

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON GROWTH AND INFRASTRUCTURE**

**Eighty-First Session  
February 25, 2021**

The Committee on Growth and Infrastructure was called to order by Chair Daniele Monroe-Moreno at 1:31 p.m. on Thursday, February 25, 2021, Online. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.leg.state.nv.us/App/NELIS/REL/81st2021](http://www.leg.state.nv.us/App/NELIS/REL/81st2021).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Daniele Monroe-Moreno, Chair  
Assemblyman Howard Watts, Vice Chair  
Assemblywoman Tracy Brown-May  
Assemblyman John Ellison  
Assemblyman Glen Leavitt  
Assemblyman C.H. Miller  
Assemblywoman Sarah Peters  
Assemblyman Tom Roberts  
Assemblywoman Shondra Summers-Armstrong  
Assemblyman Jim Wheeler  
Assemblyman Steve Yeager

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Katie Siemon, Committee Policy Analyst  
Devon Kajatt, Committee Manager  
Joan Waldock, Committee Secretary  
Trinity Thom, Committee Assistant



**OTHERS PRESENT:**

Kristina L. Swallow, P.E., Director, Department of Transportation  
Cole Mortenson, P.E., Deputy Director, Department of Transportation  
David Dazlich, Director, Government Affairs, Vegas Chamber  
Maya Bourgeois, Interim Chief, Administrative Services, Department of Transportation  
Susan Fisher, representing Nevada Housing Alliance  
Paul J. Enos, Chief Executive Officer, Nevada Trucking Association  
Seth Daniels, Assistant Chief Traffic Operations Engineer, Traffic Operations Division, Department of Transportation  
Sondra Rosenberg, P.T.P., Assistant Director, Planning, Department of Transportation  
Amy Davey, Administrator, Office of Traffic Safety, Department of Public Safety  
Sabra Newby, Vice President of Government and Community Affairs, University of Nevada, Las Vegas  
Michael Hillerby, Regional Transportation Commission of Washoe County  
Angela Castro, Regional Transportation Commission of Southern Nevada

**Chair Monroe-Moreno:**

[Roll was taken. Committee rules and protocol were reviewed.] Today we will hold hearings on four bills that have been sponsored by the Assembly Committee on Growth and Infrastructure on behalf of the Nevada Department of Transportation. We are joined today by Kristina L. Swallow, P.E., Director, Department of Transportation, who will provide a general introduction to these measures. I understand there are several Department staff members who will be speaking to the specifics of each bill.

I will now open the hearing on Assembly Bill 12.

**Assembly Bill 12: Revises provisions relating to the Department of Transportation.  
(BDR 35-345)**

**Kristina L. Swallow, P.E., Director, Department of Transportation:**

In the interest of time, we will have subject-matter experts for all four bills. They will introduce themselves as their bills are called. We will be available to answer any questions.

**Cole Mortenson, P.E., Deputy Director, Department of Transportation:**

I will share history on why the Department of Transportation (NDOT) would like to make some of these changes. We have three deputy director positions. Over the past 18 months, we have had four deputy directors retire. We have had opportunities to try to find good people to fill those roles. We feel that the language in existing statute is limiting, especially when it comes to internal staff advancement.

The first part of Assembly Bill 12 concerns the qualifications of the Deputy Director. We feel that making a few changes will allow us to have a wider, more diverse pool of candidates from which to select as we look to fill existing and future vacancies.

The second portion of A.B. 12 has to do with the Chief Engineer. This is clean-up from 2013 when the assistant directors were changed from classified to unclassified positions. I believe the Chief Engineer was intended to be an executive within the Department. All of our executives are now unclassified employees, so we want to change the designation of Chief Engineer to be unclassified. That concludes my presentation.

**Chair Monroe-Moreno:**

Are there any questions from members?

**Assemblywoman Summers-Armstrong:**

I am concerned about your language saying you want two years of administrative experience as an assistant director or chief engineer. If you are recruiting from outside of your department, open recruitment, could being specific about the titles a candidate must have limit your pool of possible candidates? Other agencies in Nevada and outside the state may not classify the position this way.

**Cole Mortenson:**

We are hopeful with the language that the two requirements are really an "or." We hope the second point, of having 15 years of progressively responsible experience in engineering or project management not only opens it up further to outside candidates, but also helps us open it up further to internal candidates who have not progressed as far in their careers as being an assistant director or the chief engineer.

**Assemblywoman Summers-Armstrong:**

The issue I have is that the language did not include "or." The only "or" refers to two years of administrative experience or the chief engineer. If you are looking at one and two to be either an "and/or" or an "or," I think you need to be more specific about that. I can imagine someone being disqualified because this is so specific.

**Cole Mortenson:**

I may have a different version of the bill, but following "the chief engineer," there is a semicolon. We are hopeful the "or" after the semicolon makes that an optional requirement.

**Assemblywoman Summers-Armstrong:**

I apologize. My eyes missed the blue semicolon and the "or" after it.

**Assemblyman Wheeler:**

Would you please explain the difference between classified and unclassified positions?

**Cole Mortenson:**

For us, classified employees are appointed and serve at the will of the Director.

**Assemblyman Wheeler:**

Would an unclassified person be hired and go through human resources?

**Cole Mortenson:**

That is correct.

**Kristina L. Swallow:**

I think you have those flipped.

**Cole Mortenson:**

I apologize. We got those flipped. Unclassified employees are appointed; classified employees go through the statutory requirements with human resources.

**Assemblyman Wheeler:**

I know that what Mr. Mortenson said was different, but what I heard was what he meant.

**Assemblywoman Peters:**

I have a question about the 15 years of experience. How did you come up with 15 years versus 10 years or 14 years? What is the magic about 15 years?

**Cole Mortenson:**

For these roles, we looked at an average career length of 30 years. We felt that someone with 15 years' worth of progressively responsible engineering or project management experience would likely have the necessary background to be successful in the position. It also allows us to evaluate those candidates and determine whether those 15 years of experience would be effective experience for them to be in the position.

