



## WORK SESSION DOCUMENT

### JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

*Nevada Revised Statutes* [NRS] [218E.320](#)

**August 29, 2024**

#### **INTRODUCTION:**

The Chair and Legislative Counsel Bureau (LCB) staff of the Joint Interim Standing Committee on Growth and Infrastructure have prepared this "Work Session Document" (WSD) to assist the Committee in determining which legislative measures it will request for the 2025 Session of the Nevada Legislature as well as other actions the Committee may endorse. The WSD contains a summary of recommendations presented during public hearings, through communication with individual Committee members, or through correspondence submitted to the Committee members or staff.

The members of the Committee do not necessarily support or oppose the recommendations in this WSD. Committee staff has compiled and organized the proposals so that Committee members can review them and decide whether they want to accept, reject, modify, or take no action on the recommendations. The WSD groups the proposals by topic, and they are not preferentially ordered.

Pursuant to [NRS 218D.160](#), the Committee is limited to ten legislative measures, which include both bill draft requests (BDRs) and requests for the drafting of resolutions. The Committee may vote to: (1) send as many statements or letters of recommendation or support as it chooses; and (2) include statements in its final report. Additionally, subsection 5 of [NRS 218E.560](#) requires that any recommended legislation proposed by the Committee must be approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the Committee.

Committee members are advised that LCB staff, at the direction of the Chair, may coordinate with interested parties to obtain additional information for drafting purposes or for information to be included in the Committee's final report.

#### **RECOMMENDATIONS**

##### **A. TRAFFIC SAFETY AND INFRASTRUCTURE**

1. **Request the drafting of a bill** authorizing the usage of cameras to enforce school bus stop-arm traffic violations.

*Recommended by Steve Randazzo, Chief Growth Officer, Bus Patrol America. See Attachment A-1.*

2. **Request the drafting of a bill** on traffic safety infrastructure that creates safer streets for all users and focuses on high-impact areas as well as authorizes the installation and use of road safety camera systems.

*Based on recommendations submitted by Andrew Bennett, Chair, Nevada Advisory Committee on Traffic Safety [NFACTS]; and Nicholas Shepack, Nevada State Director, Fines and Fees Justice Center. See Attachments A-2(a) and A-2(b).*

3. **Request the drafting of a bill** to improve traffic safety by revising provisions related to driving under the influence.

*Recommended by Andrew Bennett, Chair, NFACTS. See Attachment A-3.*

## B. ENERGY

4. **Request the drafting of a bill** establishing provisions related to recycling clean energy products, specifically lithium batteries and photovoltaic solar panels.

*Recommended by Vice Chair Watts. See Attachment B-4.*

5. **Request the drafting of a bill** revising provisions related to Nevada's Green Building Tax Abatement Program to promote climate-resilient building construction and renovation, decrease energy demand, and establish a voluntary benchmarking program for buildings.

*Recommended by Vice Chair Watts. See Attachment B-5.*

6. **Request the drafting of a bill** to establish a definition of an "agrivoltaics" project and promote and support the development of agrivoltaics demonstration projects within the State as well as to identify funding related to agrivoltaics projects.

*Based on recommendations submitted by: (1) Vice Chair Watts; (2) Olivia Tanager, Chapter Director, Sierra Club Toiyabe Chapter, and Nick Christenson, Member, Sierra Club Toiyabe Chapter; and (3) Misha Allen, Extension Educator, County Educator, University of Nevada, Reno Extension. See Attachments B-6(a), B-6(b), and B-6(c).*

7. **Request the drafting of a bill** requiring large-scale solar generation facilities to purchase electric loads from local utilities in whose service territory the generator resides.

*Recommended by Rose McKinney James, Representative, Valley Electric Association [VEA]; Logan Gernet, Vice President of Engineering, Operations and Power Supply, VEA; and Carolyn Turner, Executive Director, Nevada Rural Electric Association. See Attachment B-7.*

## C. UTILITIES

8. **Request the drafting of a bill** to revise provisions concerning natural gas infrastructure projects and contractor performance requirements.

*Recommended by Greg Esposito, Member, Plumbers, Pipefitters, and Service Technicians Local 525. See Attachment C-8.*

9. **Request the drafting of a bill** to revise provisions concerning motor vehicle fuels.

*Recommended by Sarah Collins, Nevada Petroleum Marketers and Convenience Store Association. See Attachment C-9.*

10. **Request the drafting of a bill** to direct the Public Utilities Commission of Nevada (PUCN) to require Nevada energy providers to report power disconnections, household demographics, and location to the PUCN.

*Recommended by Olivia Tanager, Chapter Director, Sierra Club Toiyabe Chapter. See Attachment C-10.*

# **ATTACHMENT A-1**

# RECOMMENDATION FOR THE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

**Submission deadline: Wednesday, July 31, 2024**

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<b>Name:</b>	Steve Randazzo
<b>Contact Information:</b>	steve@buspatrol.com 631-804-7381
<b>Date:</b>	7/29/24
<b>Organization: (if applicable)</b>	Bus Patrol America
<b>Recommendation:</b> Please provide a detailed description of the recommendation.	See attachment.
<b>Nevada Revised Statutes (NRS) Revisions:</b> Does the recommendation revise one or more current NRS? If "Yes," please provide the reference to the NRS citation(s) affected by the recommendation.	NRS 484.353
<b>Background Information:</b> Please attach or link to any background information, as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states, to name a few.	See attachment.

## **Bus Patrol America**

### Recommendation:

Amend NRS 484.353 to allow for the use of cameras to enforce school bus stop-arm traffic violations. Prescribing circumstances in which such cameras may be used for enforcement, namely that any school district wishing to do so may enter into an MOU with local law enforcement to remit footage of alleged violations for the agency's final determination on whether a violation took place. The violation is still criminal in nature - suggest creating a separation between law enforcement stops (wherein the driver's identification is verified by photo ID) remain criminal, but camera captured violations (wherein there is no identification of the driver) become civil, akin to a parking ticket that is attached to the vehicle, not the driver (thereby avoiding any license/insurance ramifications).

### Background Information:

In 1999, the Nevada State Legislature passed a law to prohibit the use of photo/video in the enforcement of moving traffic violations unless a law enforcement officer was present at the time the footage was captured. Since that time, technology has significantly improved and there is empirical data to recommend that camera enforcement can significantly deter driver behavior around school buses - it is estimated, based on independent data from the National Association of Directors of Pupil Transportation Services (NASDPTS), that there are approximately 44 million stop-arm violations per year, across all 50 states (3,000 in one day were reported by CCSD bus drivers alone). Camera use in school bus stop-arm violation enforcement is currently legal in 28 states and is currently being considered in 7 additional states.

