

**MINUTES OF THE  
SENATE COMMITTEE ON TRANSPORTATION**

**Seventy-ninth Session  
March 2, 2017**

The Senate Committee on Transportation was called to order by Chair Mark A. Manendo at 8:34 a.m. on Thursday, March 2, 2017, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 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 Don Gustavson  
Senator Scott Hammond  
Senator Patricia Farley

**STAFF MEMBERS PRESENT:**

Michelle Van Geel, Policy Analyst  
Darcy Johnson, Counsel  
Debbie Shope, Committee Secretary

**OTHERS PRESENT:**

Tina Quigley, General Manager, Regional Transportation Commission  
Erin Breen, Director, Vulnerable Road Users Project, Transportation Research Center, University of Nevada Las Vegas  
Amy E. Davey, Administrator, Office of Traffic Safety, Department of Public Safety  
Carl Hasty, District Manager, Tahoe Transportation District

**CHAIR MANENDO:**

We will begin with a presentation from Tina Quigley of the Regional Transportation Commission.

TINA QUIGLEY (General Manager, Regional Transportation Commission):

I am going to present the Regional Transportation Commissions (RTC) updates. ([Exhibit C](#)) is an overview as to who the RTC is and what we do. Every single transit and transportation department or agency in the United States is different. In southern Nevada, the RTC is the public transit agency which operates all the fixed routes and paratransit services. The RTC is the roadway funding and planning agency and is the region's Metropolitan Planning Organization (MPO). Anything having to do with managing traffic through technology is under the RTC. Recently, the RTC has become the administrator of Southern Nevada Strong, which is our first federally recognized regional plan.

The RTC, was created by *Nevada Revised Statutes*, and those statutes require us to have eight members on the board. They are all elected officials. The statute reads there will be two members from the county; we have Commissioner Larry Brown who is also the chairman, and Commissioner Chris Giunchigliani. The statute states the RTC must have two from the largest city, which right now is the City of Las Vegas; these are Mayor Carolyn Goodman and Councilwoman Lois Tarkanian. The statute requires one from each of the other jurisdictions. From the City of Henderson we have Councilwoman Debra March, who is the vice chair; Mayor John Lee from North Las Vegas; Mayor Rod Woodbury from Boulder City; and from City of Mesquite, David Ballweg.

A pie chart on page 4 of [Exhibit C](#) shows an overview of the funding sources for the RTC, and this changes yearly depending on the number of bonds that are issued. Motor vehicle fuel taxes do not reflect the new fuel revenue indexing. The passenger fare number has decreased year over year; we believe it is due to ride sharing that all metropolitan areas are seeing as a growing industry.

Page 5 shows where that money goes. The RTC contracts the maintenance and the drivers out. Government employees are not operating or maintaining the vehicles.

Page 6 shows the number of passenger boardings, the number of routes and the contract amounts for RTC. This makes Las Vegas's system approximately the eighteenth busiest system in the United States.

The Federal Transit Administration (FTA) ranks the RTC No. 1. The FTA looks for efficiencies with all the transit authorities they give money to. Page 7 shows

RTC is ranked the No. 1 most efficient system. Most systems in the United States have a fare box recovery ratio of approximately 20 percent. A new route is not implemented until the ridership is there to justify it. With RTC, it is 20 passengers per service hour. The other item we have is the Las Vegas Resort Corridor with the densities and ridership number. This helps to subsidize and increase the numbers for the entire system.

Whenever a fixed route system is operated, you are responsible to operate a paratransit system. It is an unfunded mandate. It is an expensive system to operate but a valuable system to the users. Many people are able to live independently who otherwise could not. You can see the numbers on page 8 of [Exhibit C](#) for the paratransit services.

On page 9 of [Exhibit C](#), you see the RTC offers some more efficient systems, particularly in areas where there are high concentrations of seniors. The RTC provides limited trips and looped trips to take people from where they live to areas where they need to get, such as medical centers, grocery stores, etc. The RTC also collaborates with nonprofits as well, by providing capital to them which is the buses.

All the money related to planning and funding roadways flows through the RTC. The RTC is not the agency that actually does the construction work. For the most part, the money flows through the RTC to the public works departments within each jurisdiction. The counties and the cities are actually doing the construction and working with us to prioritize where the money is going.

Fuel Revenue Indexing (FRI) is something that has been a high priority for the RTC over the past three years. The Legislature passed A.B. No. 413 of the 77th Session, also known as the Fuel Revenue Indexing bill. This allowed tying motor vehicle fuel tax to inflation. The base tax of 52 cents per gallon had been flat for over 20 years. This allowed Clark County to pass an ordinance that would tie motor vehicle fuel tax to inflation, and made it clear that it would only be for three years, and after three years, would go to a vote of the people. Page 12 of [Exhibit C](#) shows how much was collected and the number of projects funded. Some of the things we needed to do were to report regularly and be very transparent as to where the money was going. The Legislature wants to know that RTC is creating jobs. The Legislature wants to know this money is not sitting on a shelf somewhere. The Legislature wants to ensure opportunities for small and local businesses are being created, in particular

domestic business entities (DBE) and women's business entities (WBE) or women-owned businesses. The RTC has reported regularly to the RTC board, to the County Commission and to the Legislature. The Legislature explained that it would have to go a vote of the people for continuation. In 2016, it passed by 58 percent. It is a ten-year extension to that program.

Page 15 shows what economists say the FRI will bring in financially and the increase in the number of jobs it will create.