**Assemblywoman Peters:**

Is this 15 years' experience as an engineer? I can think of people who have been an environmental specialist or end-hearing technician who do not have a professional engineer (P.E.) after their names. Are you requiring the 15 years of experience with a "P.E." after their names?

**Cole Mortenson:**

The second requirement after being in the unclassified service for the deputy director requires they hold a master's degree in public or business administration, a bachelor of

science degree in civil, structural, mechanical, or industrial engineering, or be a licensed professional engineer. Project management would cover those who might have a public administration degree and have been a part of planning and moving projects forward.

**Assemblyman Watts:**

Regarding the language being stricken in section 1, subsection 1, paragraph (c), subparagraph (1), would you explain why that was removed as an option?

**Cole Mortenson:**

We struck "the head of the engineering or planning division" because we think it is older language. We also have an operations division where we have a professional engineer who manages our operations group. We felt it was an unnecessary provision to have within the statute.

**Chair Monroe-Moreno:**

Are there any other questions from members? [There were none.] Next, we will hear testimony in support of A.B. 12.

**David Dazlich, Director, Government Affairs, Vegas Chamber:**

I am testifying in support of A.B. 12. We think this is a good, commonsense bill that will support the Department as they look to promote internal members of their organization who are qualified for these jobs. We urge your "yes" vote.

**Chair Monroe-Moreno:**

Are there any others in support? [There were none.] Is there anyone in opposition? [There was no one.] Any there who wish to testify as neutral? [There were none.] Are there any final remarks from the sponsors of this bill? [There were none.] I will close the hearing on Assembly Bill 12 and open the hearing on Assembly Bill 41.

**Assembly Bill 41: Revises provisions governing the operation of certain vehicles.  
(BDR 43-346)**

**Maya Bourgeois, Interim Chief, Administrative Services, Department of Transportation:**

I will provide you an overview of our proposed changes through Assembly Bill 41 [[Exhibit C](#)]. Over dimensional vehicle permits are regulated in *Nevada Revised Statutes* (NRS) Chapter 484D and *Nevada Administrative Code* (NAC) Chapter 484D [page 2]. The Over Dimensional Vehicle (ODV) Permits Office (Over Dimensional Section) is responsible for issuing oversized/overweight permits for the entire state. Oversized/overweight vehicles include all nonreducible, nondivisible vehicle combinations or loads that exceed 80,000 pounds gross weight, 8 feet 6 inches in width, 14 feet in height, 10 feet of front or rear overhang, or 70 feet in length. It also includes a shorter overweight vehicle that qualifies

as a commodity that exceeds 80,000 pounds but does not exceed 70 feet in length. Since 2017, the Over Dimensional Section has issued an average of 33,212 permits per year. The Section is composed of two employees—one supervisor and one permit agent.

There are three areas of NRS 484D that the Nevada Department of Transportation (NDOT) is proposing to change [page 3]. These changes will improve public and infrastructure safety, streamlining the permit application process and aligning the requirements with the growth of the manufactured and mobile home industry. The following is a quick overview of our current regulations. In NRS 484D.605 and NRS 484D.725, the measuring of the height, width, and length of a load is not specified. Next, in NRS 484D.685, 484D.715, 484D.720, and 484D.725, the requirements state that permit applications must be made in writing. In NRS 484D.720, there is restrictive language that does not allow a manufactured or mobile home over 16 feet wide to travel on our roadways or highways.

The Department is proposing to clarify language in NRS 484D.605 and NRS 484D.725 on how a load is to be measured [page 4]. The height will be measured from the surface on which the vehicle carrying the load stands. Length will be measured from the front bumper or the front overhang to the rear bumper or the rear overhang, whichever is greater. Width will be measured at the widest point on each side. Specifying these measurements will provide consistency across the industry and reduce potential risk to the public safety and/or damage to infrastructure.

Under NRS 484D.685, NRS 484D.715, NRS 484D.720, and NRS 484D.725, we are proposing to expand how applications can be submitted by removing the words "in writing." This will allow NDOT to collect applications using different methods, with the focus being on electronic submission. This will align with our current practices with our online permitting system, reduce the manual data entry by staff, and streamline the application process, which will result in issuing permits more quickly.

The proposed change to NRS 484D.720 is to allow the Department to grant a waiver to permit transport of a manufactured or mobile home or any similar type of structure or vehicle structure that is wider than 16 feet with additional conditions. This waiver will remove the restrictive barrier and allow for continued growth of the industry. It will also align Nevada with our neighboring states of Arizona, Oregon, and Idaho. They currently allow transport of 16-foot-wide manufactured or mobile homes. In addition, this will provide an opportunity for citizens to be able to purchase a larger home and/or companies and citizens to purchase larger modular buildings and/or office trailers.

In closing, these changes will allow the Department to update and align our application process with current practices and methods, enhance public and infrastructure safety by clarifying how a load is measured, and allow manufactured or mobile homes over 16 feet wide to travel on Nevada roadways and highways with additional conditions.

**Chair Monroe-Moreno:**

A few members have questions.

**Assemblywoman Peters:**

My question has to do with the application process. I wonder about the adequacy of removing "in writing" and am concerned about those who do not have access to digital applications. I am not familiar enough with your applications to know if they are mobile phone-friendly and how much computing speed is needed in order to use them. Or is the application a fillable pdf?

**Maya Bourgeois:**

The strike-through of "in writing" does not prohibit us from continuing to receive applications in writing. We are just looking at opening that door and removing the restrictive language, requiring applications to be in writing. People will still be able to submit applications in writing. We have fillable forms and an online application system. We are trying to move toward electronic applications. They are a lot easier. Everyone has his own account in the system, so when another permit is requested, all the information will be there. Right now, the process calls for a paper application. Especially during COVID-19, people would have to go online to download an application, complete it, and submit it via mail. We hope removing that restrictive "in writing" and providing more options will allow the Department and our customer base to grow.

**Assemblywoman Peters:**

That makes a lot of sense to me. When going through well logs, I see that some people's handwriting is not great, which can cause errors in interpretation.