# **ATTACHMENT A-2(a)**

# RECOMMENDATION FOR THE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

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<b>Name:</b>	Andrew Bennett as Chair of NVACTS
<b>Contact Information:</b>	Andrew Bennett: (702) 455-4311 / <a href="mailto:andrew.bennett@clarkcountynv.gov">andrew.bennett@clarkcountynv.gov</a> Julia Peek: (775) 684-5902 / <a href="mailto:jpeek@health.nv.gov">jpeek@health.nv.gov</a> Amy Davey: (775) 684-7476 / <a href="mailto:amy.davey@dps.state.nv.us">amy.davey@dps.state.nv.us</a>
<b>Date:</b>	7/11/2024
<b>Organization: (if applicable)</b>	Nevada Advisory Committee on Traffic Safety
<b>Recommendation:</b> Please provide a detailed description of the recommendation.	Enact legislation that authorizes the installation and use of road safety camera systems by a governmental entity for the purpose of issuing a civil infraction traffic citation in instances where a driver is exceeding the posted speed limit, including school zones and work zones, or violates a traffic control device; setting forth the requirements for the installation and use of road safety camera systems; requiring an agency having jurisdiction over the location of a road safety camera system to review certain evidence detected by the road safety camera system; requiring the registered owner of a vehicle to pay an administrative fine for certain violations detected by a road safety camera system; authorizing the registered owner of a vehicle to appeal a citation received for those violations; providing for the use of any money received from an administrative fine incurred for those violations;
<b>Nevada Revised Statutes (NRS) Revisions:</b> Does the recommendation revise one or more current NRS? If "Yes," please provide the reference to the NRS citation(s) affected by the recommendation.	Yes - NRS 484A.600 Eliminate the prohibition on use of stationary photographic, video, or digital equipment for issuance of a traffic citation in NRS 484A.600. Add enabling language for the use of road safety camera systems.  "A governmental entity and any agent thereof shall not use photographic, video or digital equipment for gathering evidence to be used for the issuance of a traffic citation for a violation of chapters 484A to 484E, inclusive, of NRS unless the equipment is held in the hand or installed temporarily or permanently within a vehicle or facility of a law enforcement agency."
<b>Background Information:</b> Please attach or link to any background information, as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states, to name a few.	Nevada Legislature - 2019 SB43 <a href="https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5962/Text">https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5962/Text</a>  National Roadway Safety Strategy <a href="https://www.transportation.gov/sites/dot.gov/files/2022-02/USDOT-National-Roadway-Safety-Strategy.pdf">https://www.transportation.gov/sites/dot.gov/files/2022-02/USDOT-National-Roadway-Safety-Strategy.pdf</a>  California Legislation Piloting Road Safety Cameras <a href="https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB645">https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB645</a>  Nevada Zero Fatalities Road Safety Cameras Information <a href="https://zerofatalitiesnv.com/app/uploads/2023/04/Road-Safety-Cameras.pdf">https://zerofatalitiesnv.com/app/uploads/2023/04/Road-Safety-Cameras.pdf</a>  Bipartisan Infrastructure Law Federal Funding Available - State Highway Safety Programs, Section 405 Grants <a href="https://www.nhtsa.gov/bipartisan-infrastructure-law">https://www.nhtsa.gov/bipartisan-infrastructure-law</a>



**ATTACHMENT A-2(b)**

# RECOMMENDATION FOR THE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

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<b>Name:</b>	Nicholas Shepack
<b>Contact Information:</b>	Email: Nshepack@finesandfeesjusticecenter.org Phone: 775-901-1725
<b>Date:</b>	7/29/24
<b>Organization: (if applicable)</b>	Fines and Fees Justice Center
<b>Recommendation:</b> Please provide a detailed description of the recommendation.	See attachment.
<b>Nevada Revised Statutes (NRS) Revisions:</b> Does the recommendation revise one or more current NRS? If "Yes," please provide the reference to the NRS citation(s) affected by the recommendation.	If the decision is made to work with the Nevada State Infrastructure Bank there may be changes made to chapter 408 of the NRS.
<b>Background Information:</b> Please attach or link to any background information, as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states, to name a few.	Examples of infrastructure projects that have reduced or ended traffic fatalities:  Jersey City, NJ - <a href="https://www.bloomberg.com/news/features/2022-12-28/it-s-been-a-deadly-year-on-us-roads-except-in-this-city">https://www.bloomberg.com/news/features/2022-12-28/it-s-been-a-deadly-year-on-us-roads-except-in-this-city</a>  Hoboken, NJ - <a href="https://www.hobokennj.gov/news/city-of-hoboken-reaches-new-vision-zero-milestone-seven-consecutive-years-without-a-traffic-death">https://www.hobokennj.gov/news/city-of-hoboken-reaches-new-vision-zero-milestone-seven-consecutive-years-without-a-traffic-death</a>  Baltimore Art in the Right of Way - <a href="https://assets.mica.edu/files/resources/made-you-look_art-in-the-right-of-way-toolkit.pdf">https://assets.mica.edu/files/resources/made-you-look_art-in-the-right-of-way-toolkit.pdf</a>

## **Fines and Fees Justice Center**

### **Recommendation:**

We are recommending that the committee considers an infrastructure bill that aims at creating safer streets for all road users, focusing on high impact areas. While FFJC is not an expert in infrastructure we are keenly aware of the vital role infrastructure plays in not only creating safer streets but also reducing the need for traffic enforcement. When streets are properly designed or redesigned they reduce the speed of traffic, allow for safe street crossing and protect vulnerable individuals. This not only increases public safety, it frees up government resources resulting in city and country wide positive impacts. The need for infrastructure investments to Nevada's streets especially in our lowest income neighborhoods was made evident during the July joint meeting of the standing interim Growth and Infrastructure and Health and Human Services Committees.

FFJC is currently working to identify state and national infrastructure experts who can advise on drafting an infrastructure bill that aims at creating safer streets. FFJC will ensure that there is collaboration between all stakeholders, legislators and the LCB during the drafting process to ensure that a committee bill not only accurately reflects the needs of our state but is workable and cognizant of state budgetary constraints.

