



**Nevada Advisory Committee on Traffic Safety (NFACTS)
MEETING MINUTES (FINAL)**

Tuesday, February 1, 2022, 1:30-3:30PM

1. Call to Order/Roll Call

Chair Andrew Bennett (Nevada Association of Counties) called the meeting of NFACTS to order at 1:31 pm on Tuesday, February 1, 2022. Mike Colety (Kimley-Horn) took roll and determined a quorum was present.

Committee Members Present

Kristina Swallow, Nevada Department of Transportation (NNV)
Sondra Rosenberg, Nevada Department of Transportation (Phone)
Amy Davey, Department of Public Safety, Office of Traffic Safety (Phone)
Julia Peek, Department of Health & Human Services (Phone)
Sean Sever (Vice Chair), Department of Motor Vehicles (Phone)
Christy McGill, Department of Education (Phone)
Scott Hammond, Nevada State Senate (Phone)
C.H. Miller, Nevada State Assembly (SNV)
David Gordon, Administrative Office of the Courts (Phone)
Cliff Banuelos, Inter-Tribal Council of Nevada (Phone)
Andrew Bennett (Chair), Nevada Association of Counties/Clark County (SNV)
Shashi Nambisan, UNLV Transportation Research Center (Phone)
Deborah Kuhls, Kirk Kerkorian School of Medicine at UNLV (Phone)
Daniel Doenges, RTC Washoe (Phone)
John Penuelas, RTC Southern Nevada (Phone)
Nick Haven, Tahoe Regional Planning Agency (Phone)
Kelly Norman, Carson Area MPO (Phone)
Joey Paskey, Nevada League of Cities/City of Las Vegas (Phone)

Members Absent

Vacant, DPS-OTS
Jason Walker, Nevada Sheriffs and Chiefs Association/Washoe Co Sheriff's Office

Others Present (see attached)

2. Public Comment

No public comments.

3. November 30, 2021 Meeting Minutes (Action Item - Approved)

The Committee did not have any comments on the November 30, 2021 meeting minutes.

Motion: Sean Sever.

2nd: Amy Davey.

Action: Approve November 30, 2021 Meeting Minutes.

Passed 18/0.

4. NFACTS Bylaws (Action Item - Approved)



Agenda Item #4 to approve the draft NVACTS Bylaws (see attachment). The Committee did not have any comments on the Bylaws.

Motion: Shashi Nambisan.

2nd: Assemblyman Miller.

Action: Approve NVACTS Bylaws.

Passed 18/0.

5. Zero Fatalities Update

Lacey Tisler, NDOT Traffic Safety Engineering, presented the Statewide Monthly Fatal Report, which included the preliminary total fatalities for 2021. As of January 6, 2022, the total fatalities in Nevada for 2021 was 382, a 17.9% increase over 2020 and the highest number of fatalities in the last 10 years. The report is included as an attachment.

There was discussion about the fatality rates for vehicle miles traveled (VMT) and population. Generally, rates were on the decline from 2016 to 2019, even with an increase in VMT and population. Both rates will be analyzed with 2020 and 2021 data.

Traffic crash data information for Nevada is provided at www.zerofatalitiesnv.com/nevadacrashdata.

6. State Highway Road Safety Laws 2022

Amy Davey, Office of Traffic Safety, presented the [2022 Roadmap of State Highway Safety Laws](#), published at the end of 2021 by the Advocates for Highway and Auto Safety (full report included as attachment). The report gauges the policies and traffic laws and grades each state based on a number of core measures.

The report indicated that Nevada improved from a "Red" state in 2020 to a "Yellow" state in 2021 with the passage of child passenger safety (CPS) (rear facing until 2 years old) and booster seat (57" before transitioning to seat belt) requirements. To achieve a grade as a "Green" state, Nevada needs a Primary Seat Belt Law (front and rear), a Booster Seat Law, and a number of laws related to Graduated Drivers Licensing (GDL).

It was shared that incremental changes make a difference, and policy-making is an on-going process. For example, the CPS bill took a lot of effort to pass (in 2021), and while it was an incremental change, NRS now reflects best practices for CPS. Need to celebrate the incremental changes.

