

**MINUTES OF THE
SENATE COMMITTEE ON TRANSPORTATION**

**Seventy-Seventh Session
March 13, 2013**

The Senate Committee on Transportation was called to order by Chair Mark A. Manendo at 9:09 a.m. on Wednesday, March 13, 2013, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4406, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Mark A. Manendo, Chair
Senator Kelvin Atkinson, Vice Chair
Senator Pat Spearman
Senator Joseph P. Hardy
Senator Donald G. Gustavson

STAFF MEMBERS PRESENT:

Jered McDonald, Policy Analyst
Darcy Johnson, Counsel
Melodie Swan-Fisher, Committee Secretary

OTHERS PRESENT:

P. Michael Murphy, D.B.A., Coroner, Office of the Coroner/Medical Examiner,
Clark County
Chuck Callaway, Police Director, Office of Intergovernmental Services,
Las Vegas Metropolitan Police Department
D. Eric Spratley, Lieutenant, Washoe County Sheriff's Office
Ron Cuzze, President/CEO, Nevada State Law Enforcement Officers'
Association
Jude Hurin, Motor Vehicles Services Manager, Management Services and
Programs Division, Department of Motor Vehicles
Catherine Krause, Chief IT Manager, Records & Technology Division,
Department of Public Safety

Senate Committee on Transportation
March 13, 2013
Page 2

Chad Dornsife, Executive Director, Best Highway Safety Practices Institute;
National Motorist Association
Leonard Nevin, Nevada Association of Public Safety Officers
Cheryl Blomstrom, Nevada Trucking Association
Mary Pierczynski, Ed.D., AAA
Tom Greco, Assistant Director, Planning, Director's Office, Nevada Department
of Transportation

Chair Manendo:

I will open the hearing on Senate Bill (S.B.) 204.

SENATE BILL 204: Requires the Department of Motor Vehicles to establish a next-of-kin registry. (BDR 43-712)

Senator Donald G. Gustavson (Senatorial District No. 14):

I support S.B. 204. I will read my written testimony explaining the bill ([Exhibit C](#)). I have also provided a copy of the "Next of Kin, Emergency Contact Information Program" information form used by the Delaware Division of Motor Vehicles ([Exhibit D](#)). After discussions with the Department of Motor Vehicles (DMV), I would like to change the effective date of the bill to January 1, 2015. The DMV will absorb the cost of implementing the program with the later effective date. I have a proposed conceptual amendment to the bill ([Exhibit E](#)).

P. Michael Murphy, D.B.A. (Coroner, Office of the Coroner/Medical Examiner, Clark County):

We support S.B. 204. The ability to notify the legal next of kin is extremely important and a key element of what our office does. We have a proposed amendment ([Exhibit F](#)) allowing a county coroner or medical examiner's office personnel and employees to access the information. In 15 of the 17 counties in the State, the sheriff serves as the ex officio coroner. In Washoe County and Clark County, however, that is not the case. There are separate statutes to provide for an independent coroner or medical examiner's office. The coroner's offices in Washoe and Clark Counties are not law-enforcement based. Without the amendment, we would not be able to access the next of kin information.

Senator Spearman:

When the next of kin is notified, is someone from the faith community present?

Mr. Murphy:

In Clark County, we use the Trauma Intervention Program (TIP). It is a volunteer program supported by law enforcement, fire personnel, public safety individuals and our office. The TIP volunteers are often at the site before the coroner and assist the family in navigating through the process. The volunteer speaks with the family about religious issues, and if there is a desire to have a religious representative present, the TIP volunteer will contact someone. We bring others into the process to assist the family because we are not able to stay for long periods of time. We do not take a religious representative with us on every call, but we do have a strong relationship with the religious community and rely on them to help guide the families.

Chuck Callaway (Police Director, Office of Intergovernmental Services, Las Vegas Metropolitan Police Department):

The Las Vegas Metropolitan Police Department supports S.B. 204 with the amendment proposed by Mr. Murphy.

D. Eric Spratley, Lieutenant (Washoe County Sheriff's Office):

The Washoe County Sheriff's Office supports S.B. 204.