Our Senior Analyst of State and Local Budgets, Lillian Patil has advised us that "one of the biggest ways that states can direct/advance local infrastructure investments is through grants. A quick example from CO that seems somewhat like the NV state infrastructure bank - when the big national infrastructure bill came out, we set up a new state Infrastructure Matching Fund and provided opportunities to access state General Fund to both state and local agencies who were going after federal infrastructure grants and needed to be able to put up the required state/local match. It was a good way to be able to set priorities and incentives for local jurisdictions wanting to access the money." This is just one example of how state policy can drive local action in the infrastructure space.

While increasing enforcement or adding new types of traffic enforcement may result in a reduction in crashes and fatalities, the only examples we have of cities actually achieving their vision zero goals are in places that have prioritized infrastructure changes. It is for this reason we recommend that the committee move forward with a traffic safety infrastructure bill. While we are unable to outline a detailed description of what this legislation should include at this time we are confident that we can bring together the right groups for drafting.

# **ATTACHMENT A-3**

# RECOMMENDATION FOR THE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

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<b>Date:</b>	7/11/2024
<b>Organization: (if applicable)</b>	Nevada Advisory Committee on Traffic Safety
<b>Recommendation:</b> Please provide a detailed description of the recommendation.	Establish new and amend current legislation to improve traffic safety by supporting intervention and recovery programs that provide tools to reduce recidivism of driving under the influence, increase jail diversion opportunities and better monitor high risk road users; establish minimal screening and assessments for all persons charged with DUI offenses; establish the requirement for certain DUI accused to be subject to monitoring; amend Nevada 24/7 Sobriety and Drug Monitoring Program to allow participants to hold a driving privilege license for driving while in compliance with program requirements.
<b>Nevada Revised Statutes (NRS) Revisions:</b> Does the recommendation revise one or more current NRS? If "Yes," please provide the reference to the NRS citation(s) affected by the recommendation.	<ol style="list-style-type: none"> <li>1. NRS 484C.350 - Amend this statute to remove the .18 blood alcohol concentration and second offense standard for requiring an evaluation as described in this statute.</li> <li>2. 484C.350 - Amend this statute to include provision for mandatory drug and alcohol monitoring for any driver assessed "high-risk, high-need".</li> <li>3. NRS NRS 484C.392 &amp; 484C.394 - Amend these statutes to remove "restricted driver's license" and replace with 24/7 privilege license</li> </ol>
<b>Background Information:</b> Please attach or link to any background information, as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states, to name a few.	<ol style="list-style-type: none"> <li>1. Screening and Assessment - Screening and assessment are crucial components in identifying high-risk, high-need drivers and addressing the underlying factors that contribute to DUI offenses. By implementing mandatory screening and assessment protocols for all DUI arrests, regardless of the BAC level, courts and diversion programs can gain a better understanding of the individual's specific circumstances and develop tailored intervention strategies with the added value of increasing jail diversion and improving overall public safety by addressing repeat DUI drivers.</li> <li>2. Drug and alcohol monitoring services for drivers arrested for DUI who are assessed "high-risk, high need". Pre-trial services plays a crucial role in mitigating the risks associated with offenders, including those charged with DUI offenses, for promoting public safety and reducing recidivism. These pre-trial services could include substance use monitoring technology, 24/7 Sobriety programs, drug/alcohol court programs and/or other diversion programs.</li> <li>3. Amend Sober 24 Driver's License Restrictions to Provide a '24/7 Sobriety Privilege' - Adding a "24/7 Sobriety Privilege" will replace the restricted driver's license currently in statute. This change would provide several key benefits for participants in Nevada's 24/7 Sobriety and Drug Monitoring Program. This would align with current statutes for the Ignition Interlock program which allows for a privileged driver's license.</li> </ol>

# **ATTACHMENT B-4**

# RECOMMENDATION FOR THE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

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<b>Name:</b>	Asm. Howard Watts
<b>Contact Information:</b>	Howard.Watts@asm.state.nv.us
<b>Date:</b>	July 31, 2024
<b>Organization: (if applicable)</b>	
<b>Recommendation:</b> Please provide a detailed description of the recommendation.	Establish policies to recycle clean energy products, specifically lithium batteries and photovoltaic solar panels.
<b>Nevada Revised Statutes (NRS) Revisions:</b> Does the recommendation revise one or more current NRS? If "Yes," please provide the reference to the NRS citation(s) affected by the recommendation.	This policy would create new sections in NRS related to waste management.
<b>Background Information:</b> Please attach or link to any background information, as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states, to name a few.	This policy would address the presentations made to this Committee by the Solar Energy Industry Association and the Nevada Battery Coalition and the discussions that followed. It would promote the state's circular clean energy economic development initiatives, address rural concerns about high volumes of waste disposal in their jurisdictions, and enhance environmental sustainability.

# **ATTACHMENT B-5**



# RECOMMENDATION FOR THE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

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<b>Name:</b>	Asm. Howard Watts
<b>Contact Information:</b>	Howard.Watts@asm.state.nv.us
<b>Date:</b>	July 31, 2024
<b>Organization: (if applicable)</b>	
<b>Recommendation:</b> Please provide a detailed description of the recommendation.	Restart and strengthen Nevada’s Green Building Tax Abatement Program to promote climate-resilient building construction and renovation, decrease energy demand, and establish a voluntary benchmarking program for buildings.
<b>Nevada Revised Statutes (NRS) Revisions:</b> Does the recommendation revise one or more current NRS? If “Yes,” please provide the reference to the NRS citation(s) affected by the recommendation.	This would revise the provisions of NRS 701A.100 and 701A.110
<b>Background Information:</b> Please attach or link to any background information, as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states, to name a few.	This program was closed to new applicants in 2021, because it was not delivering adequate energy savings as structured. The attached concept proposal from the US Green Building Council would ensure the program provides a high value in building improvements, and establish guardrails to limit the fiscal impact to the state.



# Nevada Proposed bill: Resilient High Performance Building Tax Abatement (2025)

Concept prepared by U.S. Green Building Council

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## Concept

- Establish new high performance building incentives requiring (1) above-code energy efficiency and (2) green building certification. Built upon successes and lessons learned from the Green Building Tax Abatement (NRS701A.100) (GBTA).
- Green building certification defined as Leadership in Energy and Environmental Design (LEED) with directed resilience credits.
- Additional requirements include certification of connected parking.
- Incentives to be available to new construction and existing buildings (retrofits and recertification).
- For retrofits, efficiency improvement is tied to the new Federal 179D alternative pathway to align requirements and streamline documentation.
- For properties that previously received the GBTA, a reduced incentive to incentivize recertification and further upgrade(s) is proposed with three requirements:
  1. Green building recertification,
  2. Demonstrating energy efficiency at level of current code, and
  3. Certification of connected parking
- Property owners must commit to energy and water benchmarking and reporting for the duration of the tax abatement; reporting is to Office of Energy which in turn will publish aggregated data (individual property public disclosure not required).
- For new construction, property owners must commit to recertification per the certification body requirements for the duration of the tax abatement.

