MINUTES OF THE
SENATE COMMITTEE ON GROWTH AND INFRASTRUCTURE

Eighty-first Session
April 14, 2021

The Senate Committee on Growth and Infrastructure was called to order by Chair Dallas Harris at 3:56 p.m. on Wednesday, April 14, 2021, Online. 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

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

Cole Mortensen, Deputy Director, Nevada Department of Transportation
David Dazlich, Vegas Chamber
Maya Bourgeois, Interim Chief of Administrative Services, Nevada Department of Transportation
Paul Enos, CEO, Nevada Trucking Association
Seth Daniels, Assistant Chief Traffic Operations Engineer, Nevada Department of Transportation

CHAIR HARRIS:
We will open the hearing on Assembly Bill (A.B.) 12.

ASSEMBLY BILL 12: Revises provisions relating to the Department of Transportation. (BDR 35-345)

COLE MORTENSEN (Deputy Director, Nevada Department of Transportation):
I am presenting today A.B. 12. There are two parts to this bill. Over the last two to three years at the Nevada Department of Transportation (NDOT), we have had four deputy directors retire. It was brought to our attention the statutes were limiting our ability to draw a better pool of candidates for selection to those positions.

The first part is changing the minimum qualifications for the deputy director position in requiring 15 years of progressively responsible engineering of project management experience. We are cleaning up additional language for the heads of the Engineering and Planning Divisions.

The second part of the bill is cleanup on the requirement on the chief engineer. This was a holdover from 2012 when the assistant directors for NDOT became unclassified employees. The chief engineers should be one of the assistant directors, a deputy or the director. Those positions are unclassified.

DAVID DAZLICH (Vegas Chamber):
The Chamber is in support of A.B. 12. We supported this measure in the Assembly and we are in continued support as this works through the Senate.

CHAIR HARRIS:
We will close the hearing on A.B. 12. We will open the hearing on A.B. 41.

ASSEMBLY BILL 41: Revises provisions governing the operation of certain vehicles. (BDR 43-346)

MAYA BOURGEOIS (Interim Chief of Administrative Services, Nevada Department of Transportation):
I am here to present A.B. 41 and provide an overview of our proposed changes.

Overdimensional vehicle permits (ODVP) are regulated by *Nevada Revised Statutes* (NRS) 484D and by *Nevada Administrative Code* (NAC) 484D. The overdimensional section is responsible for issuing oversize, overweight permits for vehicles for the entire State.

Oversize, overweight vehicles include nonreducible, nondivisible vehicle combinations or loads that exceed 80,000 pounds gross weight, exceed 8 feet 6 inches in width, exceed 14 feet in height, exceed 10 feet of front and rear

overhang and exceed 70 feet in length. These also include shorter overweight vehicles that qualify as a commodity and exceed 80,000 pounds gross weight but do not exceed 70 feet in length.

Since 2017, ODVP has issued on average 33,212 permits per year. This section is comprised of two employees, one supervisor and one permit agent.

There are three areas of NRS 484D that NDOT is proposing to change. These changes will improve public and infrastructure safety, streamline the permit application process, and align the requirements with the growth of the manufactured and mobile home industry.

Within NRS 484D.605 and NRS 484D.725, the measuring of the height, width and length of a load is not specified. In NRS 484D.685, 484D.715, 484D.720 and 484D.725, the requirements state the permit applications are required to be made in writing.

Lastly, in NRS 484D.720, there is restrictive language not allowing manufactured or mobile homes over 16 feet wide to travel on Nevada roadways and highways.

The Department is proposing the following changes: add clarifying language to NRS 484D.605 and NRS 484D.725 on how a load will be measured; in regard to height, it will be measured from the surface on which the vehicle carrying the load stands; length, from the front bumper or front overhang to the rear bumper or rear overhang, whichever is greater; and width, will be from the widest point on each side of the vehicle.

Specifying how to measure loads will provide consistency across the industry and reduce the potential risks to public safety and damage to infrastructure.

Under NRS 484D.685, 484D.715, 484D.720 and 484D.725, we are proposing to expand how applications can be submitted by removing the restrictive words "in writing." It will allow NDOT to collect applications through different methods with the focus being on electronic submissions. This aligns with our existing practices and online permitting system, reduces the manual data entry by ODVP staff and streamlines the application process resulting in quicker issuance of permits.