7. NVACTS Annual Report

According to AB 54, NVACTS is required to submit an annual report to the Governor and Director of the Legislative Counsel Bureau (LCB) for review by the Legislature. NVACTS discussed the elements to include in the annual report, including latest data, recommended legislative priorities, best practices from other states, purpose and function of the committee (bylaws). The report will also include any issue reviewed or studied, and any recommendations made by NVACTS. The development of the annual report will be led by NDOT and OTS.

Julia Peek, Department of Health and Human Services, supports a new public health policy that encourages Nevada to invest in public health injury prevention (was formerly covered with a grant). Supports tying public health and injury prevention to traffic safety.

- Amy Davey announced that the OTS Grant Proposal period is open now. She will follow up with Julia on her request.



Kelly Norman, Carson Area MPO, requested that when we look at state compiled data, look to tie the state data to local level and specify actionable items from the emphasis areas at the local level.

Dr. Kuhls, Kerkorian School of Medicine at UNLV, shared that as a new member to committee, she is fascinated by the data. She reflected on the previous discussion of incremental change, with the challenges faced when traffic safety efforts have been defeated in legislation, it is important that we take a fresh look and keep pursuing. The numbers are real people, lives lost and lives disabled.

8. 2023 Legislative Session Priorities

The preliminary recommendations for traffic safety legislation for NVACTS discussion was presented by representatives from each Key Area Task Force: Safer Roads, Vulnerable Road Users, Safe Drivers and Passengers and Impaired Driving.

Historically, the former Nevada Executive Committee on Traffic Safety approved a set of "Legislative Advisory Opinions" from the task forces. Chair Bennett indicated that he anticipates this will be the first time there will not be unanimous consent.

Chair Bennett has formed a Legislative Task Force Working Group, which will be led by NVACTS Vice Chair Sean Sever (DMV). The Working Group will meet three times between February 1 and April, and then present recommendations to NVACTS at a special meeting in April (date TBD) and for final action/approval at the June NVACTS meeting. It was noted that the final (3rd) meeting of the Working Group will be a public meeting as the group will be making a final recommendation to bring to NVACTS.

Volunteers for the Legislative Task Force Working Group will contribute to the development of justification and support for the recommended legislative priorities, which can include data summaries, white papers, fact sheets, other states' traffic laws, etc.

The following Legislative Priorities were presented and discussed:

Automated Traffic Enforcement

In 2019, SB43 was framed to allow agencies to make their own initiative. The existing prohibition for automated traffic enforcement (ATE) is from 1999. There was a strong negative response to the bill in the last hearing from the 2019 session, ongoing concerns of personal privacy. Need to change the position and focus on the technology, gain public support, how improved technologies can be used to respond to public concerns.

Director Swallow highlighted this is something to pursue, and she is planning to have discussions to learn from those that have opposed it in the past. Recent reports show inequitable outcomes.

Senator Hammond inquired about the cost of ATE. If the cost is prohibitive, consider ATE on school bus stop arms and school zones. Compare to the cost of cameras in schools. (For further discussion)

Shashi Nambisan shared that we need tools like ATE to change behavior. The goal is to not cite/ticket drivers, but to deter bad behavior. Cost of equipment and installation for ATE is much less today. Justification in the cost/benefit and the cost of doing nothing.

Sean Sever, DMV, shared that ATE is supported in the USDOT National Roadway Safety Strategy and by the Secretary of Transportation.



Director Swallow mentioned Safety cameras as a Federal Highway Administration (FHWA) Proven Safety Countermeasure.

Mike Colety highlighted that there have been some negative applications of traffic safety enforcement in the past, but this can be addressed in how ATE legislation is setup that is focused on traffic safety.

Assemblyman Miller inquired about existing cameras at intersections. It was discussed that some intersections have cameras that are linked to the Traffic Management Center (TMC) at NHP Southern Command. They are for traffic incident management and are not recorded. Another type of camera used at intersections could be for video detection of vehicles stopped at the signal. (For further discussion)

Higher Fines in School Zones

While it may be posted in some areas, there is no existing legislation for higher fines in school zones. There is data to show the public is in favor.