# Outline

## A. NEW CONSTRUCTION

Applicability: New construction projects (commercial, public, and multifamily)

Incentive and requirements: Partial property tax abatement based on tiers:

Tier	Requirement	Abatement	Duration
<b>1 (lowest)</b>	LEED Silver + at least 5% more efficient than code + at least one resilience credit achieved	20%	10 years
<b>2</b>	LEED Gold + at least 10% more efficient than code + at least two resilience credits achieved	25%	10 years
<b>3 (highest)</b>	LEED Platinum + at least 15% more efficient than code + at least three resilience credits achieved	35%	10 years

This approach ensures above-code energy efficiency while using the green building system to add value to communities in terms of resilience, and through the water, materials and resources, site development, waste reduction, indoor environmental quality, and transportation aspects of projects. It will be incumbent on the green building certification authority and practitioners to incorporate the energy requirements of a particular tier are incorporated into the project goals and to determine approaches to streamline documentation.

## B. EXISTING BUILDINGS RETROFITS (FOR BUILDINGS THAT DID NOT PREVIOUSLY RECEIVE GBTA)

Applicability: Existing buildings improvements (commercial, public, and multifamily) for buildings that have not previously received the incentive of the prior GBTA program.

Incentive and requirements: Partial property tax abatement based on tiers:

Tier	Requirement	Abatement	Duration
<b>1 (lowest)</b>	LEED EB: O+M Silver + meet requirements of IRC 179D(f)* + at least one resilience credit achieved	20%	5 years
<b>2</b>	LEED Gold + meet requirements of IRC 179D(f) + at least two resilience credits achieved	25%	5 years
<b>3</b>	LEED Platinum + meet requirements of IRC 179D(f) + at least three resilience credits achieved	30%	5 years
<b>4 (highest)</b>	LEED Zero Carbon + meet requirements of IRC 179D(f) + at least three resilience credits achieved + achieve net zero carbon	35%	5 years

\* [IRC 179D](#) is the Federal Commercial Energy Efficient Property tax deduction, as amended by the Inflation Reduction Act enacted in 2022. Subsection (f) is the new “Alternative deduction for energy efficient building retrofit property” which establishes a pathway for retrofit projects to qualify though demonstrating a minimum of 25% reduction in EUI based on before and after documentation. By incorporating this approach, the Nevada program can ensure a threshold level of energy improvement while helping Nevada projects benefit from Federal funds by streamlining documentation. The statute would need to define the allowed “before” period, to give owners enough time for implementation of improvements (which may need to be spread out over several years), and then for the building operators to commission and achieve optimized operations.

This approach addresses the issue raised in the [2021 report](#) analyzing energy efficiency under the prior program, whereby existing buildings qualified by comparison to a national building dataset which tended to include much older buildings. Instead, this new approach will ensure that any benefiting buildings either achieve a minimum reduction in energy use or meet current code. An additional condition could be to limit this tax abatement category to buildings originally built a certain minimum number of years ago.

### C. EXISTING BUILDINGS RECERTIFICATIONS (FOR BUILDINGS THAT ALREADY RECEIVED ABATEMENTS IN THE PREVIOUS PROGRAM)

Applicability: Existing buildings improvements (commercial, public, and multifamily) for buildings that previously received the GBTA incentive of the prior program)

Incentive and requirements: Partial property tax abatement with a single tier, two options to achieve:

Option	Requirement	Abatement	Duration
1	LEED recertification + energy efficiency at least equal to current code	5%	3 years
2	LEED recertification + meet requirements of IRC 179D(f)	5%	3 years

\* see above for IRC 179(f) explanation

The purpose of this would be to incentivize further efficiency investments from properties that may have participated in the early days of the predecessor tax abatement, c. 2009-2012 which is now over a decade ago. It would also help capture energy and water data for the Office of Energy, through the benchmarking condition.

### D. GENERAL PROVISIONS

Administrative authority:

- Director of Office of Energy
- Establish, and update as needed, regulations, forms, and procedures as may be necessary to implement the tax abatement

- Establish, and update as needed, requirements for the benchmarking condition, in consideration of existing benchmarking programs in Nevada such as the [Reno ordinance](#)
- Publish an annual report on activity under this section(s) including data on cumulative and aggregated anticipated and actual energy and water savings for properties receiving the abatement
- Establish and update from time to time the list of Resilience Credits applicable for new construction and for existing building retrofits
- Conduct outreach and education related to this program

Assignability for Public buildings: Public owners may “assign” the abatement to a taxed property that is also in the program (methodology to be developed by agency) and be compensated for that assignment.

Parking:

- Parking structures and lots are “connected parking” if they are physically connected to and serves the primary building and are owned or leased by the primary building owner or a subsidiary. Connections may be by elevated or at grade walkways or sidewalks, elevators, or direct entry.
- Connected parking must obtain certification. Connected parking structures must obtain Parksmart certification. Connected parking lots must obtain SITES certification.

Green building certification: Means LEED certification at the level indicated using v4, v4.1, v5, or a successor version, including achievement of resilience credits; however, to be eligible, a building must register for LEED using the most recent applicable version available at the time of registration, and achieve certification under such version or a subsequent version.

Resilience credits: The administrative agency shall be directed to identify, and update from time, specific credits and pilot credits to be designated as “Resilience Credits” pursuant to this statute. In identifying such credits, the agency shall consider the potential benefits of credits on building, site, and community resilience, such as reducing heat island impact, increasing vegetation on sites, roofs, and walls, improving flood management, increased indoor and outdoor water efficiency, and advanced technologies and strategies. Resilience Credit options will be determined from time to time by the agency and could include:

- *Energy and Atmosphere, Renewable Energy* - To use onsite generation and storage to support building operations during times of grid and fuel interruption.
- *Sustainable Sites, Heat Island Reduction* - To mitigate disparate impacts on microclimates and habitats caused by heat islands and extreme heat events.
- *Sustainable Sites, Enhanced Resilient Site Design* - To reduce the project's vulnerability to catastrophic natural events, addressing multiple risk factors and strategies to support resilience for the project site and adjacent landscapes.
- *Water Efficiency, Enhanced Water Efficiency* - To reduce potable water consumption and the associated energy consumption and carbon emissions required to treat and distribute water and reward use of alternative water sources that preserve potable water resources.