**Assemblyman Leavitt:**

Regarding maximum width, a load could be as wide as 192 inches. Under this provision, you could get a waiver to exceed that width. Is that correct? It looks as if the decision of how wide it can be is up to the discretion of whoever is granting the waiver. Are there conditions on maximum width prescribed by the Department of Transportation that whoever is granting the waiver is bound to?

**Maya Bourgeois:**

Yes. We are expanding it; we are moving that restriction off of a waiver. The Department is looking at what the other states are doing and where this industry is going. Right now, we receive only a couple of requests a year. With the widening of manufactured and mobile homes, they are not exceeding levels where we consider them "Super Loads." They are just

over 16 feet. Sometimes, we see 17- and 18-foot-wide buildings coming through. We do leave it subjective. We added "with additional conditions." That allows us to attach Nevada Highway Patrol (NHP) to these loads. Currently, if a load is 16 feet wide, a front pilot car and a rear pilot car are required. With a load over 16 feet wide, NHP is involved. Highway Patrol determines the route, the type of load and dimensions, and how many staff members need to be attached for safe moving.

**Assemblyman Leavitt:**

For the protection of anyone who is designated to grant these waivers, I do not think it would be difficult to look at the most expansive roadway we have in Nevada and come up with the numbers. That would be the "not to exceed" number so your staff is not trying to figure out what the limits are, and they are not on the hook for it. There should be some maximum width prescribed beyond "conditions prescribed by the Department of Transportation."

**Maya Bourgeois:**

Right now, staff evaluates each route that is requested, including the load's dimensions and weight. They determine what the safest route is—in and around construction—to their destination. They know if the roadway is two lanes wide or four lanes wide and bridge capacity. They do an analysis if the load is over 16 feet wide to find the best way to get the load from point A to point B safely—for public safety and for the truck drivers. It is determined at that time.

We also do Super Loads, and there are only certain roads they can go on, depending on the size, weight, and height. Every route is analyzed. The permitting section goes through all those steps and finalizes and issues the permit to the driver.

**Chair Monroe- Moreno:**

Did that answer your question?

**Assemblyman Leavitt:**

It did not really answer my question. An analysis is not a prescribed step. You could go as wide as you wanted if you could justify it by the analysis. I feel as if you need a prescribed width for everyone's benefit.

**Kristina L. Swallow, P.E., Director, Department of Transportation:**

Ms. Bourgeois mentioned Super Loads. There are specific routes they can use simply because those routes can handle a larger load. However, there are conditions and times where an extreme load, a Super Load, may need to go to a certain place. Then, we work with the permittee to find out if there are pieces of infrastructure that need to be removed and replaced. We do not put a maximum on them so there is flexibility. If there is a need for



a load to traverse the state, we can find a way for it to work. That means the company may be responsible for removing and replacing pieces of infrastructure or putting down additional equipment to protect infrastructure while they traverse.

We are not the only state that permits over dimensional vehicles. Most over dimensional vehicles are permitted through multiple states at the same time. If we were to put a maximum there, we might run into a situation where a company was able to traverse five states, and when they hit Nevada we would no longer be able to allow them to cross the state. We request the flexibility to be able to monitor it, but we respect the awareness you suggest we provide for our permittees. There may be something we can put on the paperwork that indicates "typical," or something along those lines without restricting the maximum.

**Assemblyman Ellison:**

I would like to make some comments. I see heavy equipment going through tunnels. A company may try to get equipment from a mine site 20 miles away to where a mill needs to be repaired. The only way to get it there may be the highway. I have seen NHP behind and in front of these loads. They try to move traffic around them whenever they can. Your presentation includes two pictures of the Carlin Tunnels [pages 3 and 4]. Do you use the old highway that went out and around the tunnels? That is the way NHP would divert large loads away from the tunnels. They would go around them and come back to the highway.

**Maya Bourgeois:**

Yes, we continue to use the old route. There are restrictions on it. I can find out what those restrictions are—how much weight we are able to move on the old highway.

**Assemblyman Ellison:**

I appreciate what you do for safety on this. If you look at the picture of the bucket going through the tunnel [page 4], it is amazing how they get it through. They go so slowly. For manufactured housing out of Idaho, you have to deal with that.

**Assemblyman Miller:**

Ms. Swallow, you mentioned the cost of infrastructure protection or upgrades that need to be covered by the entity bringing the Super Load through. Who pays for the added support from NHP and things like that? Does the company delivering the load pay for it, or is it covered in NHP's budget?

**Maya Bourgeois:**

Those costs are discussed and negotiated between NHP and the trucking company. I believe they enter into a contract with NHP; the price is determined at that time. It does not impact us; we are not involved in the process.

**Chair Monroe-Moreno:**

In section 5, subsection 1, you add verbiage, "measured from the surface on which the vehicle stands." Is that currently how the height is measured? Is this merely adding clarifying language? Is the load being measured from the ground to the top?

**Maya Bourgeois:**

Right now, it is being measured from the ground up. We added the clarifying information because a load by itself is on top of a trailer. So, if the load is measured from the bottom of the load to the top, that leaves about four feet unmeasured. It makes a big difference in the overall measurements. We have had several different calls on this over the years, so we are trying to clarify that the load is measured from the ground on which it stands—even if it was on a concrete pad—to the top of the load.

**Chair Monroe- Moreno:**

By measuring it from what it is sitting on, it accounts for the different sizes of tires. Does this accommodate that?

**Maya Bourgeois:**

The measurement is from the ground, below the tires, all the way to the top of the load.

**Chair Monroe- Moreno:**

Are there any other questions from members? [There were none.] We will move to hear testimony in support of Assembly Bill 41.

**Susan Fisher, representing Nevada Housing Alliance:**

The Nevada Housing Alliance is a statewide association for manufactured and modular home dealers. I am speaking in support of A.B. 41, specifically the proposed language in section 4 that allows NDOT to grant a waiver for transporting manufactured or modular homes that are oversized. Having the ability for our transporters to have more options and ways to request a transport permit is also very helpful. The majority of manufactured and modular homes coming to home purchasers in Nevada, at least in the northern part of the state, come in from Idaho. I will note also, for safety purposes, the homes can only be transported during the light of day. I want to sincerely thank NDOT, Maya Bourgeois, and the great staff who have taken our calls and worked with us to help get homes delivered to our customers. I appreciate the opportunity to speak in support of this bill. I urge your support.

