

Informational Statement Form

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 408.

1. A clear and concise explanation of the need for the adopted regulation.

This regulation is necessary to update the regulations to comply with Governor Lombardo's Executive Order No. 2023-003.

2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Copies of the proposed regulation removal, notices of workshop and notices of intent to act upon the regulation were posted in accordance with the Nevada Open Meeting Law and the Administrative Rulemaking guide. Notices were also posted to the NDOT website, the Nevada Public Notice Website, and the Legislative Council Bureau meeting site. Notices were posted in person at main NDOT properties, including the headquarters in Carson City, and southern Nevada's main facility in Las Vegas.

A public workshop was held on Thursday, June 13, both in person and online, to discuss the proposed regulation removal. During the workshop, a few participants joined virtually, including a representative of the Nevada Contractor's Association and other members of the public. All questions from the public were addressed satisfactorily. Following the workshop, a report was submitted to the Nevada Legislative Council Bureau (LCB) on June 26. The LCB reviewed and approved the hearing on July 17, allowing NDOT to proceed with a public hearing.

On Monday, September 9, 2024, the Nevada Department of Transportation (NDOT) held a public hearing to discuss the proposed elimination the regulation. The public hearing took place at NDOT's headquarters in Carson City, Nevada, and was also available via Microsoft Teams to accommodate virtual participation. During the hearing, NDOT provided a comprehensive report on the rationale for the proposed elimination of NAC 408.796(2). It was explained that NDOT had conducted extensive outreach, including the public workshop in June, to gather feedback on the regulation. NDOT emphasized that the removal of the regulation would not negatively impact businesses, as confirmed during previous public consultations. The elimination would streamline NDOT's regulatory framework while maintaining the integrity of the business sign program. No members of the public provided comments during the hearing. Despite this, members of the public, including representatives from the Nevada Transportation Board, Governor Joe Lombardo, and Lt. Governor Stavros Anthony, were present. Additionally, written public comments were solicited ahead of the hearing, but no formal submissions were received. At the conclusion of the hearing, NDOT Director Tracy Larkin Thomason, exercising her authority as the head of the department, adopted the elimination of NAC 408.796(2).

A copy of this summary of the public response to the proposed regulation may be obtained from the NDOT Public Information Office, 1263 S. Stewart St, Carson City, NV 89712; 702-385-6509; or email to jhopkins@dot.nv.gov.

3. The number persons who:

(a) Attended the June 13, 2024 workshop: 8

(b) Testified at June 13, 2024 workshop: 1

(c) Attended the September 09, 2024 hearing: 21

(d) Testified at September 09, 2024 hearing: 0

(f) Submitted to the agency written comments: No written comments were submitted.

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3, as provided by the agency: Is attached.

5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from the general public during a public workshop and a public hearing. The process was summarized in the answer to #1, with a full report attached to this document.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The permanent regulation was adopted on September 9, 2024. There were no changes suggested at the June 13, 2024 workshop and none were made.

7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:

(a) Both adverse and beneficial effects; and

(b) Both immediate and long-term effects.

(a) There are no estimated economic effects from removal of the regulation.

(b) The immediate or long-term effect on business is that NDOT will base the placement of businesses on attraction signs based on distance from the sign.

8. The estimated cost to the agency for enforcement of the adopted regulation.

There is no estimated cost to the agency for removal of this regulation.

9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other state or government agency regulations that the removal of the regulation duplicates.

10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

There are no federal regulations that apply.

11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation does not provide a new fee or increase an existing fee.

APPENDIX FOR ITEM #4:

4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3, as provided by the agency:

From in-person sign-in sheet (attached):

1. Bill Wellman; Bill.Wellman@lvpc.com
2. Juan Hernandez; jchernandez@dot.nv.gov
3. Mike Glock; mglock@dcsnv.com
4. Mike Murphy; mm@dcsnv.com
5. Laurie Rodriguez
6. Alexis (unintelligible from sign-in sheet)
7. Darin Tedford
8. Elizabeth Learnhardt

Also in attendance:

9. Gov. Joe Lombardo
10. Lt. Gov. Stavros Anthony
11. Controller Andy Matthews
12. Virginia Valentine (Transportation Board Member)
13. Justin Kalb (Transportation Board Member)
14. Frank Lepori (Transportation Board Member)
15. Gary Perea (Transportation Board Member)
16. Tracy Larkin Thomason (NDOT Director)
17. Justin Hopkins (NDOT Public Hearings Officer)
18. Sondra Rosenberg (NDOT Deputy Director)
19. Mario Gomez (NDOT Deputy Director)

Sign-In Sheet
 Transportation Board of Directors Meeting
 September 9th, 2024

Name (Please Print)	Email or Phone Number (In case a follow-up is needed)	Representing	Please check if Providing Testimony	Agenda Item
Bill Williams	Bill.Williams@LVHMAA	LVPE		
Juan Hernandez	jshernandez@doh.nv.gov	Traffic ops		
Mike Gleck	mgleck@dcsvr.com	DCS		
Mike Murphy	mmurphy@dcsvr.com	DCS		
Laurie Rodriguez	laurie ^{arhile} alexis@nra.nv.gov	AVPOA		
Alexis Motasen	alexism@nra.nv.gov	NV AGC		
DARIN TERRY		ATKINS PARTS		
Elisabeth LeBl		self	✓	

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 (NRS 239.0107)