are still seeing, and if you look back on the slide that lists State vacancies, the areas that are in direct competition with the mines, we have a lot of vacancies in those areas. In many cases now, we are combining crews for larger maintenance projects. We do look at outsourcing a few things. This is not an area that is easy to outsource in rural areas for regular maintenance. Even the snowplowing part, you need to know the roadways and the equipment. We are also looking in Ely, Elko, and Winnemucca—the maintenance positions, other than Winnemucca, are relatively steady. We are seeing a turnover as far as the long-term people are retiring. They have hit their 30 years, which is a testament to their loyalty. They are great, salt-of-the-earth people. A large part of employees that are coming in now have only been with the Department under five years. What we do not have is that middle level anymore. That is why we are also looking at basic training. My staff knows that this year I am focusing on back to basics; making sure everybody has full training; making sure they have all the basic

training they need to do. Do not rush it. Get the foundations in place. We are looking at making sure we train them appropriately, that they have the time to learn the equipment. We are also looking at the projects we are putting out around the State, making sure we are rightsizing the program to the funding we have and keep it steady for the next couple of years. I am not sure I answered your question completely.

Vice Chair Watts:

That is helpful. Both the Chair and I had the opportunity to hear about a lot of these issues during the budget presentation and process last session, as well as other Members on this Committee. We are all committed to continuing to make sure we make progress in those areas. While we are all happy, we are seeing results from what we did, we know there are going to still be areas where we need continual improvements. We heard from DMV earlier about some of the things they are going to be looking at and bringing forward—classification studies, trying to make sure we get our State employees in a position where they are not also relying on Medicaid, et cetera. That is why I wanted to check in on some of that. I look forward to seeing what you bring forward and what the Governor puts forward in an upcoming budget to continue to build off the progress we made and tackle those professions where we are either seeing the wages are not competitive—for example, in those mining communities with other opportunities—or where the wages simply are not livable and are not attractive enough to get people in the door. It is great to hear we have stemmed the bleeding in terms of people leaving. We need to make sure that we are able to bring people in and start to fill in those early-stage and middle-stage folks in their careers.

Chair Harris:

I will note, Blue Diamond is part of my district. With Brightline coming and potentially setting up their station off of Blue Diamond towards Las Vegas Boulevard area, maybe that provides an opportunity to study the traffic on Blue Diamond more generally as we plan to bring in Brightline. Any adjustments that might need to be made to accommodate for the additional traffic we might see coming in and out of that facility would only be on top of the growth that is already in that area, and the changing traffic patterns we are seeing because of that growth.

Ms. Larkin Thomason:

I will let Sarah Watterson speak to that specifically, but I do know that is what they are working with Clark County on—the permitting part.

Chair Harris:

Fantastic. Thank you. Assemblywoman Brown-May has a question or two.

Assemblywoman Brown-May:

Thank you, Director, for that presentation. I appreciate getting into the weeds a little bit. My question is about vulnerable road users and the accessibility we have or maybe do not have yet. I am wondering if you could speak to, specifically, the areas around where you did the Tropicana piece, so the reconfiguration of Tropicana over I-15, and then that Flamingo area. Flamingo is in the middle of my district, and I have a number of folks who want to access, by pedestrian bridges or pedestrian ways, other resorts outside of Las Vegas Boulevard. On my bicycle when I take that route, it is very exposed to traffic in that area. I am curious to know what part of that falls on NDOT as opposed to the County. I understand there is

conflicting authority in that particular area. Do we have any plans through NDOT to improve accessibility for our vulnerable road users?

Ms. Larkin Thomason:

Yes. We are focusing on vulnerable road users throughout the State. That is a high priority, particularly at intersections. Our ownership of Tropicana begins at the west side of Las Vegas Boulevard, so we do not own Las Vegas Boulevard in that area. Basically, it is where the structure itself starts and a short piece there. You still have the pedestrian bridges there. We look at the access working with the different stadiums and so on.

Nicholas Johnson, Chief, Division of Project Management, NDOT:

Specifically with the Tropicana Interchange, our ownership is the Interchange itself. To the west is the County, and then as you get down to Las Vegas Boulevard, the County as well. But as part of that project, and I think it was alluded to with the pedestrians, we are improving the pedestrian facilities down to Las Vegas Boulevard and even working with the MGM to match what has been done on Las Vegas Boulevard with either barrier rails or bollards to help with that safety, because it is a very congested area pedestrian-wise, and then providing wider sidewalks across the bridge to the west side of I-15, making it more accessible for users to get back and forth that are not using vehicles to do so. As we look at a lot of our projects, especially in big urban corridors like that, we are constantly looking at how we improve that connectivity for nonmotorized users as well as improve the safety.

Assemblywoman Brown-May:

Director, is that true as you look at that Flamingo Corridor as well, or is that specific to just the Tropicana area?

Ms. Larkin Thomason:

I did want to say we have a safety management plan being reviewed right now for Flamingo. It is in motion right now to look along that corridor for safety improvements.