Page 16 of [Exhibit C](#) shows how the RTC will keep their commitment. The RTC also wants to make sure southern Nevadans are being trained for the work that they need and to fill the jobs locally to the extent they can. Approximately 0.5 percent of the jobs did have to be recruited from out of state for specialized types of work.

One of the things that came along with that was a lot of lane closures and many orange cones. The RTC knew that would happen, so a Website was created that anyone could go to for information, or a phone number they could call to learn about projects. People wanted to know what the project was, but more importantly, they wanted to know when the project was going to be completed.

In collecting all this feedback from the community, the RTC found that there were many projects going on at the same time. Many of the projects that were most annoying to people were not the RTC's projects. Water reclamation had a project going on, utility companies had a lot of work going on, and master developers were starting to get active again. The RTC had to create a regional project coordination committee and on a biweekly basis are now meeting with everybody who has projects or will have projects, and they are coordinating the lane closures. We are making sure we are not all hitting a particular neighborhood at the same time.

The RTC has partnered with the traffic application Waze. The RTC gives the lane closures and our construction data so Waze can put it into their traffic algorithm. Waze is used to find the most expeditious way to get to your destination. It takes into account lane closures and helps move more people efficiently throughout southern Nevada.

The newest role for the RTC is being administrators of the first federally recognized regional plan. The plan focuses on how southern Nevada is going to develop affordable housing, develop communities and connect the communities. The RTC is not responsible for all that, but we are responsible for convening all the people who have a nexus of responsibility for this. We need to be having regular discussions, coordinating efforts, and reporting to the federal government on the efforts.

The RTC's traffic management center is called the Freeway and Arterial System of Transportation (FAST). Dynamic message signs, ramp meters, traffic cameras and flow detectors are all under FAST. It is the only traffic management system in the United States that is all under one authority. Areas like Los Angeles have 133 different traffic management systems or agencies. It makes it difficult when it comes to coordinating the entire area.

The RTC is aware that our role at this point is to stay ahead and stay smart on things such as intelligent infrastructure. Page 20 of [Exhibit C](#) shows the areas that are relevant to transit and transportation.

Audi selected Las Vegas as its very first destination to unveil its countdown to green technology. A 2017 Audi has the ability to tell you how many more seconds until a light turns green. The reason this technology exists is because the infrastructure has the ability to convey this information. Audi selected Las Vegas because it has the ability to get all of our traffic lights coordinated with their cars. They had to work with one agency only.

Shared mobility is another thing that will affect the entire landscape of transit, transportation and urban planning. Uber, Lyft, and those types of shared services, and companies like them, have made it clear that they are going to be getting into other markets like mass transit. They will be focusing on commuters and carpoolers, probably giving people the option to own only one car as opposed to two. In the future, we may see where you no longer need a vehicle. You would pay for a subscription with one of these services, much like a gym membership. You would schedule through your app all the rides that you need. Your shared vehicle would come pick you up and take you where you need to go. There are automakers, particularly Ford, that are anticipating this type of market shift.

There is a lot of conversation about autonomous vehicles and, ultimately, about driverless vehicles. How they will integrate those into our community is going to be a big discussion for transit and transportation leadership.

To that extent, I have a short video to show that gives an idea of what the city of tomorrow will look like <<http://www.drivesweden.net/en>>.

There is a lot to consider in the world of transit and transportation: how it is going to affect overall urban design and how people are going to live. Page 22 of [Exhibit C](#) shows some opportunities for the RTC. There will be suspicion and distrust at first related to driverless technologies or any type of technology that is tracking closely how we move throughout our communities. The RTC needs to be proactive in consumer education and awareness.

Recognizing that the RTC has the ability to lead and leverage the fact that on an annual basis, people, companies and developers come to Las Vegas, the RTC decided to pull everybody together right before the Consumer Electronics Show (CES), in partnership with CES, in what was called the Go-NV Summit. It brought together the public sector and private sector to share what everyone is working on. The RTC themed this using a video <<http://nevadacam.org/gonv/>> to bring everyone together and share where everybody was at.

In closing, last year the RTC formed the Transportation Resource Advisory Committee (TRAC). This Committee is made up of 36 stakeholders in southern Nevada. They are engaged and involved in the community and interested in helping RTC identify priorities. The RTC will continue to use this group to guide them on where the priorities should be and how to interface with the community. The RTC will be working toward staying on top of innovation and learning how to make the system more efficient. To lead the Nation is one of the things TRAC has made clear.

CHAIR MANENDO:

This is something that my constituents and I are passionate about. You mentioned the coordination, part of that is the Legislature's fault. We said "get out there, get the jobs, and get it done." That is what we heard from our constituents; the need is there. The constituents agreed and voted for FRI to put people back to work and get roads and projects going. One of the things we do

is hold town halls to talk to our constituents and let them know it is frustrating, but this is what you asked of us, and this is what we told our people to do.

On the coordination portion, there are other projects too, and it is not all FRI money. Every Committee in the Legislature would like to see everyone do a better job, working together and making sure we are communicating. We do not want to do a project and then six months later, another authority comes and works on a similar project. We do not want to do that. This will keep people from getting frustrated.

MS. QUIGLEY:

I agree. The RTC talked with other groups, and we discovered we need to coordinate efforts better.

SENATOR FARLEY:

What went to small businesses and WBEs? What was the dollar amount?

MS. QUIGLEY:

I do not have the breakdown of the dollar amount for the WBEs that received work.

