

**REVISED**  
**MEETING NOTICE AND AGENDA**

Name of Organization: Legislative Commission's Subcommittee to Study  
Transportation Issues (*Nevada Revised Statutes* 218.682)

Date and Time of Meeting: August 21, 2008  
1:30 p.m.

Place of Meeting: Legislative Building, Room 3138  
401 South Carson Street  
Carson City, Nevada

Note: Some members of the Subcommittee may be attending the meeting and other persons may observe the meeting and provide testimony through a simultaneous videoconference conducted at the following location: Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada.

*If you cannot attend the meeting, you can listen or view it live over the Internet. The address for the Nevada Legislature website is <http://www.leg.state.nv.us>. Click on the link "Live Meetings – Listen or View."*

<p><b>Note: Minutes of this meeting will be produced in summary format. Please provide the secretary with electronic or written copies of testimony and visual presentations if you wish to have complete versions included as exhibits with the minutes.</b></p>
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**A G E N D A**

**Note: Items on this agenda may be taken in a different order than listed.**

\*Denotes items on which the Subcommittee may take action.

I. Opening Remarks  
Senator Dennis Nolan, Chair

\*II. Approval of Minutes of the Meeting Held on July 2, 2008, in Las Vegas, Nevada

- \*III. Presentation by the City of Sparks on the Status of Transportation Issues and Its Support for Funding Transportation Projects  
Shaun Carey, City Manager, City of Sparks

IV. Public Comment

- \*V. Work Session—Discussion and Possible Action on Recommendations Relating to:

- \* A. Potential Funding Mechanisms for State and County Highway and Road Projects
- \* B. Traffic Safety Issues
- \* C. Dissolution of Nevada’s Transportation Services Authority of Nevada’s Department of Business and Industry (BI) and the Taxicab Authority of BI
- \* D. Motorcycle Helmets

The “Work Session Document” is attached below and contains proposed recommendations. The document is also available on the Subcommittee’s Web page at [Transportation Issues \(NRS 218.682\)](#) or a written copy may be obtained by contacting Marjorie Paslov Thomas, Senior Research Analyst, Research Division, Legislative Counsel Bureau, at (775) 684-6825.

VI. Public Comment

VII. Adjournment

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Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Research Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call Jeannie Claussen at (775) 684-6825 as soon as possible.

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Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed or e-mailed for posting to the following Las Vegas, Nevada, locations: Clark County Government Center, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue. Notice of this meeting was posted on the Internet through the Nevada Legislature’s website at [www.leg.state.nv.us](http://www.leg.state.nv.us).

**Legislative Commission's Subcommittee to  
Study Transportation Issues**  
*(Nevada Revised Statutes 218.682)*

**WORK SESSION  
DOCUMENT**



**August 21, 2008**

Prepared by the Research Division  
Legislative Counsel Bureau



## **WORK SESSION DOCUMENT**

### **LEGISLATIVE COMMISSION'S SUBCOMMITTEE TO STUDY TRANSPORTATION ISSUES (*Nevada Revised Statutes 218.682*)**

**August 21, 2008**

The following list of recommendations was compiled by the chair and staff of the Legislative Commission's Subcommittee to Study Transportation Issues (*Nevada Revised Statutes 218.682*). This document contains recommendations that were submitted in writing to the Subcommittee staff, provided through correspondence with Subcommittee members, or presented during one of the Subcommittee's five hearings on October 25, 2007; November 13, 2007; January 23, 2008; February 19, 2008; and July 2, 2008.

This document is designed to assist the Subcommittee members in determining what action they may wish to take on certain issues, which may include making statements in the Subcommittee's final report, writing letters of recommendation or support, or forwarding recommendations for legislation to the 2009 Session of the Nevada Legislature. The Subcommittee may vote to make as many statements or send as many letters as they choose; however, pursuant to NRS 218.682, the Subcommittee is limited to five bill draft requests, including requests for the drafting of resolutions. The bill draft requests must be submitted to the Legal Division of the Legislative Counsel Bureau before September 1, 2008.

The recommendations listed in this document are conceptual recommendations. They are in no particular order of importance and do not necessarily have the support or opposition of the Subcommittee Chair or members. The members may accept, reject, modify, or take no action on any of the proposals. The source of each recommendation is noted in parentheses, when available. Please note that specific sources may not be provided if the proposals were raised and discussed by numerous individuals during the course of the study, or only one main source may be listed when there were also others who contributed.