Change "Yield to Pedestrians" to "Stop for Pedestrians"

Currently, 10 states have a "Stop for Pedestrians" policy in place. Changing the verbiage makes the law clear: vehicles must stop for pedestrians when they are legally crossing on their half of the street. This law would require changes to signage and pavement markings, which could be done in phases (depending on cost).

John Penuelas, RTC Southern Nevada, shared that the cost of going from "Stop" to "Yield" is less of an issue today than 10 years ago; indicating that agencies have funding for traffic safety projects. There is concern with the level of impact/effectiveness of this initiative. A data source to track effectiveness is Near Miss data. RTCSNV is looking at ITS data analytics for near miss data, tracking pedestrians and vehicles through intersections

Assemblyman Miller shared that there is confusion for the driver about when to yield and when to go, so there is value in changing the law to make it very clear for the public. For example, it is clear in California that this was the law and is enforced.

Primary Seat Belt

A primary seat belt law (PBL) authorizes law enforcement to pull a driver over for not wearing their seat belt. Currently, it is a secondary offense in Nevada. A recent awareness survey showed that a large population of Nevadans that think we already have a PBL. Nevada is one of 14 states that does not have a PBL.

It was discussed for the group to consider pursuing as a public health issue.

Assemblyman Miller suggested obtaining data from other states with a PBL, and what is the cost/benefit.

Dr. Kuhls's team has prepared the data of human cost and dollars related to unrestrained people in crashes. There is good data to support a PBL. Suggested listening to testimony from 2019 to understand and overcome the objections.

Graduated Driver License Additions

Changes to the Graduated Drivers License (GDL) would add the following:

- Extend GDL through 20 years old. Would be ideal to change to certain time limit for all new drivers, but can go back to 20 years old.
- Require an intermediate GDL, 6-12 months, additional training after permit is earned. NHTSA recommends three stage model. Learners permit, intermediate license then unrestricted license. To progress, must be crash and violation free.



- States that do this have reduced teen fatalities 10 to 30 percent

Roadside Drug Impairment Testing

Requires an oral sample be standard for the initial roadside screening. This tests for opioid and other types of drugs, not a specific drug (illegal or prescription). The test results in more initial information that leads to more informed decisions for arrest, adjudication and treatment.

Standardize Toxicology for Impaired Driving

Toxicology testing for all substances. Currently, if the BAC is 0.08 or higher, there is no testing for other substances. A full toxicology screening would provide better data on types of impairment and how to treat.

NVACTS Legislative Process

Sean Sever is leading the Legislative Task Force Working Group. The purpose of the working group is to prioritize and recommend those to move forward. The group will hold three meetings between February 1 and April. The final meeting will be a public meeting, as recommendations will be finalized. Task force members will develop fact sheets, white papers and other documentation to present to NVACTS.

Information to be provided two weeks before NVACTS in April to allow members time to present the recommendations to their agencies. NVACTS members are to represent their agency/organization in their vote for approving the recommendations from the Task Force Working Group.

Sondra Rosenberg, NDOT, clarified that NVACTS does not have bill draft requests (BDRs), but instead this group is making recommendations and will need partners to take them on. Chair Bennett proposed consideration for future BDRs for NVACTS.

9. 2022 Nevada Traffic Safety Summit

The Nevada Traffic Safety Summit will be held IN PERSON in Reno on Wednesday, October 19 and Thursday, October 20, 2022. Input, participation, attendance and volunteers from the NVACTS members and their organizations is highly encouraged. If you are interested in joining the planning committee for the Safety Summit, please contact Lindsay Saner (lindsay.saner@kimley-horn.com).

10. Open Discussion / Next Meeting Date

The committee discussed the recent multiple fatal crash in North Las Vegas at Commerce and Cheyenne. It is under investigation by the National Transportation Safety Board (NTSB). It was discussed that there is interest on social media and other platforms that people want to get involved and how can “we” make our roadways safer.