SENATOR FARLEY:

Do you have that breakdown for the minority companies?

MS. QUIGLEY:

We do know there were 75 small local businesses. Whether or not they were WBEs or DBEs that received work as a result is unknown.

SENATOR FARLEY:

I am good with the local business side, but the dollar amount and the actual work they were getting is the concern and needs to be the point.

MS. QUIGLEY:

I will get the information back to you and the Committee.

SENATOR GUSTAVSON:

You talked about the FAST program and the reader board signs. On the reader board signs there is some information such as "click it or ticket" or other phrases that are great. In my opinion, the reader boards should be used for

emergency purposes only. The reader boards that say the travel time from Point A to Point B, I understand that. However, when you get two or three lines, they are long, it is more of a distraction. People tend to not read all of the signs. They get tired of reading the little sayings, and then if there is an emergency on one, they might just ignore it. When there are three lines, it might take you one or two seconds to read. If you take your eyes off the road for one or two seconds when you are driving 65 to 70 miles per hour, that is not a good idea. Does your agency use the reader board signs regularly?

MS. QUIGLEY:

Messages that are conveyed on the reader boards are heavily reviewed and regulated. Of course, they cannot be used for advertising or for general public messaging. There are specific rules as to what the messages can say, and it does have to relate to traffic safety.

SENATOR GUSTAVSON:

I understand it is for traffic safety, but it makes for distracted driving also.

About autonomous vehicles, people out here on the West Coast are very independent and like our independence, especially when it comes to driving. This is why a lot of us do not use mass transportation, not only for that reason, but we are not all going to the same place. In larger metropolitan areas like Las Vegas, it makes sense. Someone out there going from Point A to Point B cannot always utilize a service like that.

MS. QUIGLEY:

Correct. You need the densities in order for it to be worthwhile. At this point, it only makes sense in those highly dense urban areas.

SENATOR GUSTAVSON:

I love driving, have done it all my life, and took it up as a profession for many years. Watching the video reminds me "there goes my independence." Yes, it would be nice to sit and see where you are actually going. Then again, you cannot leave your intended route to check something out; you do not want a preprogrammed trip.

CHAIR MANENDO:

There is project on Cabana Drive between Flamingo Road and Vegas Valley Drive. A beautification project in the middle was not done. Can you check to



see when the area is to be transplanted with desert landscaping? People are just throwing things out there and it looks horrible.

I had a constituent who asked why there is no train between northern and southern Nevada. They are also wondering why there is no high-speed train between southern California and Las Vegas. There is not a light rail in Las Vegas yet. I hope that one day we will have all of that.

MS. QUIGLEY:

I will check on the desert landscaping and follow up with the Committee.

ERIN BREEN (Director Vulnerable Road Users Project, Transportation Research Center, University of Nevada Las Vegas):

I will present the overview of The Road to Green: Nevada Crash Facts Our Roadmap to Safer Roadways ([Exhibit D](#)). I called the presentation "The Road to Green" because, for the first time, Nevada roadways have become more unsafe than before. This presentation makes recommendations on how Nevada can improve our roadways. The title of the Advocates for Highway and Auto Safety publication is "Have We Forgotten What Saves Lives." I do not think we have forgotten, but we need to manage these hard issues. Personal feelings come into play, but the bottom line is people are dying in higher numbers across the United States. What I wanted to bring to you today are the numbers nationally and our numbers for Nevada. The Advocates compared 2014 to 2015. I did the same except for a few instances where we know that we had a particularly terrible year, such as in 2016. I want to start with a quick video <<http://www.nsc.org/learn/NSC-Initiatives/Pages/Fatality-Estimates.aspx>>. My funding is primarily through the Nevada Office of Traffic Safety, and I certainly could have put their logo at the bottom of the pages. The reality is there are many people working on zero fatalities, and I decided that was the best message on each one of these pages. When people think zero fatalities are unobtainable, my response is how many fatalities are acceptable.

Page 4 of [Exhibit D](#) is the Advocates numbers. It shows that nationally all the numbers are up in every category. I wish we could tell you why the numbers increased because if we could tell you why it happened, we could fix it. There is a lot more to the "here is how it happened" because of the nature of human beings. Human beings behave badly, make bad decisions and never see ourselves in the position of not coming home at the end of the day.

Nevada's numbers are on page 5. You can see from 2014 to 2015 Nevada had two bright spots. Unbelted vehicle occupant fatalities were down 10 percent and motorcyclist fatalities were down 13 percent.

On page 6 you see the 2016 numbers. For Nevada these are preliminary numbers, none of them have been finalized. There are many alcohol-related fatalities that are still not in as reporting runs behind. Remember the two areas where we did so well in 2015? The motorcycle fatalities were through the roof in 2016. Motor vehicle occupant fatalities in 2016 had an increase of about four overall fatalities. Even though a few more people in vehicles died, most of them were not wearing their seat belts.

You see on page 7 information from the National Highway Traffic Safety Administration (NHTSA). Many times, we think this is just a Washoe County and a Clark County issue. All the blue fields you see are where people died. Between Clark County and Washoe County, we do not see many fatalities. Digging a little deeper and looking at the vehicle miles traveled rate, you see that the rural areas are the problem. There are more alcohol-related crashes in the rural areas. The reality is we need to look statewide, not just the larger counties. The zero fatalities program was born out of the Strategic Highway Safety Plan. There are now seven critical emphasis areas in Nevada. Teen drivers and motorcyclists were recently added as critical emphasis areas.