**Paul J. Enos, Chief Executive Officer, Nevada Trucking Association:**

I am in support of Assembly Bill 41. This bill clarifies rules my members are already following—15 feet from the ground for baled hay and straw—and measurements for height, length, and over width. We also appreciate the flexibility the Department has for mobile homes. We understand that sometimes road conditions change, depending on construction, the height of the mobile home they are transporting, and whether it can go over a barrier that has been put up on the highway. We appreciate NDOT's looking at these conditions. We have about 80 mobile home carriers in the state of Nevada this will impact. I also want to thank the folks at NDOT in the oversized permitting office. They do a fantastic job and are great folks to work with.

**Chair Monroe-Moreno:**

Are there other callers in support? [There were none.] Are there any callers in opposition of A.B. 41? [There were none.] Are there any who are neutral? [There were none.] Are there any closing remarks from the bill's presenters? [There were none.] I will close the hearing on A.B. 41. We will move on to the next item on our agenda which is a hearing on Assembly Bill 53. It revises the provisions relating to the establishment of certain systems of communications on our highways.

**Assembly Bill 53: Revises provisions relating to the establishment of certain systems of communication on highways. (BDR 35-347)**

**Seth Daniels, Assistant Chief Traffic Operations Engineer, Traffic Operations Division, Department of Transportation:**

I will start off with a brief history of the call box program [page 2, [Exhibit D](#)]. The 1960s marked the first installation of highway call boxes, a solar-powered emergency call system, installed on ten miles of freeways in Los Angeles. The main proliferation of call boxes occurred in the 1980s and the 1990s with roughly 16,000 units installed statewide in California, nearly 3,000 units installed on Florida's Turnpike, and around 1,000 units installed on the Pennsylvania Turnpike. The last nationwide survey identified in our literature search was in 2003. The three example states mentioned accounted for 20,000 of the 24,000 highway call boxes in the United States. The rest were distributed among the other 18 states that installed highway call box systems.

In comparing the 2003 survey to the nationwide survey performed in 1996, fewer than 300 call boxes were installed in that seven-year period, indicating a plateau of installations. Specific to Nevada, *Nevada Revised Statutes* (NRS) 408.569 was established in 1993 giving the Department of Transportation (NDOT) the ability to install a system of telephones on the most frequently traveled highways and directing a study to identify best practices. This statute was amended in 2001, changing the "may" to "shall" and directing the installation of a system of communication between the California border and Las Vegas, including an appropriation of \$500,000.

We have now reached the end of the manufacturer's support for the call box system's hardware and are nearing end of functionality for the radio technology used [page 3]. Nevada's call box volumes have become consistently low, as indicated on page 3 by system logs. Discussions about the future of the system began approximately three years ago in regular monthly meetings between Nevada Highway Patrol (NHP) radio and dispatch staff, NDOT District 1 communications maintenance staff, and our NDOT traffic operations technology group. At that time, Julie Butler, who represented the dispatch group, asked about the removal of the call box system due to the continued low volume of calls. These discussions were necessarily involved. Our call boxes have been an effective tool during their nearly 20-year lifespan and recently, in specific instances. It is certainly understandable that there are differences of opinions that remain and difficult questions about helping stranded motorists.

We also wanted to make sure the research on national practices supported any recommendation we made in moving forward with this. We found that both installations and removals remained relatively quiet between the early 2000s and the early 2010s. For our example states, call boxes on Florida's Turnpike were removed in 2013, except four boxes on a large bridge that were updated and rerouted to a crisis counseling system for suicide prevention. The call boxes on the Pennsylvania Turnpike were completely removed in 2017. California was a little harder to track in our research. Ongoing project funding was created through an amount added to the vehicle registration fees but was disbursed to regional transportation organizations for the installation and maintenance. Documents found in the literature search indicated that approximately 75 percent of the call boxes in California had been removed by 2017. There was not a lot of data available after these major removals were completed as further removals were on a much smaller scale.

Overall, the least aggressive standard for call box removal we found in our research was that five or fewer calls per box were made per year. The national usage declines were consistently between 95 and 98 percent by 2018.

I will move on to safety [page 4]. It is interesting that the research performed in the 1990s found a low rate of risks in exiting vehicles on highways for activities such as using call boxes. As shown by the 12 percent figure on page 4, this is in stark contrast to current national research statistics and best practices. There are many factors involved and distracted or impaired driving is likely to be at the top. The stopping recommendation shown in the presentation was pulled from AAA guidelines and is also widespread in regional national programs such as Zero Fatalities. Of course, there are situations where exiting a vehicle will be necessary, and occupants should clear the roadway prism as soon as possible. Also, given this information, walking along the interstate to the nearest call box is of strong concern.

Even though first responders are significantly more equipped, unfortunately they are not immune to the dangers of stopping and being outside of their vehicles on the highway. Their training and best practices have been established through the traffic incident management program.

There are other reasons to remove call boxes in Nevada [page 5]. We performed estimates to replace the Interstate 15 call box system; they came in at between \$500,000 and \$700,000, excluding the ongoing service charges and maintenance costs. This would be a solar-powered cellular-based system due to costs, simplicity, and reliability. This is a high-volume section of the interstate that is consistently patrolled by NHP and is an NDOT's Freeway Service Patrol route for some of the peak travel days. We emphasize using our programs like this because of the success of our Freeway Service Patrol program. It has logged over 41,000 mitigations in the Las Vegas area in fiscal year 2020. The rollout of fifth generation (5G) infrastructure would also play a factor with cellular coverage. It is set to provide substantial increases. The Federal Communications Commission has published estimates that over 300,000 small cell installations will occur nationwide in the next five years. The First Responder Network Authority (FirstNet) program, administered by the U.S. Department of Commerce, is increasing coverage as part of the program to provide cellular service to first responders. That is a priority-based service. They are predicting 97 percent coverage in Nevada under an agreement with the state and with the Division of Emergency Management – Homeland Security, Department of Public Safety (DPS). That is not exclusive to first responders, but it gives them preemption if call volumes are high and the system is at capacity.

