

ASSEMBLY BILL NO. 392—COMMITTEE ON JUDICIARY

MARCH 24, 2021

Referred to Committee on Legislative Operations and Elections

**SUMMARY**—Requires the Legislative Counsel Bureau to enter into an agreement with a qualified consultant to analyze certain data submitted to the Legislative Counsel Bureau concerning traffic stops and other stops. (BDR S-1036)

**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to data collection; requiring the Legislative Counsel Bureau to enter into an agreement with a qualified consultant to analyze certain data submitted to the Legislative Counsel Bureau concerning traffic stops and other stops; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Section 9 of Assembly Bill No. 3 of the 32nd Special Session required each law  
2 enforcement agency in this State to provide to the Director of the Legislative  
3 Counsel Bureau, on or before November 1, 2020, certain information concerning  
4 traffic stops and other stops and the software used to process the identity or driver’s  
5 license number of a person during a traffic stop or other stop. (Chapter 4, Statutes  
6 of Nevada 2020, 32nd Special Session, at page 72) This bill: (1) requires the  
7 Legislative Counsel Bureau to enter into an agreement with a qualified consultant  
8 to analyze such data and to prepare and submit a report with recommendations to  
9 the Legislative Counsel Bureau; and (2) sets forth the information required to be  
10 included in the report.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** 1. The Legislative Counsel Bureau shall enter  
2 into an agreement with a qualified consultant to analyze the data  
3 submitted by law enforcement agencies to the Director of the



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Legislative Counsel Bureau pursuant to section 9 of Assembly Bill No. 3 of the 32nd Special Session, chapter 4, Statutes of Nevada 2020, 32nd Special Session, at page 72, and to prepare and submit a report with recommendations to the Legislative Counsel Bureau.

2. The report prepared by the consultant pursuant to subsection 1 must include:

(a) To the extent the data submitted to the Director of the Legislative Counsel Bureau pursuant to section 9 of Assembly Bill No. 3 of the 32nd Special Session, chapter 4, Statutes of Nevada 2020, 32nd Special Session, at page 72, allows, a summary of the data submitted, including, without limitation:

(1) The ways in which law enforcement agencies in this State record traffic stops and other stops with regard to data entry, voice recording, video recording and written reports;

(2) The ways in which law enforcement agencies in this State preserve records and the length of time for which such records are preserved;

(3) The data collected by law enforcement agencies in this State relating to traffic stops and other stops and the circumstances in which such data is collected;

(4) The software, if any, that law enforcement agencies in this State use in the field and in dispatch during and after a traffic stop or other stop to determine the identity of a person who is stopped;

(5) If software is used pursuant to subparagraph (4), whether the software:

(I) Allows law enforcement agencies to identify, directly or indirectly, the user who requested a determination of the identity of a person stopped, the time at which the request was made and the location from which the request was made; and

(II) Creates a historical or chronological record of requests to determine the identity of a person stopped and, if so, the length of time for which such a record is maintained, the persons who are authorized to access such a record and the circumstances in which such a record can be accessed;

(6) Whether the data collected pursuant to subparagraph (3) and any software used pursuant to subparagraph (4) are compatible with the systems and requirements of the Central Repository for Nevada Records of Criminal History; and

(7) The methods of quality assurance and control that are used to ensure the accuracy of the data collected pursuant to subparagraph (3), and whether such data is periodically audited; and

(b) Recommendations regarding:



(1) How to improve the data collection of traffic stops and other stops in a way that will improve the effectiveness and accountability of law enforcement;

(2) Data elements that should be included in records concerning traffic stops and other stops;

(3) Features or specifications of software or systems that law enforcement agencies should use to document traffic stops and other stops;

(4) How to ensure that statewide data collected on traffic stops and other stops can be integrated for meaningful analysis; and

(5) Methods of quality assurance and control concerning data collected on traffic stops and other stops that should be used by law enforcement agencies in this State.

**Sec. 2.** This act becomes effective upon passage and approval.