We look at the fatal crashes and the A crashes, or the incapacitating injury crashes. As Legislators who have some fiscal responsibility in Nevada, those A crashes are costing you more money than the fatal crashes. Page 8 of [Exhibit D](#) shows the Strategic Highway Safety Plan and those incapacitating crashes. That is a lot of crashes; it is many man-hours and a lot of response to crashes, even when you read "property damage only," "unknown" or "nonreported" on the bottom of the page. Many times the State is picking up the financial tab, but do not forget who is picking up the emotional tab, and how much it affects not just the family involved but the workplace.

Page 9 shows the Advocates for Highway and Auto Safety, much like our Strategic Highway Safety Plan but on a national level. For the first time ever, Nevada received a red rating. Nevada has always had a yellow rating. The only thing that kept us from a green rating in the early years was that we did not have a primary seat belt law.

On page 10 the things you see in green are actually laws Nevada has. The Advocates define 15 laws as critical to saving lives. Nevada has the ones in purple, but these laws may need to be fine-tuned.

Page 11 of [Exhibit D](#) lists the first and second of the Advocates ideal laws, which involve primary seat belts. Nevada has a seat belt law, and we have had it since 1989. What it does not say is an officer can pull the vehicle over when you are not wearing your seat belt. They can pull you over for not having a front license plate if there is a bolt for a license plate to be there, or a tassel hanging from your rearview mirror. They can pull you over if your back taillight is cracked. None of those things will take your life. Our unbelted fatalities in 2016 rose almost 9 percent for the first time since we started doing the observational survey. The observational survey does not count backseat occupants, and it does not count at nighttime. There are other factors involved that we believe do not give a true picture, but for the first time, Nevada was under 90 percent. Now we are seeing the results of the fact that for some reason Nevada is taking a step back in many of the measures that have been worked on for many years. The people who work the estimates say that 18 lives could have been saved last year if Nevada had a primary seat belt law.

You see on page 12 what the United States looks like when we look at who has primary and secondary laws. New Hampshire does not have a law. There are 15 states, including Nevada, that do not have a primary seat belt law.

During this Session, there will be a primary seat belt law introduced and sponsored by Senator Parks. I chose this picture on page 13 because it was the most recent fatality due to not wearing a seat belt. At the time, it was the most recent fatality where someone was driving drunk. This happened to be a 19-year-old driver where 2 young people were ejected from the vehicle. One of them died on scene, the other is in critical condition. We also had a fatality in downtown Las Vegas on Tuesday where the driver was unbelted, and when you think about downtown on Las Vegas Boulevard, you think people do not go that fast. However, the picture of the car was amazing.

On page 14 of [Exhibit D](#) is a chart showing the national observed usage rate for seat belts in blue, Nevada's observed usage rate for seat belts in red.

Page 15 is the third ideal law that the Advocates said Nevada should have, a motorcycle helmet law. When we look at where the fatalities happen,

two sessions ago, I would have told you it was young males going too fast; and older males who are drinking and driving and getting on a Harley and saying, "I do not need any instruction, I know how to ride a motorcycle." This seems to have lessened. When I looked at this report, we are really looking at young men between the ages of 20 and 29 involving primarily speed.

On page 16 is the universal helmet law, which Nevada maintains. There are actually more states that do not have helmet laws. For the Advocates report, you are not eligible to receive a green rating if you do not have a helmet law for all riders.

In Nevada, the percent of registered motorcycles to registered vehicles runs a little higher than the national numbers, to include the number of fatalities, page 17 of [Exhibit D](#).

This is something I wanted to include. It is from the National Highway Traffic Safety Administration as shown on page 18 of [Exhibit D](#). The rate is showing we are going the wrong direction.

During this Session, there is a bill draft request from the Senate Transportation Committee that will require motorcycle helmets for scooter riders. Scooter riders are Nevada's unhelmeted fatalities. We are seeing an increase in people making left-hand turns in front of motorcyclists. Typically it happens driving down the arterial streets and someone not seeing that motorcyclist or that scooter rider, who has an even lower profile than motorcycles, and pulling out in front of them. They put the motorcycle or the scooter down in the street, or they hit the car and go head first over the car, resulting in a fatality. These are predominately males over the age of 50, unlike motorcyclists. People ride scooters for many different reasons, most of them financial. Fifty-four percent of them were uninsured.

The next ideal law, number 4 on page 20, is to have children in booster seats. Some of the information has changed over the years. Primarily, the child between the age of six and eight is not wearing a seat belt that will save their life. In fact, they may be wearing a seat belt that could cause them critical injury or death. Their heads are substantially larger than the rest of their bodies, and it really comes down to can their neck muscles hold their head in a place that will not cause them severe injury. We should call booster seats

"belt-positioning seats." They actually make the child's torso longer so the seat belt hits their shoulder, their sternum and their hips.

Next Thursday, Senate Bill (S.B.) No. 156 that will be introduced by Senator Joyce Woodhouse is about transporting children safely and adds all the things discussed. It also adds that if a parent is riding in a vehicle but is not the driver and the child/children are not restrained, the citation not only goes to the driver, it also goes to the parent.

**SENATE BILL 156:** Revises provisions relating to the safe transportation of children. (BDR 43-349)

The next group of ideal laws pertains to teen drivers on page 23 of [Exhibit D](#). Teens have poor seat belt use, especially as passengers. Teen drivers are doing much better, teen passengers, not so much. Unfortunately, teens with the most life to lose are the ones losing their lives.