Kristina Swallow, NDOT Director, shared that NDOT is focusing on the role they play in design of Nevada’s roadways. While we cannot fully remove the blame from road users who make bad decisions regarding traffic safety, NDOT is focused on the responsibility of design for safer roads (Safe Systems Approach).

It was suggested that the Coroner’s Report of traffic fatalities not report the cause of death as an “Accident.”

The committee discussed increasing public involvement in statewide safety efforts. It was suggested that the NVACTS meetings are posted in additional locations to alert the public. Dr. Nambisan suggested sharing the agenda and meeting date/time with professional organizations.

Next Meeting:



- Special Mid-April Meeting, date TBD – special meeting to present the recommendations for 2023 Legislative Priorities (for possible action) (Doodle Poll to follow for meeting date/time)
- June Meeting – Wednesday June 8, 1:30-3:30 pm
- September Meeting – Wednesday, September 7, 1:30-3:30 pm

11. Public Comment

This public comment period is for any matter that is within the jurisdiction of the public body. No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. The Chair of the Committee will impose a time limit of three (3) minutes.

No public comment.

12. Adjourn Meeting

The meeting was adjourned at 3:35 pm.

Respectfully submitted,

Mike Colety, Kimley-Horn
SHSP Facilitator

Attachments

Attendee List

NVACTS Bylaws

Roadmap of State Highway Safety Laws (link here: <https://saferoads.org/wp-content/uploads/2022/01/FINAL-2022-Roadmap-of-State-Highway-Safety-Laws.pdf>)

NVACTS Meeting 2/1/2022 Non-Member Attendees		
First Name	Last Name	Organization
Juan	Balbuena	FHWA Nevada
Valerie	Balen	FHWA Nevada
Mary Jane	Belleza	8 News Now
Amanda	Brandenburg	DPS OTS
Erin	Breen	UNLV Transportation Research Center
Sherry	Bruggeman	DPS OTS
Shannon	Bryant	Nevada TSRP
Lori	Campbell	NDOT
Daysha	Catchings	R&R Partners
Shane	Chesney	Nevada District Attorney's Office
Mike	Colety	Kimley-Horn
Michelle	Farmer	DPS-OTS
Laura	Gryder-Culver	KSOM at UNLV
Danielle	Hafeman	DPS-OTS
Todd	Hartline	DPS-OTS
Kevin	Honea	NHP Southern Command
Robert	Honea	DPS-OTS
Carrie	Krupp	DPS-OTS
Judith	Mata	DPS-OTS
Johnean	Morrison	DPS-OTS
Nick	Nordyke	DPS-OTS Zero Teen Fatalities
Shawn	Paterson	NDOT
Judge Scott	Pearson	Judicial Outreach Liaison
Sean	Robinson	City of Las Vegas
Lindsay	Saner	Kimley-Horn
Fred	Shakal	NDOT
Casey	Smith	NDOT
Kim	Smith	DPS
Emily	Strickler	KSOM at UNLV
Kevin	Tice	OTS
Lacey	Tisler	NDOT
Pete	Vander Aa	DPS-OTS
KLAS		KLAS

NEVADA ADVISORY COMMITTEE ON TRAFFIC SAFETY (NVACTS) BYLAWS

ARTICLE 1 – NAME

- 1.1 This organization shall be called the Nevada Advisory Committee on Traffic Safety (NVACTS) hereinafter referred to as the NVACTS.

ARTICLE 2- AUTHORITY

- 2.1 The authority for establishing NVACTS is found in the State of Nevada Revised Statutes (NRS) Chapter 408, which creates the Advisory Committee on Traffic Safety within the Department of Transportation.
- 2.2 The Advisory Committee shall review, study and make recommendations regarding:
 - 2.2.1 Evidence-based best practices for reducing or preventing deaths and injuries related to motor vehicle crashes on roadways in this State;
 - 2.2.2 Data on motor vehicle crashes resulting in death or serious bodily injury in this State, including, without limitation, factors that cause such crashes and measures known to prevent such crashes;
 - 2.2.3 Policies intended to reduce or prevent deaths and injuries related to motor vehicle crashes on roadways in this State; and
 - 2.2.4 Any other matter submitted by the Chair.
- 2.3 NVACTS shall prepare and submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature an annual report concerning the activities of the Advisory Committee that addresses, without limitation, any issue reviewed or studied, and any recommendations made by the Advisory Committee.

