

**MINUTES OF THE  
SENATE COMMITTEE ON GROWTH AND INFRASTRUCTURE**

**Eighty-first Session  
April 28, 2021**

The Senate Committee on Growth and Infrastructure was called to order by Chair Dallas Harris at 3:33 p.m. on Wednesday, April 28, 2021, Online and in Room 2144 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Dallas Harris, Chair  
Senator Chris Brooks, Vice Chair  
Senator Pat Spearman  
Senator Scott Hammond  
Senator Keith F. Pickard

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Daniele Monroe-Moreno, Assembly District No. 1

**STAFF MEMBERS PRESENT:**

Susan Scholley, Policy Analyst  
Eileen O'Grady, Counsel  
Debbie Shope, Committee Secretary

**OTHERS PRESENT:**

Alexis Motarex, Nevada Chapter, Associated General Contractors  
Dylan Keith, Vegas Chamber  
Amanda Brazeau, Nevada Chapter, American Council of Engineering Companies  
Andrew MacKay, Nevada Franchised Auto Dealers Association  
Aileen Pastor, Regional Transportation Commission of Southern Nevada  
Sondra Rosenberg, Assistant Director, Planning, Nevada Department of Transportation  
Sabra Newby, University of Nevada, Las Vegas  
Doralee Martinez, Nevada Disability Peer Action Coalition

CHAIR HARRIS:

We will open the hearing on Assembly Bill (A.B.) 413.

**ASSEMBLY BILL 413 (1st Reprint)**: Requires the Department of Transportation to establish an Advisory Working Group to Study Certain Issues Related to Transportation during the 2021-2022 interim. (BDR S-458)

ASSEMBLYWOMAN DANIELE MONROE-MORENO (Assembly District No. 1):

I am here to present A.B. 413. This bill was from the work from S.C.R. No. 3 of the 80th Session which directed the Legislative Committee on Energy to conduct an Interim study to consider alternative solutions for transportation system funding in Nevada.

There exists a broad agreement on the larger topic that climate change is an issue impacting Nevadans. Electric and hybrid vehicles may be beneficial in reducing emissions in helping Nevada meet its climate change goals. However, infrastructure costs for maintenance alone are high, in the millions of dollars. It does not account for replacement of infrastructure due to changing federal requirements and new technologies.

The State Highway Fund and other funds used to support local and State infrastructure experienced the same budget issues as other accounts. The Covid-19 pandemic has exacerbated funding issues due to fewer vehicles driving on roadways which in turn resulted in lower fuel tax revenues.

Electric vehicles (EV) are an increasingly popular option for consumers. J.P. Morgan, Chase and Company estimates that by 2025 approximately 30 percent of motor vehicle sales will be EVs. While there are economic and environmental benefits realized by consumers, the fact that EVs pay no fuel tax in support of the State Highway Fund while using Nevada highways is a more complex issue and one with less consensus as to possible solutions.

During the 2019-2020 Interim, the Legislative Committee on Energy received a written recommendation signed by Nevada's Department of Conservation and Natural Resources, Department of Motor Vehicles, Department of Transportation along with the Governor's Office of Energy. They requested to bring together educated communities, individuals and organizations to ensure everyone understood the scope of the issue and could participate in any discussions analyzing or attaining proposed policy solutions.

In response to S.C.R. No. 3 of the 80th Session and with the recommendations and work of the Interim study, the Legislative Committee on Energy requested the measure.

Assembly Bill 413 requires the Department of Transportation to establish an Advisory Working Group to study certain issues related to transportation. It will meet during the 2021-2022 Interim to address the following issues: The needs of the transportation users for every mode including bicyclists, pedestrians and transit users; social and user transportation equity; the reduction of greenhouse gas emissions; the sustainability of the State Highway Fund to include analysis of the Natural Resources Defense Council funding model and Utah's Road Usage Charge program. The members of the Committee will serve in a voluntary capacity and will not be compensated.

Section 1 of the amended bill specifies the membership of the Advisory Working Group consists of at least 20 but not more than 30 people. The members must be representative of the various geographic areas and ethnic groups within our State. The membership shall include but is not limited to: members of clean energy; environmental, labor and metropolitan planning organizations; other agencies and experts in taxation policy. There will be representatives from local, county, State, tribal, and federal organizations for transportation and clean energy expertise; the Chairs of both the Senate and the Assembly Committees on Growth and Infrastructure; and other interested parties.