Ron Cuzze (President/CEO, Nevada State Law Enforcement Officers' Association):

The Nevada State Law Enforcement Officers' Association supports S.B. 204.

Jude Hurin (Motor Vehicles Services Manager, Management Services and Programs Division, Department of Motor Vehicles):

The DMV is neutral on S.B. 204. I will read my written testimony ([Exhibit G](#)).

Chair Manendo:

How many hours of programming would be required to implement the program?

Mr. Hurin:

Approximately 1,120 hours of programming is estimated. The cost will be absorbed if the effective date were changed.

Senator Gustavson:

Could this be implemented sooner than 2015?

Mr. Hurin:

It may be possible. We have to consider the internal programming and the programming necessary for the DMV kiosks, the future portal and the interface with the Department of Public Safety (DPS). The year 2015 is our best projection.

Catherine Krause (Chief IT Manager, Records & Technology Division, Department of Public Safety):

We submitted a fiscal note on this, but we can reduce it. The Justice Link Message Switch (JLink) is the mechanism used to provide information from the DMV to law enforcement. It is part of the Nevada Criminal Justice Information System, Records and Technology Division, DPS. Some of the work can be done with internal resources. We can eliminate the portions of the fiscal note regarding project and database management. However, JLink is a vendor-supported application, so our vendor estimates about \$3,000 to modify the program. If the proposed amendment to delay the implementation date were adopted, the costs would only affect fiscal year 2014-2015. Any maintenance costs from our vendor would be included in future biennia.

Chair Manendo:

I will close the hearing on S.B. 204. I am opening the hearing on S.B. 191.

SENATE BILL 191: Increases the maximum speed at which a person may drive or operate a vehicle. (BDR 43-729)

Senator Donald G. Gustavson (Senatorial District No. 14):

I support S.B. 191, and I will read my written testimony ([Exhibit H](#)). I have numerous written examples of research and support ([Exhibit I](#)).

Senator Spearman:

Many young drivers think they are more skilled than they actually are. Is there any evidence that this will not affect the rate of teenage fatalities?

Senator Gustavson:

I have not seen any statistics specific to teenage drivers. The research I provided shows a majority of accidents do not occur on interstates.

Mr. Cuzze:

We support S.B. 191. I have submitted an informal poll of our members regarding raising the legal speed limit ([Exhibit J](#)). After reading the comments from our members, the number in support would have been higher if we had clarified this would apply to interstates and not U.S. Highway 93 or U.S. Highway 95. This will not affect the metropolitan areas.

Chair Manendo:

Will this only apply to interstates in rural areas?

Mr. Cuzze:

Yes. This will primarily affect Interstate 80 (I-80) and Interstate 15 (I-15). It could apply to U.S. Highway 95 from the Spring Mountain Indian Reservation to Mercury, which meets the same standards as an interstate.

Chad Dornsife (Executive Director, Best Highway Safety Practices Institute; National Motorist Association):

I support S.B. 191. I am a lead researcher on speed limits and risk management. I have conducted studies in Montana and Oregon, analyzed the effects of speed limiters and monitored the Nevada Department of Transportation (NDOT) data since the 1980s. I conducted a study in Montana from 1995 until 2002. From 1995 until 1999, Montana did not have speed limit on rural roads and interstates for a majority of vehicles. We studied young drivers, trucks and two-lane roads. During the period of no speed limits, Montana recorded their lowest fatality rate on the roads with no speed limits. The fatality rate has never been as low. We placed monitoring stations on the roads and found that people would speed up to about 100 miles per hour (mph) for 5 or 10 minutes and then slow down to a more comfortable speed. The greatest change of speed on any roadway in Montana was 2 mph; on average, it was 1 mph. We also saw a drop in the number of multiple vehicle accidents on two-lane roads by 5 percent. When drivers expected higher speeds, they were more courteous and moved over for passing vehicles. In Oregon, all rural highways except for two have a posted speed limit of 55 mph. There is an exceptional number of fatalities from overtaking vehicles and drivers trying to pass trucks. Prior to Congress removing all federal speed limit controls in 1995, NDOT had data in Goldfield and Coaldale. The prevailing traffic in Goldfield traveled at 87 mph and 89.5 mph in Coaldale. Additionally, U.S. Highway 95 was built to interstate standards with wide shoulders and run-off areas.