- *Water Efficiency, Water Metering and Leak Detection* - To conserve potable water resources, support water management, limit potential material waste due to water leak damages, and identify opportunities for additional water savings by tracking water consumption.
- *Indoor Environmental Quality, Resilient Spaces* – To support healthy indoor air quality during events such as poor episodic outdoor air quality, respiratory disease, power outages, and also incorporates incentives for passive resilience strategies such as operable windows and building safety during extreme weather events.

Fiscal Impact: Financial guardrails will be included to ensure a predictable maximum impact to the state budget. The impacts of the GBTA will be reviewed, and any remaining abatement commitments included.

# **ATTACHMENT B-6(a)**

# RECOMMENDATION FOR THE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

**Submission deadline: Wednesday, July 31, 2024**

You may use this form to submit your recommendation. Save this form on your local device, complete it and save it again, and then send it as an attachment to: [GRIInterim@lcb.state.nv.us](mailto:GRIInterim@lcb.state.nv.us).

<b>Name:</b>	Asm. Howard Watts
<b>Contact Information:</b>	Howard.Watts@asm.state.nv.us
<b>Date:</b>	July 31, 2024
<b>Organization: (if applicable)</b>	
<b>Recommendation:</b> Please provide a detailed description of the recommendation.	Establish a definition of an “agrivoltaic” project - the dual use of land for both solar power generation and agricultural production - and support the development of agrivoltaic demonstration projects within the state.
<b>Nevada Revised Statutes (NRS) Revisions:</b> Does the recommendation revise one or more current NRS? If “Yes,” please provide the reference to the NRS citation(s) affected by the recommendation.	The definition would create a new section within NRS. Agrivoltaics may be supported through the addition of this term to programs in existing NRS to be determined.
<b>Background Information:</b> Please attach or link to any background information, as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states, to name a few.	This recommendation looks to build on the presentation made to this Committee by the University of Nevada Cooperative Extension, as well as the study conducted by The Nature Conservancy in partnership with Eureka County and Eureka Conservation district evaluating the feasibility of combining agrivoltaics with groundwater rights retirement.



# **ATTACHMENT B-6(b)**

Name:

Nick Christenson, Olivia Tanager

Contact information:

Nick: [npc@gangofone.com](mailto:npc@gangofone.com)

Olivia: [olivia.tanager@sierraclub.org](mailto:olivia.tanager@sierraclub.org), 504-400-3113

Date:

July 29, 2024

Organization:

Sierra Club, Toiyabe Chapter

Recommendation:

We have two recommendations for this legislation:

- (1) That the NRS be amended to include a definition for “agrivoltaics”. A prospective definition:

“Agrivoltaics” defined. “Agrivoltaics” means land that is simultaneously used for solar power generation and agricultural production, such as crop production, livestock production, pollinator habitats underneath or adjacent to solar panels.

- (2) That the legislature pass a bill that promotes the agrivoltaic use of land within Nevada in order to provide for additional revenue streams for Nevada’s farmers and ranchers, while encouraging the use of already disturbed land for the production of green energy to meet the state’s energy needs as an alternative to development of existing wilderness.

Nevada Revised Statutes (NRS) Revisions:

This bill would require modification of the NRS. For part (1), we would recommend adding section 704.033 to include the definition of “agrivoltaics”. We would expect that part (2) would require changes to NRS 704, but where the NRS would be changed will depend on how the legislation evolves.

Background Information:

The Interim Legislative Committee on Growth and Infrastructure was briefed on the topic of agrivoltaics on April 17, 2024 which explained many of their benefits to farmers and ranchers, as well as their benefits to the broader community. The presentation materials are available here:

<https://www.leg.state.nv.us/App/InterimCommittee/REL/Document/30212>



# AGRIVOLTAICS

## THE FUTURE OF SOLAR ENERGY IN NEVADA

Define agrivoltaics in Nevada statute, and incentivize the use of agrivoltaics in Nevada!



Reduce our carbon footprint



Decrease destruction of pristine wilderness



Support Nevada's farmers

**"Agrivoltaics" means land that is simultaneously used for solar power generation and agricultural production, such as crop production, livestock production, pollinator habitats underneath or adjacent to solar panels.**



**SIERRA CLUB**  
TOIYABE CHAPTER

[OLIVIA.TANAGER@SIERRACLUB.ORG](mailto:OLIVIA.TANAGER@SIERRACLUB.ORG)

# **ATTACHMENT B-6(c)**

# RECOMMENDATION FOR THE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

**Submission deadline: Wednesday, July 31, 2024**

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<b>Name:</b>	Misha Allen
<b>Contact Information:</b>	mishaa@unr.edu, 775.482.6794, P.O. Box 231, Tonopah NV 89049 Additional Notification Contacts: Sheila A Bray <sbray@unr.edu>; Kimberly Higgins <khiggins@unr.edu>
<b>Date:</b>	07/31/24
<b>Organization: (if applicable)</b>	University of Nevada, Reno, Extension
<b>Recommendation:</b> Please provide a detailed description of the recommendation.	<p>Single-priority solar projects have a public perception problem in Nevada, facing significant public opposition across the state. To bolster this committee's efforts, to support the State of Nevada's renewable energy goals, UNR Extension is poised to lead co-prioritized solar efforts, that bring multiple benefits, through a three-prong strategy - leveraging Extension's county, tribal and state networks across Nevada and the nation.</p> <p>Agrivoltaics is an example of a co-prioritized solar project, where farming and ranching occur under solar panel arrays. It can incorporate benefits to the land, communities, and industries. Co-prioritized solar projects, such as agrivoltaics, face barriers to their development. A comprehensive, three-prong approach is recommended to address these barriers: policy development, research and demonstration, and public education.</p> <p>Below are three proposed items for funding that incorporate policy analysis, demonstration site development, agrivoltaics research, coalition building, community outreach, and education.</p> <p>1) Policy Analysis to Increase Adoption of Co-prioritized Solar Projects in Nevada 2) Agrivoltaic Ambassadors for Nevada Travel Stipend Funds 3) Agrivoltaics for Nevada Project Match Request</p> <p>Attached is a supplemental description of the proposed items and associated project costs.</p>
<b>Nevada Revised Statutes (NRS) Revisions:</b> Does the recommendation revise one or more current NRS? If "Yes," please provide the reference to the NRS citation(s) affected by the recommendation.	No.
<b>Background Information:</b> Please attach or link to any background information, as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states, to name a few.	Supplemental description attached.