We are also starting to rely on traffic management platforms, such as Waycare. It is used to combine live agency data with data from a variety of applications. An example of this would be if a Waze user entered a crash or a disabled vehicle on an interstate, Waycare will confirm this and display those details on our operators' dashboards so they can view them with our cameras, or they can route NHP or NDOT's Freeway Service Patrol to the scene. We have connected vehicles that are continuing to advance with roadside assistance features and automated emergency notification. This involvement goes all the way back to 1996 with the establishment of OnStar.

We pulled a couple of cellular coverage maps [page 6]. They are pretty consistent with all major carriers. Interstate 15 is fairly consistent with fifth generation coverage. Of course, there are dead spots throughout the state, particularly in mountainous regions. We hope

the number goes down, but we can address those. They may be good opportunities to leave the language we suggested in NRS; that would give us the ability to install call box locations as needed if the usage would support the cost of installation and the continued operation.

**Chair Monroe-Moreno:**

We have a few questions from members.

**Assemblywoman Summers-Armstrong:**

You mentioned Waycare, which is currently a crowd-sourced service.

**Seth Daniels:**

That is correct, but they also pull our traffic, flow sensor, and weather data.

**Assemblywoman Summers-Armstrong:**

Do you think there may be a cost associated with that gathering of data?

**Seth Daniels:**

We pay for service in conjunction with the Regional Transportation Commission of Southern Nevada. A lot of the data is given to NDOT as part of a Waze Connected Citizens Program that allows free access both ways. Waze pulls data out of our 5-1-1 program, and there is no charge for us to use their data. We look at partnerships to make the best use of our funding.

**Assemblywoman Summers-Armstrong:**

Are you considering looking for any similar crowd-source data so you do not depend upon a single relationship? In case things ever went south, you would have a way to gather data from a similar source, or you could get it from a different perspective. You would have additional access and information.

**Seth Daniels:**

All of our traffic data lives in the Nevada Data Exchange. It is a free sharing platform in which we can give data and take data through an application programming interface. The National Weather Service; the University of Nevada, Reno; and the University of Nevada, Las Vegas all take advantage of that service. It is a great platform for us to get the best and lowest-cost data. We are looking for other relationships.

**Assemblywoman Brown-May:**

The report was delivered to the Transportation Planning Advisory Committee over the interim. It contains a lot of good information. Even though we are only looking at changing "shall" to "may" in this legislation, I realize there is a significant implication to that regarding

flexibility in the Department. I have a question about the lack of cellular service in the mountainous areas. Is there any specific location you can think of where a call box would be required or be necessary to be sure people have access to safety?

**Seth Daniels:**

We have three call boxes in northern Nevada. Two are on U.S. Highway 50 heading to Lake Tahoe, and the other is on a particularly shielded and twisty part of State Route 431 to Virginia City. Those were established and maintained; they are nowhere near end-of-life and are an effective tool. I am sure there are other locations in the state, maybe through a transition as our cell coverage grows. Any traveler, especially a passenger, knows you are frustrated when your signal dies as you are trying to get something done. I understand. In my younger days, I have had my car break down where there was no coverage. It is a frustrating and difficult situation.

**Assemblyman Ellison:**

When call boxes were first installed, they were to be used for 9-1-1 emergency calls only. Then, dispatch would direct services. Is that correct?

**Seth Daniels:**

That was my understanding.

**Assemblyman Ellison:**

Are you planning to expand service?

**Seth Daniels:**

We would be open to it. We get a lot of feedback. We have maintenance crews all over the state. We coordinate with Nevada Highway Patrol that operates the Nevada Shared Radio System. We have put in additional radio sites due to problem coverage areas. We would be open to looking at an installation in a particular area of concern. That might not just be on a highway, it might be where a popular recreation area intersects with a highway if it would warrant that.

**Assemblyman Ellison:**

Once you go through Ruby Valley and all the way to Eureka, there is no cell service. It is a two-lane highway. It seems as if that would be a good place to have call boxes. I have hit deer on that route, tearing off the whole front end of a truck. If there were a way to do it with a better satellite system, it would be a great spot for call boxes. I know NDOT is working on projects up that way. It would be great to see something like that for Tonopah and Hawthorne that have no cell service.

**Seth Daniels:**

I will note that. As a former resident of Elko, I am familiar with the area. My group is working on the statewide fiber-optic network; we manage the radio system; and we partner with cell phone companies in certain locations. We could get some answers on plans to expand coverage or look at options.

**Assemblywoman Peters:**

Do you have a legal definition for "frequently traveled highway?"

**Seth Daniels:**

I am not aware of its use; it could be used on the planning side. It seems ambiguous, especially as conditions have changed in Nevada since that bill was written.

**Assemblywoman Peters:**

There are some under-traveled highways with limited cellular phone coverage. It seems those would be the most reasonable to identify and provide this type of call service, rather than on frequently traveled highways where every car that passes is likely to have a cell phone. Is that determination still applicable?

**Seth Daniels:**

Nevada follows what other states do. A fairly high-volume road would justify the expense of installation and required maintenance costs. "Frequently traveled" is ambiguous. Through our research, we found that some states eliminated call boxes based on usage; some did it based on the lack of cell service in spot locations. If there was a good junction without cell service, call boxes could be maintained there.

**Assemblywoman Peters:**

You mentioned call boxes left on a bridge in Florida to assist people in finding resources for suicidal thoughts. Is that an issue in Nevada? Have you identified places where we should consider continuing to use call boxes for a different purpose?

**Seth Daniels:**

I know they have done some other mitigations—the bridge over the Hoover Dam is a good example of where they have done some suicide prevention. The reason I included that in my presentation is because I thought it was a great idea and a really good use of that technology. If there are frequent events somewhere, I think it is a wonderful idea for that type of crisis.