People drive at a comfortable speed regardless of the posted speed limit. When drivers are in their comfort zone, they are at their safest. One of the least safe things a driver can do is pass a truck. Speed limited trucks increase the number of high-risk overtakings that could lead to accidents. When trucks drive with the natural flow of traffic, the number of overtakings is reduced. The general rule for engineers is to let traffic flow at its natural pace. The consensus of what the public has found safe is usually the best judge of what is safe. Speed limits are based on that. In Utah, the speed limit was 75 mph, and the prevailing speed of traffic was between 82 and 85 mph depending on the time of year. After Utah changed the speed limit to 80 mph, the prevailing speed remained between 82 and 85 mph. Like Montana, the speed of traffic did not change but the accident rate decreased.

I obtained a preliminary copy of the research the Nevada Trucking Association (NTA) is presenting ([Exhibit K](#)) that I would like to discuss. The Solomon study was conducted on two-lane roads in the Midwest using vehicles from the 1940s and 1950s. The report was published in 1964. There were not any no-passing-exclusion zones at that time. It did document a trend first noticed in the 1940s—vehicles traveling faster than average have a lower rate of involvement in accidents. The next study discussed was conducted by Julie Cirillo. She studied urban interstates in congested areas. The ingress and egress points and the convergence zones have an exponential increase in accidents. The city streets cannot accommodate the capacity, so the excess capacity is forced on to the interstates. When this happens, slower-traveling vehicles are involved in accidents. Ms. Cirillo studied the design of roadways and converging traffic. Once the interchanges were cleared, the accident rate dropped to almost zero. Finally, West and Dunn conducted a study of surface streets and found a majority of accidents occurred when drivers turning left conflicted with opposing traffic. The accidents they observed were impacted very little by speed.

Leonard Nevin (Nevada Association of Public Safety Officers):

I am neutral on S.B. 191. When I was the chair of the Assembly Committee on Transportation, I trusted NDOT. The engineers and experts know what conditions and speeds a road can handle. I trust the judgment of NDOT.

Cheryl Blomstrom (Nevada Trucking Association):

The NTA opposes S.B. 191. The trucking industry operates on very small margins, and it is a very competitive industry. Diesel gasoline prices are over \$4

per gallon with no relief in the near future; it is important to save every penny possible. To that end, the industry has made significant changes in engines, vehicle design, wind efficiency and emissions. The NTA met and made the unanimous decision to oppose this bill. The NTA is comprised of large carriers and small or independent carriers. The organization is solidly opposed to this idea. Most likely, this will affect I-80 and I-15. I refer you to the presentation Trucking 101 ([Exhibit L](#) was Exhibit D in the meeting held on February 20, 2013, in the Senate Committee on Transportation.) Slide 19 showed where 2,000 trucks traveled over a 7-day period. The majority of truck traffic in the State was on I-80 and I-15. The NTA is concerned about creating differential speeds on the interstates. Most of the trucking companies limit speeds on their trucks to between 62 and 70 mph. There is scientific evidence stating fuel efficiency is achieved by reducing speeds and keeping them consistent. Our 3-million miles accident-free driver in Las Vegas drives for one of the largest companies in the Country, and his truck is speed limited. He makes good choices every time he drives. His company made the choice to use speed limiters on their trucks. The trucking industry is trying to make their drivers, cargo and the public safer. A good day in the trucking industry is when the truck driver arrives home safely, the load is delivered and everyone else on the road is safe.

Senator Gustavson:

Do all the NTA carriers use speed limiters?

Ms. Blomstrom:

No. It is a decision made by each company, but a majority of the NTA carriers use them.

Mary Pierczynski, Ed.D. (AAA):

The AAA opposes S.B. 191. Increasing the speed limit increases the risk of an accident. When accidents occur at higher speeds, the injuries are more severe, and there are more fatalities.