ARTICLE 3 - PURPOSE AND FUNCTION

- 3.1 The NVACTS shall review, study and make recommendations regarding:
 - 3.1.1 Evidence-based best practices for reducing or preventing deaths and injuries related to motor vehicle crashes on roadways in this State;
 - 3.1.2 Data on motor vehicle crashes resulting in death or serious bodily injury in this State, including, without limitation, factors that cause such crashes and measures known to prevent such crashes;
 - 3.1.3 Policies intended to reduce or prevent deaths and injuries related to motor vehicle crashes on roadways in this State; and
 - 3.1.4 Any other matter submitted by the Chair.

- 3.1.5 NVACTS will provide guidance to state, county, all local agencies, and tribal communities that incorporate a commitment to traffic safety in their mission and/or organization.
- 3.1.6 NVACTS will review and approve a strategic plan that will impact the present and predicted statistics on vehicle-related deaths and injuries, focusing on key emphasis areas and containing strategies designed to improve major problem areas or to advance effective practices by means that are both cost-effective and acceptable to the majority of Nevada's citizens.
- 3.1.7 NVACTS will establish and publish statewide highway safety goals and objectives.
- 3.1.8 NVACTS will create the mechanisms to foster multidisciplinary efforts to resolve statewide traffic safety problems and issues through communication and cooperative agreements.
- 3.1.9 NVACTS will serve as the Traffic Records Executive Committee (TREC) for the State of Nevada and oversee the activities of the Traffic Records Coordinating Committee (TRCC). Each NVACTS member agency is eligible to have one responsible representative designated by their agency on the TRCC.

ARTICLE 4 – MEMBERSHIP

- 4.1 The members of the Advisory Committee shall elect from their voting membership a Chair and a Vice Chair. The Chair shall preside at the meetings of the NVACTS. If the Chair is unable to attend, then the Vice Chair shall assume the duties of the Chair.
- 4.2 The term of office of the Chair and the Vice Chair is 2 years. If a vacancy occurs in the office of Chair or Vice Chair, the members of the Advisory Committee shall elect a Chair or Vice Chair, as applicable, from among its voting members to serve for the remainder of the unexpired term.

- 4.3 NVACTS shall consist of:

Director (or designee), Department of Transportation (NDOT)

Representative (appointed by NDOT Director) of NDOT

Director (or designee), Department of Health and Human Services (DHHS)

Director (or designee), Department of Motor Vehicles (DMV)

Director (or designee), Department of Public Safety (DPS)

Representative (appointed by DPS Director) of DPS

Superintendent (or designee), Department of Education (DED)

Member, Nevada State Assembly Standing Committee on Growth and Infrastructure (appointed by Speaker of the Assembly)

Member, Nevada State Senate Standing Committee on Growth and Infrastructure (appointed by Majority Leader of the Senate)

Representative (appointed by the Chief Justice of the Supreme Court of Nevada), Administrative Office of the Courts (AOC)

Representative (appointed by Inter-Tribal Council of Nevada (ITCN)), Tribal Governments

Representative (appointed by NDOT Director), Nevada System of Higher Education

Representative (appointed by NDOT Director), Nevada System of Higher Education

Representative, Regional Transportation Commission of Southern Nevada (RTCSNV)

Representative, Regional Transportation Commission of Washoe County (RTC)

Representative, Carson Area Metropolitan Planning Organization (CAMPO)

Representative, Tahoe Regional Planning Agency (TRPA)

Representative, Nevada Association of Counties (NACO)

Representative, Nevada League of Cities

Representative, Nevada Sheriffs' and Chiefs' Association (NSCA)

The Director of the Department of Transportation may appoint as nonvoting members of NVACTS such other persons as the Director deems appropriate.

4.3.1 The term of office of each member appointed to the Advisory Committee is 2 years. Such members may be reappointed for additional terms of 2 years in the same manner as the original appointments. Any vacancy occurring in the appointed voting membership of the Advisory Committee must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

4.3.2 Member organizations may designate a proxy to serve on the committee when the member identified in 4.3 is unable to attend. This notice shall be in writing and directed to the Chair.