The recommendations may have been modified by being combined with similar proposals, or by addition of necessary legal or fiscal information. It should also be noted that some of the recommendations may contain an unknown fiscal impact. If a recommendation is adopted for a bill draft request, then the staff will work with interested parties to obtain fiscal estimates for inclusion in the final report. During the drafting process, specific details of approved requests for legislation or other Subcommittee action may be further clarified by staff in consultation with the Chair or others, as appropriate. Also, if a recommendation includes reference to specific chapters or statutes of the NRS, as part of the drafting process, amendments to other related chapters or sections of the NRS may be made to fully implement the recommendation.

## RECOMMENDATIONS FOR DRAFTING LEGISLATION

1. **Draft legislation** to require the Director of Nevada's Department of Public Safety (DPS) to maintain a telephone hotline for persons in this State to report to the Department information of residents of Nevada who fail to register their motor vehicles in Nevada. The Director of DPS would establish procedures for investigating violations relating to the registration of a vehicle. If a person is cited for failing to register a vehicle within 10 days after the last day allowed for timely registration of a vehicle, a person will be cited for each vehicle that is not registered by a fine: (1) of \$50 for the first 30 days the person is late in registering the vehicle; and (2) of \$25 for each additional 30 days the person is late in registering the vehicle or performing not less than 8 hours or more than 340 hours of community service.  
*(Proposed by Chairman Dennis Nolan.)*
2. **Draft legislation** to authorize Nevada's Department of Transportation (NDOT) to establish, construct, and operate toll projects, which include toll roads and toll bridges, and to assess tolls for the use of the toll roads and toll bridges. However, a toll road may not be created, improved, maintained, or operated unless an alternate route is normally available for the use of motorists. A toll may be collected by any method that identifies the correct toll and collects the payment, including manual toll collection, electronic toll collection, or use of a photo-monitoring system. Additionally, NDOT is authorized to enter into agreements with other public or private entities to design, develop, finance, construct, maintain, repair, or operate a toll project.  
*(Proposed by Chairman Nolan; Jorge Cervantes, P.E., P.T.O.E., Director of Public Works, City of Las Vegas; Andy Fegley, Government Affairs Director, Las Vegas Chamber of Commerce; and discussed at the October 25, 2007, February 19, 2008, and July 2, 2008, meetings.)*
3. **Draft legislation** to allow the State to index gasoline taxes that are imposed under Chapter 365 of NRS to a five-year average of the change of the Consumer Price Index and limit the increase to no more than 4.5 percent a year.  
*(Proposed by Jorge Cervantes, City of Las Vegas.)*
4. **Draft legislation** to require that any revenue generated from a county or city license fee and license tax that is collected in Clark County for or by the Las Vegas Convention and Visitors Authority (LVCVA) that exceeds that total amount of revenue collected for or by the LVCVA in Clark County for Fiscal Year (FY) 2006-2007, but adjusted annually for changes in inflation and deflation, must be distributed in the following manner: (1) one-third to the Distributive School Account in the State General Fund; (2) one-third to the State Highway Fund to be used exclusively for transportation purposes; and (3) one-third to the Nevada Public Safety Fund. A Nevada Public Safety Fund would be created as a special revenue fund in the State Treasury. The Legislature would appropriate the Fund only for the purpose of enhancing the public safety of the

State of Nevada and its residents, including expenditures for law enforcement, homeland security, fire protection, or corrections, and grants to local police departments, fire departments, or sheriffs' offices for similar purposes.

*(Discussed at the July 2, 2008, meeting.)*

5. **Draft legislation** to redirect existing State General Fund revenues to be used exclusively for design, right-of-way acquisition, construction, reconstruction, improvement, and maintenance of highways. The legislation should include the following recommendations made by former Governor Kenny C. Guinn's Blue Ribbon Task Force to Evaluate Nevada Department of Transportation Long-Range Projects 2008-2015:

- A. Adjust the depreciation schedules used to establish the governmental services taxes;
- B. Redirect the entire 2 percent State sales tax on vehicles and vehicle repairs to the State Highway Fund;
- C. Appropriate any future State General Fund surpluses above the legislative expenditure cap for "one-shot" expenditures for State highways;
- D. Index State gasoline and diesel taxes to inflation in a manner consistent with current NRS authorizing county motor fuel indexing with a maximum increase of 4.5 percent annually;
- E. Increase by \$20 the fee for all drivers' licenses and direct the money to the State Highway Fund;
- F. Allow NDOT authority to implement user fees, including toll roads, high-occupancy toll lanes, and congestion pricing, and the authority to enter into public-private partnerships for the financing, design, construction, maintenance, and operation of transportation facilities; and
- G. Expand the use of tax-increment financing to allow local entities to contribute to improvements to the State highway system.  
*(Proposed by Geno R. Martini, Mayor, City of Sparks.)*