# RECOMMENDATION FOR THE JOINT INERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

## Supplemental Description

**Name:** Misha Allen

**Contact Information:** mishaa@unr.edu, 775.482.6794, P.O. Box 231, Tonopah NV 89049

**Additional Notification Contacts:** Sheila A Bray <sbray@unr.edu>;  
Kimberly Higgins <khiggins@unr.edu>

**Date:** 07/31/24

**Organization:** University of Nevada, Reno, Extension

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### Recommendations Overview:

Single-priority solar projects have a public perception problem in Nevada, facing significant public opposition across the state. To bolster this committee's efforts, to support the State of Nevada's renewable energy goals, UNR Extension is poised to lead co-prioritized solar efforts, that bring multiple benefits, through a three-prong strategy - leveraging Extension's county, tribal and state networks across Nevada and the nation.

Agrivoltaics is an example of a co-prioritized solar project, where farming and ranching occur under solar panel arrays. It can incorporate benefits to the land, communities, and industries. Co-prioritized solar projects, such as agrivoltaics, face barriers to their development. A comprehensive, three-prong approach is recommended to address these barriers: policy development, research and demonstration, and public education.

Below are three proposed items for funding that incorporate policy analysis, demonstration site development, agrivoltaics research, coalition building, community outreach, and education.

- 1) **Policy Analysis to Increase Adoption of Co-prioritized Solar Projects in Nevada**
- 2) **Agrivoltaic Ambassadors for Nevada Travel Stipend Funds**
- 3) **Agrivoltaics for Nevada Project Match Request**

### Recommendations for Consideration:

- 1) **Policy Analysis to Increase Adoption of Co-prioritized Solar Projects in Nevada**

#### Summary:

Researchers in multiple states report incredibly varied single- and co-prioritized solar legislation, ranging from official community solar legislation, to attempts to create a work-around in utility-centric states. Definitions of "dual use" and project types, with corresponding incentives, and varied permitting structures have resulted in mixed outcomes – intended and unintended. There are many states that have enacted legislation, from which to learn and avoid pitfalls, and guide State efforts. This project will analyze existing legislation and their outcomes, across the US, to inform the development of legislation that supports the vision and goals for Nevada. Travel funds

# RECOMMENDATION FOR THE JOINT INERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

## Supplemental Description

are included in this project to conduct meaningful engagement with Nevada's rural frontier and tribal communities - communities that are disproportionately impacted by energy initiatives and utility scale project speculation.

**"I do think there are opportunities to make [agrivoltaics] work [in Nevada]. There are a lot of people advocating for community solar and this really works well within the community solar framework. Local policy makers would REALLY benefit from a policy analysis."**  
*Sustainability Manager*

**"An analysis of states that have enacted community solar policies, with their impacts on project development, hasn't been done... We are asked by stakeholders, decision makers, ag land owners, and developers for this information all the time. They need it, we just don't have it. It would be incredibly valuable information."**  
*Solar Outreach Manager*

### **Total Project Costs\* (\$491,942)**

Total Direct Costs (\$341,762)

Modified Total Direct Costs (\$319,532)

Indirect Costs\* (\$150,180)

**\*NOTE:** this draft budget is calculated to include UNR's federally negotiated rate for on-campus research indirect costs of 47%. If the funding for this project is determined to have an indirect cost limitation by federal statute or other authority, the budget will be revised to follow the requirements.

### **2) Agrivoltaic Ambassadors for Nevada Travel Stipend Fund Summary: \$73,500**

Provide travel stipends for potential agrivoltaic demonstration project partners to visit Colorado's Agrivoltaic Learning Center at Jack's Solar Garden in Longmont, Colorado. This program will cultivate approximately 40 agrivoltaic ambassadors, from Nevada counties and tribes, to educate their communities about benefits from co-prioritizing solar development with agriculture – generating renewable energy, crops and livestock - land stewardship, water conservation, community engagement and support, education and other social uses. Stipend recipients will participate in a short survey and after returning home, share their tour experience with stakeholders in their communities and tribes. They will serve as local contacts to facilitate Extension connections for deployment of agrivoltaic projects and educational programs.

**"I was able to visit Jack's [Solar] Garden this past Saturday and it was fantastic! It makes so much sense for Nevada and I appreciate the work you're doing... I would also like to plan for a UNR presentation."**  
*Sustainability Manager*

### **Total Project Costs (\$73,500)**

Direct Participant Stipends (\$72,000)

Program Administration (\$1,500)

# RECOMMENDATION FOR THE JOINT INERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

## Supplemental Description

### 3) Agrivoltaics for Nevada Project Match Request Summary

UNR is a part of a multi-agency regional proposal, led by California State University, Fresno, to establish an Agrivoltaics Center for Excellence (ACE) in the western US. ACE will consist of a multi-state network of experts to research and develop knowledge on agrivoltaic systems, and disseminate research driven-education to stakeholders, decision makers and the public. UNR will be a part of this agrivoltaics network of experts, research, and education. As a subaward recipient on this USDA, Agriculture and Food Research Initiative Sustainable Agricultural Systems (AFRI-SAS) grant, UNR is included in the proposal for \$1,000,000 towards establishing an agrivoltaics demonstration and research site in Nevada. Additional funds are needed to develop this project. Providing a 50% funding match would support efforts to bring this agrivoltaics demonstration project to Nevada.

**“Bringing an agrivoltaics demonstration project to Nevada is probably one of the most important things you could do for state.”**

*Solar Developer*

**“We need more people like you at the state level, bringing expertise and enthusiasm to creatively address our renewable energy and agricultural issues. Let me know if you need a letter.”**

*Nevada Farmer*

#### **Total Project Costs\* (\$500,000)**

Total Direct Costs (\$448,089.87)

Modified Total Direct Costs (\$110,447.10)

Indirect Costs\* (\$51,910.14)

**\*NOTE:** this draft budget is calculated to include UNR’s federally negotiated rate for on-campus research indirect costs of 47%. If the funding for this project is determined to have an indirect cost limitation by federal statute or other authority, the budget will be revised to follow the requirements.