ARTICLE 5 - VOTING

- 5.1 A majority of the voting members of the Advisory Committee constitutes a quorum for the transaction of business. If a quorum is present, the affirmative vote of a majority of the voting members of the Advisory Committee present is sufficient for any official action taken by the Advisory Committee.

ARTICLE 6 - COMPENSATION

- 6.1 Each member of the Advisory Committee serves without compensation and is not entitled to receive a per diem allowance or travel expenses.

ARTICLE 7 – MEETINGS

- 7.1 The Advisory Committee shall meet at least once each calendar quarter and may meet at such further times as deemed necessary by the Chair.
- 7.2 NVACTS members may submit agenda items no later than 12 working days before a scheduled meeting, to the Nevada Department of Transportation Traffic Safety Engineering Division. These agenda items will be approved by the Chair and will be distributed to the NVACTS members seven days prior to the scheduled NVACTS meeting date.
- 7.3 Meetings will comply with the Nevada Open Meeting Law (NRS 241).
- 7.4 The deliberations at NVACTS meetings shall be in accord with Robert's Rules of Order-Newly Revised.

ARTICLE 8 - TASK FORCE WORKING GROUPS

- 8.1 The Advisory Committee may establish such working groups, task forces and similar entities from within or outside its membership as necessary to address specific issues or otherwise to assist in its work.
- 8.2 Each Task Force Working Group will be required to analyze the issue assigned, determine cause and develop solutions and strategies for addressing the contributing factors of the subject matter assigned.
- 8.2.1 A member of NVACTS shall chair each Task Force Working Group.
- 8.2.2 The size and composition of a Task Force Working Group will be determined by the appointed chair.
- 8.2.3 Task Force membership should not be limited to members of the NVACTS, and when possible, they will be composed of a diverse selection of representatives

from state, federal, county, local, and tribal agencies in an effort to ensure all aspects of the topic are identified and addressed.

- 8.2.4 Task Force Working Groups should meet as frequently as needed.
- 8.2.5 Meetings/discussions may be conducted by video teleconference, conference call and/or e-mail.
- 8.2.6 The Task Force Working Group members shall receive no compensation other than that received from their own agency/organization. The Task Force Working Group shall not reach a decision by a vote or consensus. No motions or resolutions are to be presented. No decisions for or recommendations to the board are to be made. The Task Force Working Groups shall not speak to or be recognized by the board as a single voice on any issue.
- 8.2.7 Task Force Working Groups will be considered working groups and therefore not subject to the provisions of Nevada Open Meeting laws, rules, and regulations.

Note: If a Task Force Working Group engages in deliberation or decision making, is assigned by NVACTS to formulate policy or carry out planning functions, is delegated the task of making decisions for or recommendations to NVACTS, or is recognized by NVACTS as speaking with one voice, it shall be subject to the Nevada Open Meeting Law.

- 8.3 Task Force Working Groups will report to the NVACTS as directed.

ARTICLE 9 - TECHNICAL SUPPORT STAFF

- 9.1 The Department of Transportation shall provide administrative support to NVACTS. The Staff shall:
 - 9.1.1 Coordinate the activities of NVACTS to include making all logistical arrangements required for meetings.
 - 9.1.2 Provide a note taker and staff person to comply with the Nevada Open Meeting Law.
 - 9.1.3 Provide research assistance and statistical data to the NVACTS.
 - 9.1.4 Prepare and publish plans and documents at the direction of NVACTS.
 - 9.1.5 Establish and maintain a website for NVACTS designed to further the sharing of crash data, organizational safety planning, research, and other relevant information pertinent to the Committee.

ARTICLE 10 - ADOPTION and AMENDMENTS

- 10.1 These bylaws shall be initially adopted by a majority vote of the members present at the second meeting.
- 10.2 These bylaws may be amended at any regular meeting of NVACTS by a majority vote of the voting members present.

Approved by action of the Committee at the meeting on Tuesday, February 1, 2022