Senator Manendo:

Do you see an increase in accidents when the speed limit is increased?

Ms. Pierczynski:

In 2010, about one-third of the national fatalities, 10,395, were from speed-related accidents. Research shows that increased speeds increases fatalities.

Senator Hardy:

Were those fatalities on highways or city streets?

Ms. Pierczynski:

The studies were done from a sample of police-reported crashes throughout the Country.

Senator Hardy:

Were they looking at speed in general, not specifically highway speeds?

Ms. Pierczynski:

Yes, that is correct. I will get you information specific to highway speeds.

Senator Spearman:

There was testimony that trucks carry about 70 percent of all our consumer goods. Slides 37 and 38 of the presentation show fuel costs per mile were \$.59 in 2011, and total operating costs were \$1.70 per mile and \$68.20 per hour. I am concerned about what impact this will have on our economy if this bill increases the cost for transporting goods via truck. How much will the fuel cost per mile and total operating costs change as a result of S.B. 191?

Ms. Blomstrom:

In Nevada, 94 percent of our consumer goods travel by truck. I do not know the answer to your question, but I will find out.

Senator Gustavson:

Speed is not usually the cause of an accident. It is a contributing factor to the severity of an accident. I presented research in [Exhibit I](#) showing more accidents occur at 45 mph than at high speeds on the interstates. Will this bill not affect the statistics you are referencing?

Ms. Blomstrom:

That is correct.

Senator Hardy:

When my father taught me how to drive, he told me most accidents happen at intersections. If you combine speed and intersections you have a very challenging situation. I am trying to ascertain how high speeds on a virtually no-intersection roadway will affect accidents. I would like information on how many of the 10,395 accidents were caused by speed and how many occurred at intersections.

Ms. Blomstrom:

I will get you that information.

Tom Greco, (Assistant Director, Planning, Director's Office, Nevada Department of Transportation):

The NDOT is neutral on this bill. Safety is paramount with NDOT. We appreciate the option given using the word "may" in line 26 on page 2. This will allow NDOT to determine if and when raising the speed limit would be appropriate. There are many studies with varying results about raising speed limits. The NDOT prefers to have data 3 years prior to a change and 3 years after the change to get valid results to study. We measure the number of accidents and accident rates based on miles traveled and total miles in the system. Most of the previous studies either did not have 6 years of data or they did not reflect all the elements NDOT includes in a safety study. We are still researching the issue. In rural states, like Nevada, most fatal accidents occur on rural two-lane roads. The interstates are very safe.

Senator Hardy:

Are the accidents on the rural two-lane roads tire blowouts, two-car collisions, or speed related?

Mr. Greco:

We will get that information to you. Would you like information about interstates and rural roads?

Senator Hardy:

Yes, I would like information about both interstate and rural roads with a one page executive summary.

Senate Committee on Transportation
March 13, 2013
Page 10

Chair Manendo:

I close the hearing on S.B. 191. The meeting is adjourned at 10:14 a.m.

RESPECTFULLY SUBMITTED:

Caitlin Brady,
Committee Secretary

APPROVED BY:

Senator Mark A. Manendo, Chair

DATE: _____

<u>EXHIBITS</u>				
Bill	Exhibit		Witness / Agency	Description
	A	1		Agenda
	B	3		Attendance Roster
S.B. 204	C	3	Senator Don Gustavson	Written testimony
S.B. 204	D	2	Senator Don Gustavson	Sample: Next of Kin Emergency Contact Information form
S.B. 204	E	1	Senator Don Gustavson	Proposed amendment
S.B. 204	F	4	P. Michael Murphy	Proposed amendment
S.B. 204	G	1	Jude Hurin	Written testimony
S.B. 191	H	4	Senator Don Gustavson	Written testimony
S.B. 191	I	19	Senator Don Gustavson	Examples and research of support
S.B. 191	J	4	Ron Cuzze	Member poll
S.B. 191	K	9	Cheryl Blomstrom	Written testimony and research
S.B. 191	L	66	Cheryl Blomstrom	Presentation: "Trucking 101"