# **ATTACHMENT B-7**

# RECOMMENDATION FOR THE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

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<b>Name:</b>	<b>Electric Station Power for Rural Nevada</b>
<b>Contact Information:</b>	Rose McKinney James - <a href="mailto:Rose@McKinneyJamesAssociates.com">Rose@McKinneyJamesAssociates.com</a> (702) 562-5335 Carolyn Turner - Nevada Rural Electric Association. <a href="mailto:cmturner@nrea.coop">cmturner@nrea.coop</a> (775) 275-0439 Logan Gernet - Valley Electric Association. <a href="mailto:lgernet@vea.coop">lgernet@vea.coop</a> (520) 686-1331
<b>Date:</b>	<b>Submitted on July 31, 2024</b>
<b>Organization: (if applicable)</b>	<b>Valley Electric Association &amp; Nevada Rural Electric Association</b>
<b>Recommendation:</b> Please provide a detailed description of the recommendation.	<p>Multiple Large-Scale Solar Generation Facilities are under development in rural Nevada- in particular in Nye County and Valley Electric's Service Area.</p> <p>Local Resistance to Solar Development in these rural communities has emerged, and Residents frequently ask what benefits exist from the large Developments in their areas.</p> <ul style="list-style-type: none"> <li>- The vast majority of this generation has been contracted by California utilities, and not for use within Nevada.</li> <li>- The Nye County Board of Commissioners has passed a temporary moratorium on large Solar Developments within the town boundaries of Pahrump, while they seek a longer-term solution to the issue.</li> <li>- If developed on Federal Land, these projects are subject to Payments in Lieu of Tax (PILT), with limited benefits to the local community.</li> </ul> <p>Valley Electric and the Nevada Rural Electric Association would propose a bill which would provide local benefits from these large-scale solar developments, by requiring the facility to purchase its electric loads from the local utility, in whose Service Territory the generator resides, rather than procurement at wholesale.</p>
<b>Nevada Revised Statutes (NRS) Revisions:</b> Does the recommendation revise one or more current NRS? If "Yes," please provide the reference to the NRS citation(s) affected by the recommendation.	<p>No revisions to current NRS. Valley and NREA have proposed new language on behalf of Nevada's public power utilities which would provide the benefit of Station Power to rural residents.</p> <p>Whereas this proposal impacts largely wholesale generation facilities in the State of Nevada, we would propose this language be considered for inclusion in N.R.S. CHAPTER 701 - ENERGY POLICY.</p>
<b>Background Information:</b> Please attach or link to any background information, as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states, to name a few.	Attached is proposed language for a Station Power bill draft request, which will ensure benefit is received by small, public-power utilities and their customers from large, wholesale generation facilities, located in their rural service territories.

*NRS 701 is hereby amended to read as follows:*

1. *Any Wholesale Generation Facility located within a Rural Utility Service Territory in Nevada which becomes operational on or after January 1, 2026 shall purchase its Station Power from the public utility providing retail electric service in the service territory where the facility is located, unless otherwise negotiated with the public utility providing retail electric service in the service territory where the facility is located.*
  - a. *“Rural Utility Service Territory” shall be defined as any electric service area designated pursuant to NRS 704.677(3) or by the Local Government as a municipal public utility or power district, consisting of no more than 100,000 retail electric meters.*
  - b. *The Wholesale Generation Facility shall adhere to all rules, rates and policies set in place by the governing board of the public utility, and shall grant access to the public utility to measure or assess Station Service loads accurately.*
2. *“Wholesale Generation Facility” is any power generation facility that:*
  - a. *Is greater than 1MWac, and*
  - b. *Whose electric power output is not being provided directly and exclusively to retail, end-use electric customers in the same electric service area.*
3. *“Station Power” means energy consumed or used on the site of the Wholesale Generation Facility. This includes, but is not limited to heating, lighting, air-conditioning, fuel processing, office, inverter power consumption, and other auxiliary electric loads used in the operation, maintenance, or repair on the site of the power generation facility.*

# **ATTACHMENT C-8**

# RECOMMENDATION FOR THE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

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<b>Name:</b>	Greg Esposito
<b>Contact Information:</b>	Greg@Local525.org (702) 375-4957
<b>Date:</b>	7/17/2024
<b>Organization: (if applicable)</b>	Plumbers, Pipefitters and HVAC/R Mechanics Local 525
<b>Recommendation:</b> Please provide a detailed description of the recommendation.	An Act related to natural gas infrastructure projects and requirements for contractor performance of a gas infrastructure project. Language attached.
<b>Nevada Revised Statutes (NRS) Revisions:</b> Does the recommendation revise one or more current NRS? If "Yes," please provide the reference to the NRS citation(s) affected by the recommendation.	Yes. Chapter 704.
<b>Background Information:</b> Please attach or link to any background information, as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states, to name a few.	Because of the quasi-public nature of this work, the public has a right to demand that such construction services are carried out in a responsible manner for obvious reasons, including the fact poorly managed operations can lead to increase utility rates for affected consumers. Since 2005 California has required that the California Public Utilities Commission utilize a standard Responsible Contractor Policies for all ratepayer-funded energy programs. In 2017, the Colorado legislature passed a statute requiring that, when overseeing utility project procurement, the State Utilities Commission must require utility companies to provide information on their employment metrics. Specifically, this law requires that companies must disclose their local hiring practices, employment of registered apprentices, availability of training programs, and wage rates.

PROPOSED LANGUAGE OF PLUMBERS & PIPEFITTERS, LOCAL 525

FOR

GAS INFRASTRUCTURE CONSTRUCTION

New Language is in *Blue Bolded Italics*

An Act related to natural gas infrastructure projects and requirements for contractor performance of a gas infrastructure project.

**Section 1.** Chapter 704 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 4, inclusive, of this act.

**Sec 2.** *“Gas infrastructure project” means a construction project to install, remove and/or replace natural gas piping, materials, components, or equipment, to include all attendant tasks required in the completion of these tasks.*

**Sec 3.** *“Skilled and trained work force” shall mean at least fifty percent of the employer’s employees performing construction tasks on the gas infrastructure project are either enrolled in a relevant skilled trades apprenticeship program registered with the Nevada State Apprenticeship Council or are journeyperson who completed such a program.*

**Sec 4. 1.** *Before a gas utility may enter into a contract for the performance of a gas infrastructure construction with a licensed contractor under Chapter 624 of NRS, the gas utility shall:*

*(a) Advertise the contract to not less than two contractors who satisfy the requirements of subsection 2; and*

*(b) Include the requirements set forth in subsection 2 in the bid specifications for the contract.*

*2. For a contractor to be eligible to perform a contract for a gas infrastructure project, the contractor must demonstrate that it:*

*(a) Is a licensed contractor in the State of Nevada with the appropriate bonding capacity to bid the gas infrastructure project;*

*(b) Has the financial ability to provide any labor, materials or equipment required for the gas infrastructure project;*

*(c) Has the ability to obtain any necessary bonding for the work required for the gas infrastructure project;*