In addition, through amendments proposed and accepted during the Assembly hearing, the group will include representatives from local chambers of commerce, the Nevada Resorts Association and three representatives from a list of persons submitted to the Department of Transportation by organizations and other entities which represent and promote the interest of minority groups of this State.

The Advisory Working Group will collect and monitor data, develop preliminary plans for the sustainability of the transportation funding system and submit a report with recommendations to the 2023 Legislative Body.

In conclusion, the issues of social and environmental justice, equity, and transportation funding and use are not easy for us to tackle. There are issues that will not be spontaneously resolved without attention and collaboration efforts. Assembly Bill 413 attempts to convey a working group that is broad

and representative. The group will address the needs and issues of all sections of the State while proposing sustainable solutions that will work for this State and address the transportation needs of Nevadans.

SENATOR PICKARD:

As I went through the list of participants in the Advisory Working Group, I did not see anyone from the automobile industry. Is there a reason local dealerships and others impacted by these decisions are excluded?

ASSEMBLYWOMAN MONROE-MORENO:

There is no reason they were excluded. They could be included as a representative of local, county or other agencies. During the Interim, we held a number of stakeholder meetings and representatives from the auto association participated on every level in every stakeholder meeting. We had approximately 27 to 30 members of the community with approximately 6 representatives from the auto association at the meetings. They were actively involved when the list was made during the work sessions.

SENATOR PICKARD:

I was aware they were involved in the conversations, but I was surprised they were not included in the list. I was wondering if there was a specific reason. I do not want someone who participated in the conversations to not be included in the Advisory Working Group. However, they should be paying attention to this. I will let them speak for themselves. I want to see them participate because they are the ones who will be most directly impacted by the results.

SENATOR BROOKS:

I served on this Interim Committee. As Assemblywoman Monroe-Moreno stated, there were several meetings held in both the north and south with much participation. The list of people who will be represented is an important issue.

ASSEMBLYWOMAN MONROE-MORENO:

We learned during the interim it needs more work than what was done during one interim. The conversations would have continued, however, Covid-19 interrupted everything. We were able to conduct a few meetings through web conferencing, but we knew it needed more in depth. We could have a list of 85 people participating, everyone had their own line. It is my hope and the intention of that stakeholder group that the interested parties who came out every other

week, every month a meeting was held, will stay engaged as this new Advisory Working Group continues.

SENATOR PICKARD:

I had not thought of involving the people who construct the roadways. I am unsure if "other" is sufficient for the participants. As you stated, everyone needs to be involved who is touched by this or at least given the opportunity to join in and be heard.

ASSEMBLYWOMAN MONROE-MORENO:

I stay on top of my legislation through the Interim. I have the group's contact information and ensure they are informed and engaged whether they want to be or not as the issue progresses because it is important that we get it right.

SENATOR SPEARMAN:

The list is exhaustive and I like the way it is phrased leaving leeway. I suggest you include one person from the senior population and someone from the differently abled population. This is implicit, but many times those two populations are overlooked when people are trying to figure out what they need. I state seniors because the lack of any type of a coordinated mature transportation system probably affects them the most.

ALEXIS MOTAREX (Nevada Chapter, Associated General Contractors):

The Associated General Contractors supports A.B. 413. Associated General Contractors has been an advocate for equitable and sustainable highway funding for years. We participated in S.C.R. No. 3 of the 80th Session's Committee during the Interim. We wanted to see something come from the Committee's work other than another study.

Although our organization is captured under "other," we respectfully ask that a representative from the contracting community be listed as one of Nevada Department of Transportation's (NDOT) appointees as mentioned earlier. The Associated General Contractors has been a longtime advocate for sustainable highway funding and can bring historical knowledge as an unbiased perspective on construction.

DYLAN KEITH (Vegas Chamber):

The Vegas Chamber supports A.B. 413. We support the many studies going through the Advisory Working Group and support improving transparency as well as the transportation system in Nevada.

AMANDA BRAZEAU (Nevada Chapter, American Council of Engineering Companies):

The Nevada Chapter of the American Council of Engineering Companies supports A.B. 413 because we need to modernize how we fund our highways. The increasing mileage standards and events in technology continue to eat away the existing funding model making it unsustainable in the long term. The Council supports the continuation of the study to bring a comprehensive solution to the Legislature in 2023.