**Chair Monroe-Moreno:**

I see no further questions from members. We will move on to testimony in support. [There was none.] Is there testimony in opposition? [There was none.] Is there anyone in neutral? [There was no one.] Are there any final remarks from the presenters? [There were none.]



I will close the hearing on Assembly Bill 53 and open the hearing for Assembly Bill 54 which creates the Advisory Committee on Traffic Safety within the Department of Transportation.

**Assembly Bill 54: Creates the Advisory Committee on Traffic Safety within the Department of Transportation. (BDR 35-350)**

**Sondra Rosenberg, P.T.P., Assistant Director, Planning, Department of Transportation:**

I am here today to present Assembly Bill 54, the creation of an advisory committee for traffic safety. With me today is Amy Davey, Administrator of the Office of Traffic Safety, Department of Public Safety (DPS). We also have some team members standing by to assist with questions.

I would like to start with some history on the committee and its distinct partnership in the world of traffic safety in Nevada [page 2, [Exhibit E](#)]. The Nevada Executive Committee on Traffic Safety was established in 2005 to facilitate the Nevada Strategic Highway Safety Plan. The Plan is a federal requirement and requires that safety stakeholders be consulted during its development. The creation and facilitation of the committee not only helps us meet that federal requirement, but by bringing everyone together, it creates a space to conduct meaningful conversations about traffic safety and strategies to reduce deaths and serious injuries in the transportation system. It includes partnering on some of the most pressing issues.

The committee currently follows best practices for reducing deaths and injuries related to crashes; it looks at both causes and at prevention measures. It reviews progress, provides guidance, addresses challenges, removes barriers, and receives recommendations from key area task forces and working groups. I think that is an important piece to mention. I will mention it again. The committee oversees the policy portion of it, but a lot of the work occurs in the task forces and working groups. That is where the subject-matter experts get together to dig into a specific safety issue. The executive committee currently consults with the Strategic Highway Safety Plan on safety initiatives and provides support and assistance to specific strategies as appropriate, including recommending legislation.

The current structure of the Strategic Highway Safety Plan is found on page 3 of the presentation. It may look slightly different from the organizational structure you saw from the Office of Traffic Safety and the Nevada Executive Committee on Traffic Safety previously for two reasons. One, we are continually evolving. Two, there is a slight difference between the organization as a plan and the organization as a committee and task forces. You previously saw the actual task forces which are driven by critical emphasis areas, which are driven by the data of the leading causes of fatal crashes in our state. That is what creates the critical emphasis areas and the task forces. However, as mentioned often in our executive committee meetings, the top causes are not the only causes. We want to address as many issues—particularly cross-cutting issues—as possible. For example, you

have heard we have task forces on pedestrians because the number of pedestrians killed on our roadways is frightening. The plan and the task force look at the whole range of vulnerable road users to put together strategies. We have recently reorganized our plan into not just those specific top issues, but into key areas of focus such as vulnerable road users, safer drivers and passengers, and impaired driving prevention.

The traffic safety practitioners have for years focused on engineering, education, enforcement, and emergency management systems [page 4]. In the past few years, we have added "Everyone" as we know it is not just the agencies who are responsible for engineering and enforcement, but we all need to work together—including the users of the transportation system. Last year, we added "Equity" as the sixth critical need. Although it is a slightly different perspective, it is critical we do a better job in not just looking at the numbers related to safety, but also looking at who is most affected. We put that in front by adding equity as a critical focus.

Both the Department of Transportation (NDOT) and the Office of Traffic Safety have federal requirements with respect to plans and programs related to traffic safety [page 5]. I mentioned the Strategic Highway Safety Plan, for example. In addition to being a requirement for safety planning, it is a requirement for creating the Highway Safety Improvement Program, which is the plan that allocates our federal safety funding to projects. That is where we go from strategies and areas of focus to where our money goes in relation to those areas of critical emphasis. The project selection comes from the priorities and strategies identified in coordination with stakeholders in the Strategic Highway Safety Plan. In addition, both NDOT and the Office of Traffic Safety have a number of federally required performance measures, some of which must be identical between the agencies, including the number and rate of traffic fatalities and the number of serious injuries. Other agencies likely have other measures that are required, but it is critical that we work together on the strategies to improve safety overall, for any of us to meet our measures. That is the "E" for "Everyone."

The bill, as written, provides the broad group of stakeholders at the state and local level with one voting member from each of the entities listed on page 6 of the presentation, unless otherwise specified. Nevada Department of Transportation and Department of Public Safety would have two voting members. We are trying to meet the proposed model of membership, which is statewide subject-matter experts, to meet our federal requirements. Since this bill came out, we have received requests for amendments with respect to membership. We were thrilled so many people want to engage in the conversation about traffic safety, so we are reviewing those requests. We want to make sure we coordinate with all the stakeholders and partners to move forward in traffic safety. We also want to have a manageable committee.

As I mentioned, a lot of the work occurs in the task forces and working groups, which anyone can join. We strongly encourage folks who have an interest to participate in the task forces and working groups. That is where a lot of the work occurs. It then flows up to the advisory committee.

We have discussed the background, requirements, and membership. You probably want to know what this committee will be responsible for [page 7]. It would review, study, and make recommendations regarding best practices for reducing death and injuries related to crashes, data on the cause of crashes resulting in death or serious bodily injury, as well as crash prevention measures, and any other matter submitted by the chair relating to transportation safety. The committee would prepare and submit to the Governor and the Legislature an annual report concerning committee activities. If needed, it would establish working groups, task forces, or similar entities from within or outside its membership for further study. We anticipate that if the bill passes, the existing task forces would continue to operate as they are, and we would continue to evaluate whether we need additional task forces or to retire others.

As I mentioned, I have the current Nevada Executive Committee on Traffic Safety Chair, Amy Davey, Administrator of the Office of Traffic Safety. I also have with me Andrew Bennett and Fred Shakal to assist with any specific technical questions.

**Chair Monroe-Moreno:**

A few members have questions.