The proposed change to NRS 484D.720 is to allow NDOT to grant a waiver to permit the transport of a manufactured or mobile home or any similar size of structure or vehicle structure wider than 16 feet with additional conditions. This waiver will remove the restrictive barrier and allow for continued growth of the industry. This will also align Nevada with our neighboring states of Arizona, Oregon and Idaho which allow 16-foot-wide transports of manufactured or mobile homes. This provides an opportunity for citizens to purchase larger homes and companies to purchase larger modular buildings or office trailers.

These changes will allow NDOT to update and align our application 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.

SENATOR SPEARMAN:
What does 16 feet wide have to do with public safety? I am concerned with what it means.

MS. BOURGEOIS:
We have parameters set. We have NACs which follow guidelines for certain lengths, widths and weight restrictions. In accordance with those, we require pilot vehicles. Anything over 12 feet wide and depending on how wide vehicles are, the law requires either one or two pilot vehicles, one at the front and one in the rear. The manufactured and mobile home industry does comply with those requirements at this time.

The additional condition will require a Nevada Highway Patrol (NHP) escort. Right now NHP escorts are not required on anything less than 17 feet. However, since we are moving in this direction, we will require NHP on these transports of anything over 16 feet wide for the manufactured or mobile homes.

PAUL ENOS (CEO, Nevada Trucking Association):
The Nevada Trucking Association is in support of A.B. 41. We appreciate the clarifying language in terms of how a load is measured and eliminates arguments happening between law enforcement and our industry on the roadside.

Most of the measures are accepted by industry on a wholesale level. We appreciate NDOT moving to electronic submission. It is the right way to go. We are fortunate to have a great chain of command at NDOT under Ms. Bourgeois

that does a great job of getting these permits issued. The electronic submission will take the workload off of them and enable more efficiency within the Department.

CHAIR HARRIS:
We will close the hearing on A.B. 41. We will open the hearing on A.B. 53.

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, Nevada Department of Transportation):
I am presenting A.B. 53. I will begin with a brief history of the call boxes. The 1960s marked the first installation of the highway call boxes. These were solar-powered emergency call systems on ten miles of freeway in Los Angeles. The main proliferation of these call boxes occurred in the 1980s and 1990s with roughly 16,000 units installed statewide in California, approximately 3,000 units on the Florida Turnpike and approximately 1,000 units installed on the Pennsylvania Turnpike.

In researching this topic, the last nationwide survey identified three example states accounted for 20,000 of 24,000 call boxes installed on highways in the U.S. The rest were distributed among the 18 other states that installed these systems, including Nevada.

Comparing the 2003 survey to the nationwide survey performed in 1996, less than 300 call boxes were installed in that 7-year period, indicating a plateau. We were unable to find any recently installed highway call boxes in areas of poor cellular service and not on long stretches of road.

Specific to Nevada, NRS 408.569 was established in 1993 giving NDOT the ability to install a system of telephones on the most frequently traveled highways and directed a study to identify best practices. That statute was amended in 2001, changing the "may" to a "shall" and directing installation of a system of communications between the California border and Las Vegas. It included an appropriation of $500,000 at the time.

We have now reached the end of the manufacturers support for the call box system hardware and are nearing the end of functionality for the radio

technology used. Our volumes have become consistently low as we search through the system logs on these sites.

Regular discussions about the future of the system began approximately three years ago in monthly meetings between NHP radio and dispatch staff, NDOT District 1 communications maintenance staff and the NDOT traffic operations technology group.

At the time, NHP asked about removing the call box system due to continued low volume of calls. These necessary discussions were difficult, the call boxes have been effective tools during the nearly 20-year life span. We understand there may be differences of opinion. Our focus is helping motorists who may be stranded somewhere on a highway.

We want to ensure our research of national practices supports any recommendations we move forward with. We found that both installations and removals remain relatively inactive between the early 2000s and early 2010s. For example, the call boxes on the Florida Turnpike were completely removed except for four call boxes on a bridge. Those were updated and rerouted to a crisis counseling system for suicide prevention, which I felt was a great use. The call boxes on the Pennsylvania Turnpike were completely removed in 2017.

California was harder to track. Ongoing project funding was created through a dedicated amount added to vehicle registration fees and is dispersed to regional transportation organizations for installation and maintenance. Documents in the literature search indicate approximately 75 percent of the call boxes in California had been removed by 2017. There was not enough data available after these major removals were completed because the system is on a much smaller scale.

Overall, in our research we found five or fewer calls per call box per year on our system. As the national usage declines we are fairly consistent and expect to be at between 95 percent and 98 percent by 2018.