ANDREW MACKAY (Nevada Franchised Auto Dealers Association):

The Nevada Franchised Auto Dealers Association supports A.B. 413. It is an extremely important issue. The meetings were productive over the Interim and we are looking forward to this study during the next Interim.

AILEEN PASTOR (Regional Transportation Commission of Southern Nevada):

As the metropolitan planning organization and public transportation provider for the Regional Transportation Commission of Southern Nevada (RTCSN), we support A.B. 413. It will continue to study the State's mobility needs that include long-term funding, equity and sustainability priorities. We look forward to participating in the discussions.

SENATOR SPEARMAN:

The U.S. Secretary of Transportation, Pete Buttigieg, is ramping up his plans for infrastructure development along with President Joe Biden. We may be able to find synergy there and maybe dollars for this study.

CHAIR HARRIS:

We will close the hearing on A.B. 413. We will open the hearing on A.B. 54.

**ASSEMBLY BILL 54 (1st Reprint)**: Creates the Advisory Committee on Traffic Safety within the Department of Transportation. (BDR 35-350)

SONDRA ROSENBERG (Assistant Director, Planning, Nevada Department of Transportation):

I am here to present A.B. 54 the creation of an Advisory Committee for Traffic Safety (ACTS).

The Nevada Executive Committee on Traffic Safety (NECTS) was established in 2005 to facilitate the State Strategic Highway Safety Plan (STHP). The STHP is a federal requirement and requires that safety stakeholders be consulted during development. The creation and facilitation of the Committee not only help us meet that requirement, but by bringing everyone together, the Committee creates meaningful conversation regarding traffic safety and strategies to reduce the deaths and serious injuries on the transportation system, including partnering on the pressing issues.

This Committee follows best practices for deaths and serious injuries related to crashes, and it is driven by data. We have much data analysis looking at the actual causes of crashes resulting in death or injury. The Committee reviews progress, provides guidance, addresses challenges, removes barriers and receives recommendations from key area task forces and working groups. It consults the STHP on safety initiatives and provides support and assistance to specific strategies as appropriate including recommendations for policy and legislation.

Slide 3 of my presentation ([Exhibit B](#)) shows the organizational structure of the task forces and Committees that develop and support the Strategic Highway Safety Plan (SHSP). We evaluate data on leading causes of fatal crashes in the State. Those causes are considered critical emphasis areas and noted with the asterisks on this slide.

We recognize that the top causes are not the only causes. We want to address as many issues as possible, particularly the ones crosscutting. Therefore, we recently reorganized the structure to include categories of subjects we want to address in the overall strategies. It includes safer roadways, vulnerable road users, safer drivers, passengers and impaired driving.

Task forces are created around the critical emphasis areas and coordinated in larger categories to analyze data and develop strategies to reduce crashes in those areas. For example, we have a task force on pedestrians; however, the plan now includes a broader set of strategies to look at vulnerable road users.

Traffic safety practitioners have for years focused on the four "E"s; engineering, education, enforcement and emergency medical services. The past few years we added "everyone." As you know, it is not only agencies who are responsible for engineering and enforcement, but we need to work together including users of the transportation system. Recently, we added equity as the sixth and critical need on Slide 4 of [Exhibit B](#). Although it is a slightly different aspect than the others, it is critical that it not only looks at the numbers related to safety but also who is most affected. We put equity in front as a critical focus to incorporate it in analysis of the strategies.

Both NDOT and the Department of Public Safety's Office of Traffic Safety (OTS) have a number of federal requirements with respect to plans and programs related to traffic safety. For example, the SHSP in addition to being a planning requirement is also a requirement for creating the Highway Safety Improvement Program. The plan allocates federal traffic safety funding to projects. That project selection comes from the priorities and strategies identified in coordination with stakeholders in the SHSP.

In addition, both NDOT and OTS have a number of federally required performance centers which need to be identical between the agencies, including the number and rate of traffic fatalities and the number of serious injuries.

Other agencies may require other measures. It is critical that we work together on the strategies for any of us to meet any of the measures to include overall safety for everyone.

The bill as written and amended provides for a broad group of stakeholders at the State, regional and local level as shown on Slide 6 of [Exhibit B](#). The proposed model of membership meets the need for representation of Statewide subject matter experts to meet federal requirements. The goal is to require a broad range of stakeholders who have a Statewide primary goal in traffic safety. We will review the existing NECTS membership and reach out to the members to confirm their voting or nonvoting status. We will reiterate the opportunity to participate in Committee meetings or task forces for anyone interested.