**Assemblyman Roberts:**

This committee does such important work in improving traffic safety in Nevada. When I was with the Las Vegas Metropolitan Police Department (Metro), we participated on the committee. I cannot tell you how many times we made changes to infrastructure to address issues we were seeing in our community.

In section 1, subsection 1, paragraph (l), it says you have five members who represent local government entities, appointed by the Director of the Department of Transportation. Would that include representatives from the Regional Transportation Commissions (RTCs) in Clark County and Washoe County?

**Sondra Rosenberg:**

Yes, that was the initial intent of those additional five members. That is the type of question we are getting in requests for amendments. Currently, the Metropolitan Planning Organizations (MPOs), which include the RTCs, are on the committee. We want to reevaluate whether to name them by name or add them as those additional five members. We also currently have Nevada Association of Counties (NACO) and the Nevada League of Cities and Municipalities, which are some of the other entities we were considering. Since it is becoming large already, we do not want to allow every county to have a representative.

We feel organizations such as NACO, the Nevada League of Cities and Municipalities, and the Metropolitan Planning Organizations could fill that function. That is the conversation we are having now with stakeholders regarding a potential amendment.

**Assemblyman Roberts:**

Would they have to be one of those five members? Is there an intent to exclude them?

**Sondra Rosenberg:**

We do not want to exclude anyone; we wanted to maintain some flexibility as we put this in statute. We are evaluating whether to name some of those in an amendment.

**Assemblyman Roberts:**

I think that is a great idea. I would hate to see them eliminated. They travel so many miles. They were a valuable member to us at Metro when we looked at traffic safety issues. I would hate to see them left out.

**Assemblyman Yeager:**

In response to Assemblyman Roberts' questions, you talked about the composition of the committee. I note there are two different proposed amendments uploaded to the Nevada Electronic Legislative Information System. One of them reduces the local government entities from five to three, but then adds two others [[Exhibit F](#)]. The other amendment talks about the Regional Transportation Commissions. Do you view those as friendly amendments? Are they still being worked on?

**Sondra Rosenberg:**

I think there has been some confusion about whether you had received those amendments. The answer is both. We view them as friendly, and they are still being worked on. We want to make sure we are hearing all of the requests and looking at the wholesale membership to make sure these are statewide subject-matter experts at agencies that have transportation safety as a primary role, to make sure we are not leaving out any critical stakeholders. We will come back with a more succinct, combined amendment shortly.

**Assemblyman Yeager:**

Who chairs this committee? The committee has been around since 2005. It sounds as if Ms. Davey currently chairs it. Does it normally end up being the executive director or the administrator of the Office of Traffic Safety that is the chair, or are there other members who have chaired over the years?

**Sondra Rosenberg:**

In my time on the committee, it has been chaired by DPS or NDOT. Before Ms. Davey was chair, I chaired the committee. Before that, I believe it was someone from Nevada Highway Patrol (NHP). The current vice chair who will likely become the next chair is Vinson Guthreau from NACO. We open it up for any member of the committee to self-nominate or be nominated by another member. We like to move it around. Other members have not volunteered for the role, so it has typically been NDOT or DPS.

**Assemblywoman Summers-Armstrong:**

Why is there no request to have anyone from civilian life on this committee as a representative? We have organizations that are centered on pedestrian safety. We had a horrible accident in southern Nevada with some bicyclists. We have groups that look out for the safety of children who are walking, regular pedestrians, and bicyclists. Someone from those groups might bring a perspective to the table that it is not so much government-centered. Sometimes we get caught up in our acronyms and may not have a regular person's perspective.

**Sondra Rosenberg:**

We would be open to that. We have had civilians or members of organizations participate, but not as voting members. Currently, our meetings are open. Anyone is welcome to join. Our members are identified, but other people have joined and participated in the conversations. Additionally, advocacy groups are actively involved in pedestrian safety and some of the other task forces.

**Amy Davey, Administrator, Office of Traffic Safety, Department of Public Safety:**

We have several advocacy groups, including interested individuals, who participate in our task forces. They are involved in bringing forth recommendations and giving input. The structure of the committee has come out of our federal requirements, which are outlined as organizations with a primary focus on traffic safety, transportation safety, public health, and school safety. It is something we could consider.

**Sondra Rosenberg:**

In other committees we operate, we have had challenges in making sure citizen members participate regularly so we do not run into an issue of quorum. We can look into that issue. If it is okay with everyone, having them continue to operate as they are is probably more beneficial.

**Assemblywoman Peters:**

Regarding the amendment to add two members from the research unit at the Nevada System of Higher Education. Have you had those who are doing research on the committee previously? Would they be voting members? I cannot encourage you enough to have that kind of voice on committees today as we talk about infrastructure advancement in transportation and as we address issues related to electric vehicles that are in their infancy.

**Sondra Rosenberg:**

I think that amendment may have been premature. While they have not previously been voting members, the Nevada System of Higher Education has been active, particularly in data collection and analysis.

**Amy Davey:**

Representatives from the Nevada System of Higher Education have been actively involved in our working groups and task forces, but they have not previously held a voting position. They approached us about the nexus, particularly with University of Nevada, Las Vegas (UNLV) Transportation Research Center, the University Medical Center trauma and emergency medical services, and the UNLV School of Medicine. They perform research and data analysis related to trauma outcomes in traffic safety issues. That is the genesis of the amendment you see.

**Assemblywoman Peters:**

I love the idea of having those who are working in this area being participants in the committee. I look forward to seeing how you flesh out these amendments.

**Assemblyman Leavitt:**

In your friendly amendment, you mentioned you were looking at potentially adding the RTCs by name to the committee. Are you also adding MPOs by name? Is that part of the friendly amendment?

**Sondra Rosenberg:**

Our Nevada terminology sometimes gets a little confusing. The RTC of Southern Nevada and the RTC of Washoe County are the MPOs for the metropolitan regions. The additional MPOs are the Carson Area Metropolitan Planning Organization and Tahoe Regional Planning Agency.

**Assemblyman Leavitt:**

Thank you for the clarification.