*(d) Provides a plan of health insurance to all employees, which includes employer paid premium coverage for each employee and dependents of each employee;*

*(e) Has access to a local skilled and trained work force, which is not less than 50 percent comprised of residents of this State who will be employed to perform the construction work required for the gas infrastructure project;*

*(f) Is eligible to hire apprentices enrolled in an apprenticeship program that is registered and approved by the State Apprenticeship Council, and in the appropriate craft or type of work, pursuant to chapter 610 of NRS; and*

*(g) Operates a safety program which includes drug testing; and*

*(h) Will pay at least the prevailing wage rate as determined by the Nevada Labor Commissioner to their workforce for the type or work actually performed by the employees.*

*3. A gas utility may select the contractor that the gas utility determines submitted the best proposal that meets the other requirements of this Act.*

# **ATTACHMENT C-9**



# RECOMMENDATION FOR THE JOINT INTERIM STANDING COMMITTEE ON GROWTH AND INFRASTRUCTURE

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<b>Name:</b>	Sarah Collins
<b>Contact Information:</b>	Sarah@i3publicaffairs.com or 7753154940
<b>Date:</b>	May 7, 2024
<b>Organization: (if applicable)</b>	Nevada Petroleum Marketers and Convenience Store Association
<b>Recommendation:</b> Please provide a detailed description of the recommendation.	This bill removes the vague language and adds more clarity to what is collect and what is not. Attached is the bill language.
<b>Nevada Revised Statutes (NRS) Revisions:</b> Does the recommendation revise one or more current NRS? If "Yes," please provide the reference to the NRS citation(s) affected by the recommendation.	NRS 590.120
<b>Background Information:</b> Please attach or link to any background information, as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states, to name a few.	Attached is the bill language.

## NEVADA PETROLEUM PRODUCTS INSPECTION ACT

NRS 590.120 Inspection fee for motor vehicle fuel or lubricating oil shipped, transported or held for sale; transfer of fees collected; monthly reports by payers; penalty; expenses incurred by Department of Motor Vehicles.

1. Every person, or any officer, agent or employee thereof, shipping or transporting any motor vehicle fuel, ~~diesel fuel of grade number 1 or diesel fuel of grade number 2 that is imported [or lubricating-oil]~~ into this State for sale or consignment, or with intent to sell or consign the same, shall pay to the Department of Motor Vehicles an inspection fee of ~~[0.055]~~ 0.0035 of a cent per gallon for every gallon of motor vehicle fuel, ~~diesel fuel of grade number 1 or diesel fuel of grade number 2 [or lubricating-oil]~~ so shipped or transported into the State, or that is held for sale within this State. This section does not require the payment of an inspection fee on any shipment or consignment of motor vehicle fuel, ~~diesel fuel of grade number 1 or diesel fuel of grade number 2 [or lubricating-oil]~~ when the inspection fee has been paid.

2. The inspection fees collected pursuant to the provisions of subsection 1, together with any penalties and interest collected thereon, must be transferred quarterly to the account in the State General Fund created pursuant to [NRS 561.412](#) for the use of the State Department of Agriculture.

3. On or before the last day of each calendar month, every person, or any officer, agent or employee thereof, required to pay the inspection fee described in subsection 1 shall send to the Department of Motor Vehicles a correct report of the motor vehicle fuel or oil volumes for the preceding month. The report must include a list of distributors or retailers distributing or selling the products and must be accompanied by the required fees.

4. Failure to send the report and remittance as specified in subsections 1 and 3 is a violation of [NRS 590.010](#) to [590.150](#), inclusive, and is punishable as provided in [NRS 590.150](#).

5. The provisions of this section must be carried out in the manner prescribed in [chapters 360A](#) and [365](#) of NRS.

6. All expenses incurred by the Department of Motor Vehicles in carrying out the provisions of this section are a charge against the account created pursuant to [NRS 561.412](#).

7. For the purposes of this section, "motor vehicle fuel" does not include ~~[diesel fuel,]~~ burner fuel or kerosene.

[12:157:1955] — (NRS A [1957, 587](#); [1961, 582](#); [1975, 1748](#); [1989, 1951](#); [1999, 1022](#); [2001, 2641](#); [2005, 1526](#))

# **ATTACHMENT C-10**

1. **Name:** Olivia Tanager
2. **Contact Information:** [olivia.tanager@sierraclub.org](mailto:olivia.tanager@sierraclub.org), 504-400-3113
3. **Date:** July 29, 2024
4. **Organization:** Sierra Club Toiyabe Chapter
5. **Recommendation:** Please provide a detailed description of the recommendation.

## Power Disconnection Demographic Reporting

What: 25 states, as well as Washington D.C., have an active formal reporting requirement designated either by state regulatory action or a state legislative determination. Nevada does not currently report information on disconnections. We are requesting legislation to direct the PUC to require energy providers to report power disconnections, household demographics, and location to the PUC.

Why: We believe [the United States is in the midst of a disconnection crisis](#). U.S. energy utility providers in 2022 shut off electricity to at least 3 million customers who had missed a bill payment. The disconnection rate and associated demographics need to be reported in Nevada. By reporting this information, energy assistance providers would be able to better serve communities disproportionately struggling to pay their utility bills. This also sets Nevada up to better hold utilities accountable to equity and racial justice. Black, Latino, and Indigenous people are [the most at risk](#) of having their power cut off, with one study showing Indigenous people [account for 4% of disconnections](#) despite making up 1% of the population. Some studies have shown that people of color are [three times more likely](#) to have their power disconnected.

6. **Nevada Revised Statutes (NRS) Revisions: Does the recommendation revise one or more current NRS? If “Yes,” please provide the reference to the NRS citation(s) affected by the recommendation.**

Yes. Add to NRS 704.1835 section 1 by creating NRS 704.1835 1(c) that could read as follows: Require a utility to report monthly on all disconnections across the state of Nevada, and properly anonymized associated demographics, including household demographics and location.

7. **Background Information: Please attach or link to any background information as needed. Sufficient detail will assist staff to better understand the intent of the recommendation. This may include model legislation or laws or bills from other states to name a few.**

### Resources

- [Electric Utility Disconnections Report](#)
- [Racial disparities in utility cutoff](#)
- [Utility disconnections dashboard](#)

- [Utility disconnections dashboard technical documentation](#)
  - i. “Nevada does not require utility disconnection reporting. The [Energy Justice] Lab used PowerSuite to search regulatory and legislative proceedings to identify any reported information about disconnections but did not find any relevant documents or reports. The EnJ Lab also communicated with local stakeholders to confirm the lack of available information.”