Mr. Johnson:

The project we were discussing earlier from Sahara to Flamingo is primarily on I-15. With that project, there will be ramp improvements or potentially interchange improvements, and that could be Flamingo as well. As we get into those, if there are needs to, for example, widen Flamingo, the structures, certainly those are the types of improvements we would look at including. I would say the majority of what we are looking at through that NEPA document is primarily on the I-15.

Ms. Larkin Thomason:

We can also specifically have our Chief Safety Traffic Engineer reach out to you with the specifics on that Flamingo Corridor.

Assemblywoman Brown-May:

I appreciate that. I would like to spend a little bit more time there, and I am happy to do that offline. I want to be able to improve access to our residents who live in that area to be able to safely navigate between where Palms is and Las Vegas Boulevard, to access other

pedestrian bridges. I find that a problematic area for myself as well, so I appreciate your efforts there.

Senator Daly:

I have a few questions, but I think they are quick and maybe a little esoteric on some of this. I see you have a Project NEON Phase 2. The first time NDOT was looking at the Project NEON, they were going with a public-private partnership (P3s) which included a concession agreement and potentially tolls. Nevada's Department of Transportation is not looking at that on any of these upcoming projects, or projects that you looked at, or the next phase of that. I believe it costs the State more money to do it that way. If it is off the table, that is all I need to know.

Mr. Johnson:

For NEON Phase 2, we are not looking at any P3s or tolling at this time. I do not think we have any intentions to.

Senator Daly:

That is what I wanted to hear, is that there are no intentions. I believe it was a flawed process. We worked hard to make sure it did not happen at that time. I think the project went to design build and came out on budget, and it is working well. How much will the State be receiving or is on the line from the bipartisan Infrastructure Act - IIJA? I know federal assistance is a big part of the wage of income. How much of that is included? It looked to me like the Verdi Bridge project you have coming up is one that is probably being helped by the IIJA. I am familiar with those bridges.

Felicia Denney, Assistant Director, Administration, NDOT:

I would have to look up that particular project. I know the IIJA has quite a bit of bridge funding that we are utilizing. I want to add that whenever we are funding projects, we first look at maximizing our use of federal aid and then look at other sources. Our financial management group and planning groups do an excellent job of procuring that funding, but we can reach out on that particular project and let you know what is in store or what is planned at this point.

Senator Daly:

I saw projections when the IIJA first came out, that Nevada would potentially be in line for as high as \$2 billion or maybe more in funding for projects. I hope more. When you were talking about the inflation, and nobody likes to see it, I was going to point out that whenever people try to attack prevailing wage and what workers get paid on highway projects, as high as 80 percent of the cost of the project is materials, and nobody ever looks at that. You cannot save a significant amount of money on the backs of workers. Just a comment there. No need to say anything more.

I will make this my last question. On the Clark County gas tax indexing, I understand there was a ballot question, and it was not permanent. Is it going to take legislation to extend that to be a good slice of the revenue you are currently enjoying? We have had that gas tax index for RTC, not necessarily NDOT in Northern Nevada, for a long time. Is it going to take legislation to extend that?

Ms. Larkin Thomason:

Fuel revenue indexing?

Senator Daly:

Yes.

Ms. Larkin Thomason:

The fuel revenue indexing is particularly led by RTC of Southern Nevada. Nevada's Department of Transportation does get a portion the State indexing on that. I believe what came out of the last Legislative Session—it was going to be legislation, or it goes to the vote of the people.

Vice Chair Watts:

I do not remember the bill number off the top of my head, but the short answer is yes, it takes legislation. The Legislature did pass a bill last session to address that issue, but it was vetoed.

Ms. Denney:

To add to what was just mentioned—the bill that was passed that provided the fuel revenue indexing to the State Highway Fund, the way it was written, it comes up for another vote of the people of Clark County in 2026, and they can choose to extend the indexing—the increases. As the legislation is currently written, there was a proposal to change that at the last session that did not pass. If the voters decide not to increase the indexing, in other words, continuous increases, but either NDOT or the County has bonds out on projects—which we currently do—those rates will not be reduced. We are able to move on with measure of certainty that at least it will not decrease, even if not passed at the 2026 vote.

Senator Daly:

Thank you. That is the way I understood the bill or the petition—the vote of the people, when it got enacted, it was temporary, and then it would go back. I know it has worked well. When I look at your piece of revenue you guys get off that, I know RTC in Southern Nevada and RTC in Northern Nevada, for ours that we passed some time ago, has served its purpose and paid for a lot of infrastructure improvements and road safety and all the things we have talked about today. I am hoping we can continue to look at that and make sure we have resources at the State level, which then also helps us get federal dollars because we have to put up a matching amount to maximize the amount we can get from the feds. I do not know if you want to mention anything about how that works, but I know we have to have income at the State in order to maximize what we can get from the federal government.

Chair Harris:

Senator Daly, it is AB 359. That is the legislation we passed last session but was vetoed related to fuel indexing. Do we have any additional questions for NDOT or Brightline? They have this cool high-speed train I hear coming. Do Committee Members have any questions before we let them go? [There were none.]