**Assemblyman Watts:**

I have a question about section 1, subsection 1, paragraph (k) regarding the member who represents Indian tribes. I notice the representative's appointment is by the Director of the Department of Transportation. On other bodies, the representative is designated by the Inter-Tribal Council of Nevada, Inc. or the Nevada Indian Commission. Was that intentional? I believe the executive committee has an Inter-Tribal Council member. What is the process for appointing a tribal member?

**Sondra Rosenberg:**

In the past, the Inter-Tribal Council has chosen the representative. We have recently improved relationships with the Nevada Indian Commission. I think we would probably consult with both entities to determine an appropriate appointment. Some other state committees have specifically named the Indian Commission. We listed it the way we did to provide flexibility and to work with both of those groups to find the most appropriate representation.

**Assemblyman Watts:**

I would encourage you to make sure you touch bases with both the Inter-Tribal Council and the Indian Commission to make sure the language in the bill respects tribal sovereignty and their wishes in how the position is filled.

I understand you are still working on what the final membership roster will be. Once those things are settled, but before the work session on the bill begins, would you provide Committee members with a comparison between the current executive committee makeup and the proposed makeup so we can see who is staying, who is being added, and who is being subtracted?

**Sondra Rosenberg:**

We would be happy to do that and provide an explanation of any recommended changes.

**Chair Monroe-Moreno:**

Once you have that put together, please send it to the Committee manager. I see no other questions from members. Is there testimony in support of Assembly Bill 54?

**Sabra Newby, Vice President Government and Community Affairs, University of Nevada, Las Vegas:**

We are in support of A.B. 54 with the friendly amendment, specifying two members of the research units at the Nevada System of Higher Education. At UNLV, one of our state's two Carnegie "high research activity" institutions, we believe that research is best when it can benefit the lives of our citizens and improve our community. To that end, we support the inclusion of experts with experience in the area of trauma care and injury prevention as well as transportation engineering on this committee. We stand ready to help our state improve outcomes for traffic injury.

**Chair Monroe-Moreno:**

We will hear from the next caller in support.

**Michael Hillerby, Regional Transportation Commission of Washoe County:**

We would like to offer our support today for the bill with the amendment from NDOT that includes our suggestion that the representatives of the state's four Metropolitan Planning Organizations be involved in the committee. The RTC of Washoe County, like our sister organizations, has within its jurisdiction some of state's busiest and most heavily traveled roadways. Because safety is of paramount concern and in our mission, we think it is appropriate we be a part of the committee as proposed in the bill. We look forward to working with the other members.

**Angela Castro, Regional Transportation Commission of Southern Nevada:**

On behalf of the RTC of Southern Nevada, thank you for the opportunity to express support for A.B. 54 as amended that would include the Metropolitan Planning Organizations. Assembly Bill 54 promotes a collaborative approach to developing sound policies to improve traffic safety. This is a vital strategy for supporting economic development and infrastructure growth and enhancing the quality of life for Nevada residents.

As the region's traffic management agency and the Metropolitan Planning Organization, the RTC collaborates with our federal, state, and local partners in promoting regional traffic safety. Assembly Bill 54 would enhance cooperation and collaboration among a variety of agencies with a direct role in making transportation safer in Nevada. We are grateful for the Nevada Department of Transportation and NDOT's Director, Kristina Swallow, as well as the Department of Public Safety and the Office of Traffic Safety's Administrator Amy Davey, for sponsoring this legislation and agreeing to amend A.B. 54 to specifically include Nevada's Metropolitan Planning Organizations as advisory committee members. We look forward to developing effective solutions for protecting drivers, passengers, and pedestrians on Nevada's roads and highways.

**Chair Monroe-Moreno:**

Are there any others in support?

**David Dazlich, Director, Government Affairs, Vegas Chamber:**

I am here today to testify in support. The regional issue, statewide traffic issues, and traffic safety are very important to our continued development. We would like to thank the Department for bringing this legislation forward. We think proper study and utilization of the information will lead to much better outcomes for everyone on Nevada's roads. We urge your support.

**Chair Monroe-Moreno:**

Is there anyone else in support? [There was no one.] Is there anyone in opposition? [There was no one.] Is there anyone neutral? [There was no one.] Are there any final comments from the presenters?

**Sondra Rosenberg:**

I want to thank everyone for their time. We look forward to working with the various stakeholders as we finalize the proposed language in this bill.



**Chair Monroe-Moreno:**

The Committee is looking forward to the final breakdown and comparison of members. I will close the hearing on Assembly Bill 54.

That brings us to public comment. Is there anyone wishing to make public comment? [There was no one.] That will conclude today's meeting. Our next meeting will be on Tuesday, March 2, at 1:30 p.m. We will be hearing four bills. Today's meeting is adjourned [at 3:15 p.m.].

RESPECTFULLY SUBMITTED:

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Joan Waldock  
Committee Secretary

APPROVED BY:

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Assemblywoman Daniele Monroe-Moreno, Chair

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

## EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a copy of a PowerPoint presentation titled "Assembly Bill 41, 81st (2021) Session of the Nevada Legislation," dated February 25, 2021, presented and submitted by Maya Bourgeois, Interim Chief, Administrative Services, Department of Transportation.

[Exhibit D](#) is a copy of a PowerPoint presentation titled "Assembly Growth and Infrastructure Committee Hearing A.B. 53—Systems of Communication on Highways (a.k.a. the "I-15 Call Box" bill), dated February 25, 2021, presented and submitted by Seth Daniels, Assistant Chief Traffic Operations Engineer, Traffic Operations Division, Department of Transportation.

[Exhibit E](#) is a copy of a PowerPoint presentation titled "Assembly Bill 54, 81st (2021) Session of the Nevada Legislature," dated February 25, 2021, presented and submitted by Sondra Rosenberg, P.T.P., Assistant Director, Planning, Department of Transportation.

[Exhibit F](#) is a proposed amendment to Assembly Bill 54, dated February 25, 2021, submitted by Ryan McInerney, Communications Director, Carson City, Communications Division, Department of Transportation.