6. **Draft legislation** to require a hotel located in Clark County and Washoe County to assess the following fee when a person uses a parking facility located on the hotel property: (1) 50 cents for 5 hours or less; and (2) \$1 for each 24 hours beyond the 5 hours. The money collected must be deposited into the State Highway Fund and must be used in the construction, reconstruction, improvement, and maintenance of the public highways in that county where the money is collected.  
*(Proposed by Chairman Nolan.)*

7. **Draft legislation** to assess a \$100 fee against persons who are convicted of reckless driving, driving on a suspended or revoked license, driving under the influence, or motor vehicle-related accidents or driving felonies. The money collected must be deposited into the State Highway Fund and must be used exclusively for the construction, reconstruction, improvement, and maintenance of highways.  
*(Proposed by Chairman Nolan.)*
8. **Draft legislation** to dissolve Nevada's Transportation Services Authority of the Department of Business and Industry (BI) and the Taxicab Authority of BI, and transfer their responsibilities to other State agencies, counties, and cities.  
*(Proposed by A.R. "Bob" Fairman, Lobbyist.)*
9. **Draft legislation** to require NDOT to consider the possible impact of wildlife corridors, and apply mitigation strategies to protect both human and wildlife resources.  
*(Proposed by Ted Wehking, Chairman of the Nevada Wildlife Record Book Foundation.)*
10. **Draft legislation** to repeal the requirement to wear a protective headgear for a driver who is over 21 years of age and licensed to drive a motorcycle. In addition, a passenger of a motorcycle who is over 21 and driving with a person who meets the aforementioned criteria is not required to wear protective headgear.  
*(Proposed by Mike Davis, President, Southern Nevada American Bikers Aimed Toward Education of Southern Nevada.)*

## RECOMMENDATIONS FOR WRITING LETTERS

11. **Write a letter** to the Senate Committee on Transportation and Homeland Security and the Assembly Committee on Transportation during the 2009 Legislative Session supporting NDOT's Pioneer Program's Demonstration Project: The U.S. 95/Interstate 15 Managed Lane Project. The letter should urge the Legislature to pass legislation that allows NDOT to complete its Demonstration Project. The Project includes: (1) conversion of High Occupancy Vehicle Lanes and Express Lanes to Managed Lanes; (2) congestion pricing for vehicles with less than three passengers; (3) free ridership for public transit, emergency vehicles, and preregistered vehicles with more than three occupants; (4) video enforcement; (5) limited truck access (three-axle or bigger prohibited); and (6) improvements and new construction for access, interchanges and Managed Lane facility within the corridor.  
*(Proposed by Chairman Nolan and Andy Fegley, and discussed at the July 2, 2008, meeting.)*



12. **Write a letter** to the Nevada Executive Committee on Traffic Safety supporting the Nevada Strategic Highway Safety Plan. The Committee should be commended for a plan that promotes a culture of safety, which is comprised of the following components: (1) seat belt usage; (2) impaired driving; (3) safe intersections; and (4) pedestrians. In addition, the Committee should be acknowledged for its efforts to reduce accidents and accident-related congestion on Nevada’s highways.  
*(Proposed by Chairman Nolan and discussed at the November 13, 2007, and July 2, 2008, meetings.)*
  
13. **Write a letter** to the members of Nevada’s Congressional Delegation urging their support of S. 3261 (Transportation, Housing and Urban Development, and Related Agencies Appropriations Act of 2009). The legislation includes an \$8 billion transfer from the Federal General Fund to the Highway Trust Fund to stop an expected FY 2009 Trust Fund shortfall. If the shortfall is not resolved, the National Conference of State Legislatures predicts that states and their road projects will experience a shortfall even greater than \$3.2 billion—approximately four times as much—due to time lags between when states obligate their funds and when federal outlays are received. A delay of the shortfall fix creates uncertainty in state budgeting for transportation projects based on federal commitments.

**RECOMMENDATIONS FOR STATEMENTS TO BE  
INCLUDED IN THE SUBCOMMITTEE’S FINAL REPORT**

There are no proposed recommendations for statements to be included in the Subcommittee’s final report.