The crosswalk of membership from the NECTS for the new proposed committee ([Exhibit C](#)) is available online.

We are interested in including as many perspectives as possible into the discussions, while keeping the committee at a manageable size with the focus on Statewide reductions in traffic fatalities and serious injuries. Another important and meaningful opportunity is participation on working groups and task forces. These are the groups that work on particular critical areas where much work occurs to generate recommendations to the larger Committee.

We have discussed the background requirements and membership and will now discuss the actual rules of the Committee. The Committee will review, study and assemble recommendations regarding active evidence-based best practices for reducing or preventing death or serious injuries related to crashes. The work includes analysis of crash causes and prevention measures. The Committee will review policies intended to reduce or prevent death or injuries and any other matters submitted by the Chair.

It will prepare and submit to the Governor and Legislature an annual report concerning ACTS activities. If needed, we will establish working groups, task forces and similar entities from within or outside its membership for further study. We anticipate continuing with existing task forces and adjusting as needed for changes for what the data is telling us are the leading causes of crashes.

SENATOR HAMMOND:

The material is important, and I understand what you are attempting to accomplish with the Committee. I heard you state you are seeking to keep the numbers low for the ACTS. I am seeing this more often. We are seeing councils or committees acquire appointments from the majority leader and the speaker but see no representation from the minority party. At the risk of seeing the council or committee become larger, I want to note consideration of having representation from both parties.

MS. ROSENBERG:

It can be considered. One of the important points to consider for anyone who is interested in participating in this important work is our meetings have been and will continue be open to the public. The Committee has an agenda, there are items voted on and it is formal. We are open to opinions and perspectives from everyone whether or not they are a voting member. We have opportunities for work on the task forces and working groups. We are not opposed to other legislative members if that is of interest to this Committee.

MR. KEITH:

The Vegas Chamber supports A.B. 54. The Vegas Chamber supports the working group's dedication to increasing safety on the roadways as we work towards zero fatalities.

MS. PASTOR:

As the region's metropolitan planning organization and public transportation provider, the RTCSN supports A.B. 54. We appreciate that the RTCSN has been included in the amended bill. We look forward to developing effective solutions for protecting roadway users including drivers, transit riders, bicyclists and pedestrians.

SABRA NEWBY (University of Nevada, Las Vegas):

The University supports A.B. 54 because of the inclusion of a research expert to the Committee. Research is best when it helps transform the community and ultimately can help save lives.

DORALEE MARTINEZ (Nevada Disability Peer Action Coalition):

We support A.B. 54. We want to give a shout out to NDOT's ADA Coordinator. He helps us with the automatic audible pedestrian signals for people who are blind and hard of hearing to safely cross streets and walk around.

CHAIR HARRIS:

We will close the hearing on A.B. 54. We will move to the work session on A.B. 150.

**ASSEMBLY BILL 150**: Revises provisions related to punitive actions concerning special license plates. (BDR 43-473)

SUSAN SCHOLLEY (Policy Analyst):

I will read from the work session document ([Exhibit D](#)) for A.B. 150.

SENATOR PICKARD MOVED TO DO PASS A.B. 150.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR HARRIS:

We will move to the work session on A.J.R. 7.

**ASSEMBLY JOINT RESOLUTION 7 (1st Reprint)**: Urges the Congress of the United States to pass the National Infrastructure Bank Act of 2020. (BDR R-765)

Ms. SCHOLLEY:

I will read from the work session document ([Exhibit E](#)) on A.J.R. 7.

SENATOR SPEARMAN MOVED TO DO PASS A.J.R. 7.

SENATOR BROOKS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR HARRIS:

Seeing no further business to come before the Committee, the meeting is adjourned at 4:18 p.m.

RESPECTFULLY SUBMITTED:

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Debbie Shope,  
Committee Secretary

APPROVED BY:

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Senator Dallas Harris, Chair

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

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit Letter</b>	<b>Begins on Page</b>	<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
A.B. 54	B	3	Sondra Rosenberg / Nevada Department of Transportation	Presentation
A.B. 54	C	1	Sondra Rosenberg / Nevada Department of Transportation	NECT vs. ACTS
A.B. 150	D	1	Susan Scholley	Work Session Document
A.J.R. 7	E	1	Susan Scholley	Work Session Document