It is interesting the research performed in 1990s found a lower rate of risk for vehicles exiting highways for activities such as using call boxes. Approximately 12 percent of interstate highway deaths are pedestrians in the roadway or on the shoulder. It is a stark contrast to current national research, statistics and best practices. There are many factors involved, such as distracted or impaired driving. The stopping recommendations were pulled from the American

Automotive Association's guidelines and are widespread in regional and national programs such as Zero Fatalities.

There are situations where exiting a vehicle will be necessary and occupants should clear the roadway area as quickly as possible. Given this information, walking along the interstate to the nearest call box is a strong concern for safety. Unfortunately, first responders are not immune to the dangers of stopping or being outside their vehicles on the highway even with intense lighting and their large blocking vehicles. Their training and best practices have been established through traffic incident management programs. They are aware of the risks and are better to respond to it being outside their vehicles.

The estimates we received to replace the call box system is between $500,000 and $700,000, excluding ongoing service charges and maintenance costs. This system will be a solar-powered cellular-based system due to cost simplicity and reliability. We need to purchase spare equipment as these systems are vandalized and hit by vehicles frequently. It has been a challenge for us to keep them operational this long.

Interstate 15 is our high volume section of roadway. It is consistently patrolled by NHP and is one of the main routes. Our NDOT Freeway Service Patrol is used during peak travel days. It has logged over 41,000 incidents in the Las Vegas area in the last fiscal year (FY) of record, which was FY 2019-2020.

The rollout of the 5G infrastructure is set to provide substantial coverage increases Statewide. The Federal Communications Commission has published estimates at over 300,000 small cell antenna installations will occur nationwide in the next five years. We have the FirstNet program and other initiatives and we are predicting a 97 percent coverage in Nevada. It works with agencies such as the State Division of Emergency Management and Homeland Security.

We are looking at traffic management platforms. The one we use is WayCare. It combines camera data feeds with user applications similar to Waze when something is reported, such as a disabled vehicle. It is automatically pushed through to our dispatch system and to their dashboards. Connected vehicles platform continues to advance with roadside assistance features and automated emergency notifications. This evolved way back to OnStar in 1996.

The cellular carriers were fairly consistent with coverage in 5G with cell and smart phone usage at 98 percent of adults in the U.S.

SENATOR PICKARD:
There are many call boxes in areas not covered by cellular service. I drive to Ely or between Las Vegas and Carson City, and there are areas with dead spots and no cellular signal. Is the intent to maintain those boxes in those areas until there is sufficient cellular service, or is it more likely we will have cellular service there? At least the technology is supporting it and keeps it going. It may fall away by attrition and leave those areas completely unsupported. My concern is if we are not maintaining this system. How do we ensure we get those areas covered?

MR. DANIELS:
This is by far our oldest system. We have other call boxes which are cellular-based. Those have stronger antennas more than what is on a personal cell phone. In general, the Interstate 15 corridor is the portion that this bill is addressing, but we want to keep the remainder of this legislation. We have the option to place call boxes as needed in areas with dead spots.

It is hard to track because the carriers maintain different coverage. We want to leave it open as an option for problem areas, areas that will use it and areas that do not have proper cellular coverage.

SENATOR PICKARD:
When I originally read this, I thought it was essentially eliminating all call boxes. I see it is permissive and not necessarily the case. I want to ensure your Department will keep us safe in those cellular phone dead-spot areas.

CHAIR HARRIS:
We will close the hearing on A.B. 53.

SENATOR HAMMOND MOVED TO DO PASS A.B. 12.

SENATOR PICKARD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR HAMMOND MOVED TO DO PASS A.B. 41.

SENATOR PICKARD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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SENATOR HAMMOND MOVED TO DO PASS A.B. 53.

SENATOR PICKARD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR HARRIS:
We will move to our work session on A.B. 26.

ASSEMBLY BILL 26: Revises provisions governing programs of energy assistance. (BDR 58-298)

SUSAN SCHOLLEY (Policy Analyst):
I will read from the work session document (Exhibit B).

SENATOR SPEARMAN MOVED TO DO PASS A.B. 26.

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 4:31 p.m.

RESPECTFULLY SUBMITTED:

Debbie Shope,
Committee Secretary

APPROVED BY:

Senator Dallas Harris, Chair

DATE:

EXHIBIT SUMMARY				
Bill	**Exhibit Letter**	**Begins on Page**	**Witness / Entity**	**Description**
	A	1		Agenda
A.B. 26	B	1	Susan Scholley	Work Session Document