The Advocate's ideal laws 5 through 11 are on page 24 of [Exhibit D](#). You can see that is how much they think we should be looking at teenage drivers. Thankfully, we have some already in the green. This law would prohibit cell phones for teens under 18. It is not the manual problem of holding the phone, it is the cognition issues of paying full attention to the road. We already have something that is not required that I believe the Legislature passed last Session, requiring a note from the attendance officer. If you do not have good attendance or have dropped out of school, you cannot get a driver's license if you are under the age of 18 in Nevada.

SENATOR HAMMOND:

Regarding teen driving, there is a program in Canada which allows for a sticker in the car with a teen driver. It is green and has a simple letter on it. I was thinking about doing something like that in Nevada. It is placed in the back window and can be removed when there is not a teen driver.

MS. BREEN:

Yes, other states are also using it. It is red when they are under a provisional license and green when they are not.

SENATOR HAMMOND:

It is a simple letter that everyone can recognize. In Canada, the speed limit was 90 kilometers per hour, is that still the same?

MS. BREEN:

I do not know the answer to that question.

SENATOR HAMMOND:

I do not know if that has changed.

MS. BREEN:

I do not know but will find out for you. In New Jersey, it is required as part of their graduated driver's licensing law, but several states do have those programs.

CHAIR MANENDO:

Senator Hammond, if that is something we do not end up looking at or doing this Legislative Session, there is a piece of legislation that we will be hearing in a week and a half or so about a standing Committee on transportation during the Interim. That could be something that Committee could look at as well.

MS. BREEN:

Graduated driver's licensing is a law that gets positive results. In fact, the number of young lives that have been saved under graduated driver's licenses in Nevada since 2005 is substantial.

Senator Woodhouse introduced S.B. 216 on February 27. It is requesting a ban on cell phone use until the driver is 18 years of age, under a graduated driver's licensing system. Teens must learn that you can actually get from Point A to Point B without being on your cell phone. We learned that the hard way because cell phones did not exist, but kids today are wired to their cell phones.

**SENATE BILL 216:** Makes various changes governing the use of a cellular telephone or other handheld or mounted wireless communications device while operating a motor vehicle. (BDR 43-757)

Here is some data on page 27 of Exhibit D from AAA and its teen driving program. Like every other driver in the world, teens think they are good enough drivers and do not believe their distraction will not put them at risk.

Ideal laws 12 through 14 on page 29 of [Exhibit D](#) deal with impaired driving. We have two of those laws on the books now. We are going to discuss the interlock device for all DUI drivers, which is ideal law number 12. There are 300,000 incidents every day in the United States. We are starting to see an increase in alcohol-involved crashes.

The map on page 31 of [Exhibit D](#) is a survey that the Centers for Disease Control and Prevention did in 2015. They asked 1,000 people in Nevada if they had driven impaired in the last 30 days, almost 500 of those people said yes. This Session, there is a bill draft from Senator Manendo to allow drunk drivers to opt in to an ignition interlock device. I like to say that because it gives drunk drivers a choice if they opt in. They can choose to put in an ignition interlock in their vehicle within seven days of their arrest. They go to the Department of Motor Vehicles, get a new license, and have the ignition interlock installed in their car with no administrative revocation on their license. They will not lose their license for 90 days. They can keep their job, they can continue to live their lives, but they are living that life safer and are sharing the road with us. We had a terrible fatality in November where a driver was awaiting his hearing for a previous DUI. He killed two young boys on their way to buy a birthday present for their mom. We have left the judicial discretion in the bill draft, and I think it will help the judge because it takes a long time for that case to come to court. Now when they go to court, the judge will have a printout of every time they tried to start their car if they opted in to the ignition interlock program. The court can see if this person has a serious problem with alcohol. Do they need to do more than take their license away, do they need to extend the length of time for the ignition interlock device, does the court need to also require that they go to Alcoholics Anonymous or counseling of some kind?

Page 33 shows numbers nationally rising for drunk-driving crashes.

Page 34, NHTSA shows reduction in drunk-driving offenses when ignition interlocks are installed in a car. That is why it is part of an incentive package in Nevada. If Nevada passes the law, we will qualify for incentive funding for the ignition interlock.

Page 36 of [Exhibit D](#) is ideal law number 15, which is the "all driver text messaging law," which in fact Nevada has. What Nevada does not have is good compliance. Nevada does pedestrian enforcement fairly regularly, where an officer stands on the street corner and calls other officers down the street when

someone does not yield to a pedestrian in the crosswalk. When law enforcement does crosswalk stings, a third of the tickets issued are to people on their cell phones. You are cognitively impaired even if you are talking hands-free and have both hands on the wheel, but you do not have your entire mind on the road. It is an issue in every state; distracted driving is becoming a larger and larger issue. When companies such as the Governor's Highway Association, AAA and the Safety Council survey people for what is the most critical, cell phones are right under impaired driving. People recognize it is a problem.

Some other things you will be hearing this Session is "the move-over, move-it law" for traffic congestion. Another is enhancing laws for people yielding for emergency medical services. We are hoping to have a bill introduced in the Assembly for motorcycle permits to expire after a year and require testing again. There will be a bill about changing the population restriction on alcohol education for people who sell and serve alcohol. Right now, it is only in Clark and Washoe Counties. The rural areas are requesting this because they have such a problem with alcohol-involved crashes. You will hear an upgrade on the language for the "vulnerable road user's law" that is currently in effect. In it, if you are the proximate cause of a crash with a bicyclist or pedestrian and are charged under the "vulnerable road user's law," you could be fined up to \$1,000. There are some issues with the district attorney's offices in applying that law.