One thing I am hoping you can speak to quickly before we let you go—we talked a lot today about traffic safety. Can you speak about how you think about traffic safety? As you are doing these projects right now, I know you are not on our streets where we have stoplights and the more traditional ways we think about traffic safety, but I imagine the NHTSA has best practices or the OTS has recommendations that are also applicable to highways. How are you thinking about traffic safety as you engage in these large-scale projects?

Ms. Larkin Thomason:

Safety, the component, is always looked at on each of our highways, and it becomes more context-sensitive depending on whether you are looking at the interstates or as we are looking at the interchanges that come down into neighborhoods, and certainly when we go through rural towns across the State. The project in Ely is doing a lot of things for safety. It is a main street in town where U.S. 93 goes through. They are looking at the sidewalks and lighting. Rural areas—in a lot of areas, we are looking at the speed. We are also looking at lighting, what is appropriate for the area. The fatality rate for pedestrians and cyclists is startlingly high in Nevada, while the other crashes have gone down. Pedestrian, bicycles have gone up a significant amount. There is a big emphasis on looking at what kind of features need to be in place, whether it is the bollards, whether it is improved sidewalks, improved lighting, or looking at the way people travel. Where there are safe crossing the streets and so on. We are looking at stuff along U.S. 50 in Northern Nevada where we have had recent pedestrian crashes. We also look very much on 95 and 93. We have a passing lane program we are looking at because there are a lot of head-on collisions going on in the rural areas. We have had a number of them around the Beatty area. It is a big component of how we look to design the project in general.

Chair Harris:

We will continue to try and encourage counties and localities to think about innovative ways to develop their infrastructure for traffic safety. I will also invite you all to continue to think about creative ways to keep people safe. As we are constantly rebuilding this infrastructure for our structural needs, we might as well get in there and put up some of the new cool things that we see slow people down and make them safer on our highways as well.

Ms. Larkin Thomason:

I can add that we are very active members working with DPS, DMV, and OTS. We are a strong partner in those, and we also provide funding for those activities.

AGENDA ITEM IX—PUBLIC COMMENT

Chair Harris:

[Chair Harris called for public comment. There was none.]

Additional public comment was submitted and compiled as (Agenda Item IX).

AGENDA ITEM X—ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:57 p.m.

Respectfully submitted,

Julianne King
Assistant Manager of Research Policy
Assistants

Kristin Rossiter
Senior Policy Analyst

APPROVED BY:

Senator Dallas Harris, Chair

Date: _____

MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item II	Drew Ribar, Private Citizen	Written Public Comment
Agenda Item IV	Tonya Laney, Director, Nevada's Department of Motor Vehicles (DMV) Molly Lennon, Administrator, Division of Research and Project Management, DMV Sean Sever, Legislative Liaison and Deputy Administrator, Division of Research and Project Management, DMV; and Vice Chair, Nevada Advisory Committee on Traffic Safety (NVACTS)	PowerPoint Presentation
Agenda Item V	Andrew Bennett, Director and Chair, NVACTS, Nevada Association of Counties/Clark County Office of Traffic Safety (OTS) Amy Davey, Highway Safety Director, OTS, Department of Public Safety Sean Sever, Legislative Liaison and Deputy Administrator, Division of Research and Project Management, DMV; and Vice Chair, NVACTS	PowerPoint Presentation
Agenda Item VI	Annie Kitch, Senior Policy Specialist, Environment, Energy & Transportation, National Conference of State Legislatures (NCSL) Matt Wicks, Policy Associate, NCSL Douglas Shinkle, Director, Environment, Energy & Transportation, NCSL	PowerPoint Presentation
Agenda Item VII A-1	Leisa Moseley Sayles, Nevada State Director, Fines and Fees Justice Center (FFJC) Nick Shepack, Nevada State Deputy Director, FFJC	PowerPoint Presentation

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item VII A-2	Leisa Moseley Sayles, Nevada State Director, FFJC Nick Shepack, Nevada State Deputy Director, FFJC	Handout on Red Flags in Automated Traffic Enforcement Contracts
Agenda Item VII A-3	Leisa Moseley Sayles, Nevada State Director, FFJC Nick Shepack, Nevada State Deputy Director, FFJC	California Assembly Bill 645 (2023)
Agenda Item VII A-4	Leisa Moseley Sayles, Nevada State Director, FFJC Nick Shepack, Nevada State Deputy Director, FFJC	Link to FFJC Report
Agenda Item VIII	Tracy Larkin Thomason, P.E., Director, Nevada's Department of Transportation (NDOT) Felicia Denney, Assistant Director, Administration, NDOT Nicholas Johnson, Chief, Division of Project Management, NDOT	PowerPoint Presentation
Agenda Item IX	Compilation of written comments received from members of the public who did not speak during the meeting. These comments are posted individually on the Legislature's website for this meeting and can be found at the address below: https://www.leg.state.nv.us/App/InterimCommittee/REL/ Interim2023/Meeting/34435	

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