CHAIR MANENDO:

On the incentive money for the ignition interlock, do you know approximately how much money states are receiving? Is it \$10 or is it \$10,000, and where does it go to be used? If you do not have that information, can you get it for us?

MS. BREEN:

I believe Amy Davey has that information for you.

CHAIR MANENDO:

I know the monies change as other states pass this law, correct?



AMY E. DAVEY (Administrator, Office of Traffic Safety, Department of Public Safety):

That is correct. We did ask that question of NHTSA to insure the language in the bill was conforming to their incentive grant requirements for the ignition interlock device. It does depend on how many states qualify. Your question was, is the amount \$10 or \$10,000? It is in excess of \$10,000 and estimated to be between \$150,000 and \$200,000 that would be available to Nevada.

CHAIR MANENDO:

Do the grants have to be used for certain programs?

MS. DAVEY:

Yes.

CHAIR MANENDO:

What would that criteria be?

MS. DAVEY:

Nevada has never qualified for an ignition interlock device, so we have never spent a lot of time looking at the criteria. There are specific criteria for all incentive grants, and I am sure this one is tied to alcohol-impaired driving.

MS. BREEN:

I would like to point out that the changes under graduated driver's licensing would also qualify Nevada for incentive funding through the FAST Act.

SENATOR GUSTAVSON:

We know motorcycle ridership is up and logically there are more fatalities because there are more people riding. They are not always riding responsibly; I see it all the time. How many fatalities are due to head injuries directly, and of those, how many were wearing and how many were not wearing helmets? We know not all motorcycle fatalities are related to head injuries, there are other reasons also. To the best of my knowledge, there is not a bill to repeal the helmet law this Session.

MS. BREEN:

Amy Davey just handed me a list of motorcyclist fatalities. Fatalities without a helmet were 7 in 2013, 8 in 2014, 11 in 2015. Moped fatalities were 13.8 percent of the motorcyclist fatalities, and motorcyclists were 22 percent

of the overall fatalities. It will be higher for 2016 and may surpass pedestrian fatalities. I know someone asked Amy Davey for these statistics when she made her presentation. The number of motorcycle registrations was not a huge increase.

MS. DAVEY:

Senator Gustavson, I apologize, we did put together the report for you when you asked us. That is what Erin Breen is looking at right now. It is ready, and we will send it right away.

CHAIR MANENDO:

Last weekend, a motorcyclist did a lane splitting of me and another vehicle while we were moving. That was very disturbing. It happens a lot when you are stopped at a red light, but I was driving about 45 miles an hour.

MS. BREEN:

On the news last night, there were two fatalities with two separate crashes. One was speed-related. There were two back-to-back, speed and alcohol fatalities this week in Clark County. It is the human factor. If we all behaved as we are supposed to, we would not have these laws. The reality is people lose their lives because they think it will not happen to them, or the law is not necessary. Just like seat belts and kids, it would make a difference if they thought they could actually be stopped for not having children properly restrained.

SENATOR HAMMOND:

I am receiving emails about the recent crashes in my area. One of the emails was about Jaelan Fajardo, the young man who was on his way to work at 6:30 a.m. to 7:00 a.m. and was hit. His mother is distraught, and she is asking us to stiffen the laws. One of the things she is asking for is that the ignition interlock device bill be passed.

MS. BREEN:

The driver who hit Jaelan Fajardo had been arrested for DUI at least six times. Those are the people who should have an ignition interlock device on their car the rest of their lives. He obviously has a serious alcohol problem.

SENATOR HAMMOND:

People will point to government overreach, and sometimes I believe the government goes beyond. I have a hard time with the primary seat belt law, and the ignition interlock device could be another overreach. People should be smart enough to put their seat belts on. There are things that we will work on that will improve the safety of the highways. I am looking forward to finding out more about the ignition interlock device and how that works.

SENATOR FARLEY:

I have learned over the last year, there are people with DUIs who are required to have the breathalyzer in their cars. What the individual ends up doing is getting into a friend's automobile and driving the friend's vehicle. The person is caught only if pulled over, but that is how these people are getting around, putting in that expensive device and driving. Has anyone seen that or heard of accidents involving multiple DUIs because such a person is driving someone else's car?

MS. BREEN:

A lot of time, they are not required to put breathalyzers into their cars in Nevada. They are not expensive devices; the average cost is \$2.50 a day, less than what they were spending on alcohol. We will never get around people who are going to circumvent the system. When they are caught, they have a license, and it is displayed in the Shared Computer Operation for Protection and Enforcement system (SCOPE). Should they be pulled over and say, they forgot their licenses, SCOPE will still show the ignition interlock device is required. Right now in Nevada, it is judicial discretion. A blood alcohol content of 0.18 or higher requires someone to have an ignition interlock device. The ignition interlock device is also put in for some second offenses and required for all third offenses. If you have been convicted of a third DUI in Clark County, then you have been arrested for DUI a dozen times because the DUI charge often gets plead to something else. That is a huge issue. It is a contributing factor. People drive like there are no consequences because many times there are none.

SENATOR FARLEY:

Are you aware of the story of a female who had a second DUI? She was seriously injured when she rolled her car. Two years later, she has still not heard back from the courts. Nothing has happened.

MS. BREEN:

Maybe because she was critically injured, it never got in to the system; it certainly should have. I know there is a serious backlog on the court cases and the administrative revocation. Many times people are still driving when they should not be. Some surveys show the person who is arrested for DUI has driven drunk at least 80 times before he or she is arrested. I have asked people "Why did you cross the street, someone died there." They say "Oh yeah, I am fine." I ask them "Do you think the person who was hit thought they would not be killed crossing an unmarked street, just like you did?"

CHAIR MANENDO:

What just came to mind was over on West Flamingo Road, by the Palms and Gold Coast, when you, Ms. Breen, were out there with the media and someone was hit, we watched as people constantly crossed there.

MS. BREEN:

Two people have been killed there. We quit counting at 80, the number of people who crossed right there where we were watching. However, to follow up, the good news is there is a crosswalk there now.

CARL HASTY (District Manager, Tahoe Transportation District):

I am going to present the Tahoe Transportation District's needs for Lake Tahoe ([Exhibit E](#)). The focus is more of what we have learned since meeting with you the last Session. Tina Quigley and her team have done a great job, and I observed this in collaborating with everyone in the State. The last four years or so, the MPOs and Nevada Department of Transportation (NDOT) have been meeting monthly to see what we have in common, what is going on. Our agency is one of two Bi-State Compact agencies, the other being the Tahoe Regional Planning Agency (TRPA). Together we address transportation from the regional perspective. What is different is TRPA is the land use planning agency that focuses on making sure transportation is integrated with land use and addresses the environmental goals for the Tahoe Basin. It also acts as the MPO under the federal designation and as the regional transportation planning agency under the California designation.

For us at Tahoe, we are the playground for the urban areas, and are a part of what has been termed the Sierra Pacific Megapolitan Region. It stretches from the San Francisco Bay Area to northwestern Nevada. It also represents our drive-up market. The referred to issue at Tahoe is the number of visitors and

visitor vehicles. If it was just the permanent residents and commuters, our transportation network and our transit system does the job. However, what puts us over the top are the visitation and the number of vehicles into the Tahoe Basin. We have learned a lot in the last few years. It translates roughly into 10 million vehicles entering the Tahoe Basin a year. That is what puts us over the top. The majority of our highway system is two-lane. Approximately one-fifth of our highway network is more than 2 lanes, and 12 miles of that has the lowest number of vehicle trips. When you combine our region with the Truckee area and the Interstate 80 corridor, our full-time residents are maybe 70,000 people. The visitation is more in the millions; the 10 million visitor vehicles are occupied by over 24 million people who are entering the Tahoe Basin per year.

For the District, we are focused on implementation. That is what was created by the Compact. We collaborated with 11 organizations that are planning a role in transportation at the Tahoe Basin. We have many other entities to deal with. There was a project on the Nevada State Route 28 corridor with 3 miles of bike trail between Incline Village and Sand Harbor State Park, and the District led the effort. There were no less than 14 agencies involved in arriving at an agreement on how to get it done. The courts themselves could be a fifteenth agency involved. This showed the judge we had alternatives to people parking on the highway.

The Tahoe Transportation District was established with the amendment of the Bi-State Compact in 1980. On page 6 of [Exhibit E](#) is our Board of Directors. There are also some at-large members. The California Department of Transportation and NDOT are both ex-officio on our board.

What I want to share with you is some of what we have learned since we last met. The District purchased cell phone data and that has opened our eyes. It helped us to understand how people come to Lake Tahoe and how they use it. We bought data for the full months of February, July and August 2014. Unlike a lot of traffic information, this gives us a lot more detail than what we have had in the past. The destination map on page 8 of [Exhibit E](#) shows the people coming to visit Lake Tahoe in February, in the wintertime. The ones in blue and green are the highest concentration of where people are coming from. Page 9 gives you a close-up of that portion of the region, and you can see our drive-up market and our heaviest concentration is coming out of Sacramento County, California and Washoe County.

Page 10 shows arrivals and departures. This is raw data from these cell phone devices, and the peak was Presidents' Day weekend.

You see on page 11, we were able to track visitors arriving through the airports, using and which airports they are using since there are essentially five airports that are serving our area or are within that drive-up market. People get in a car and drive up to Lake Tahoe from the airports. That is the only way you have to get there. If you want transit to get to Lake Tahoe, it is possible, but you really have to work for it.

Page 12 of [Exhibit E](#) shows how long people are staying at Lake Tahoe. It is approximately 42 percent to 43 percent of those entering Lake Tahoe who are staying for the day. That visitor number is what we call day use.

Page 13 shows that summertime visitation gets a little denser, more counties join in terms of the visitation. The density of visitation from Nevada and California increases. It has been helpful for us to see this information, to put these kinds of numbers on it and start to understand the vehicle impacts because it certainly explains what we experience.

Page 15 shows July is definitely our heaviest month in terms of visitors. On the July 4 weekend, we can have as many as 1 million people in the Tahoe Basin.

Page 16 of [Exhibit E](#) shows the composition of visitors arriving from airports and going directly to the Tahoe Basin. This is the same pattern as seen on page 17, with February being the yellow and July being the green in terms of stays; the "day use" is a big number.

We then broke this information down into what the major entry points into the Tahoe Basin are. Page 19 shows the percentage of arrivals in terms of the portals of where they are coming from.

Page 20 of [Exhibit E](#) shows July and what Lake Tahoe looks like in the summertime. This is when we see a lot more day use coming out of the Nevada side. Still, you see the U.S. Route 50 corridor from California being heavily travelled.

On page 22 of [Exhibit E](#) is a density map of cell phone collection points. The reason we are able to tell the origin of calls is they are taking the data right back to where the bill goes. Then we are able to see, through the global positioning system component of the phone, how the Tahoe Basin is being used. You can see the difference in the summertime on page 23 and where people are traveling to. We are just beginning to understand the implications of what this information tells us, but it is a lot more granular than any other information we have had before. The Tahoe Transportation District is looking at long-range transit vision because we are not in the business of expanding highways at Lake Tahoe. We have never been looking at widening highways at Lake Tahoe for a few reasons. One is the financial cost, two is the environmental cost and three, once that gets saturated, then what? Our route here is multimodal, which is transit. Transit is our least-funded application and is something we need to change. This implementation I have noted on page 24 of [Exhibit E](#) is funding dependent and is where we will likely be having conversations with you in the next Session about how Lake Tahoe can do its own form of what we will call "self-help." What indexing has done in Clark and Washoe Counties, we at Lake Tahoe consider a form of self-help; we have taken it on ourselves. In California, it has been the sales tax measures the major metro areas use. In those major metro areas, like southern California, as much as 70 percent of that entire capital dollar is going into transportation and is now all locally driven. We are looking at what we need to do to leverage what is there from the State and from the federal government.

Our transit service right now captures approximately 1.4 percent of all trips in the Tahoe Basin. That is what we have to change drastically. That will require a fair amount of funding.

We are looking at mobility-hub solutions, both internal and external to Lake Tahoe, and I do not mean just "park-and-rides." Lake Tahoe is going to have to do this. Our public parking availability is abysmal. We have ratios of 7,000 visitors to 1 parking space. This is why we see what we see on the highways. We have a lot of underutilized private parking at Lake Tahoe. We are going to be looking at and talking about how we take advantage of the parking we do have before we add more.

The system we are looking at on page 27 of [Exhibit E](#) is a vision that includes reintroducing passenger ferry service and water taxi service to Lake Tahoe as a way of connecting North Lake to South Lake by making waterways an

extension of the highways, similar to what Seattle, Washington, and Alaska have done. Connecting to the Truckee, California, area on the Interstate 80 corridor. Truckee's composition is basically like Lake Tahoe's. Our second-home ownership is comparable to what Truckee's is, as much as 60 percent of all our residences at Lake Tahoe are second-home ownerships. Those second homes are treated like visitors, and a lot of them are essentially residential hotels, adding to our bed base. It is added to our visitation, and that is the same for Truckee.

Lastly, how do we hook up Lake Tahoe and the Sierra region to northwestern Nevada and to the Bay Area? Page 28 shows California is proposing a high-speed rail coming up to Sacramento and the Bay Area from southern California. We have a lot of growth happening around us while our land use and our highway system stay fixed at Lake Tahoe.

Those are the challenges we are planning for that you, as the Legislature, will be hearing more about in the future. When the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and Marlette Lake Water System convenes in the fall, we will start talking about how Lake Tahoe can move forward on funding, implementing and having the capacity to deal with its needs, before we bring recommendations back to you.

SENATOR HAMMOND:

Will the proposed trans-Sierra connection you are talking about be laying out more road?

MR. HASTY:

No, it is really to provide a transit option to get to Lake Tahoe. One of our main goals would be to begin to capture people, both out of the Bay Area as well as the Sacramento area, coming to Lake Tahoe in something other than their cars. We have a lot of demand from that population coming from those areas because they are all used to public transit.

SENATOR HAMMOND:

Would you do that mostly in the wintertime when there seems to be a lot more demand?



MR. HASTY:

Actually, our biggest demand is in the summer, but we do have the ski concentration, and that is what our public transit system is focused on right now when it comes to tourists. Otherwise, our system is largely focusing on the resident and the commuter. What comes to mind is what Denver, Colorado, does. This winter it reintroduced the Amtrak Winter Park Express, or "snow train," for example. This is an option that we are going to have to be persistent with for the next 20 years. It is dealing with the Union Pacific Railroad (UP) in the wintertime, especially on the Interstate 80 corridor, trying to carve out some capacity for passenger service as opposed to only freight service. We need to be working on UP to carve out or add rail capacity, some of which has been lost in years past, so we can see a passenger train. That is the way, from a density perspective, that we would like to see more people arriving into the Truckee and Lake Tahoe areas.

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Senate Committee on Transportation  
March 2, 2017  
Page 26

CHAIR MANENDO:

There is no further business to come before the Committee; the meeting is adjourned at 10:39 a.m.

RESPECTFULLY SUBMITTED:

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Debbie Shope,  
Committee Secretary

APPROVED BY:

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Senator Mark A. Manendo, Chair

DATE: \_\_\_\_\_

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit / # of pages</b>		<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
	B	2		Attendance Roster
	C	26	Tina Quigley / RTC, Southern Nevada	Regional Transportation Commission, Moving Southern Nevada Forward
	D	39	Erin Breen / Vulnerable Road Users, UNLV	The Road to Green, Nevada Crash Facts Our Roadmap to Safer Roads.
	E	29	Carl Hasty / Tahoe Transportation District	Transportation & Transit in the Tahoe Region