

# Nevada Advisory Committee on Traffic Safety

## MEETING MINUTES (DRAFT)

Thursday, March 9, 2023, 2:00-4:00PM

### 1. Call to Order/Roll Call

Chair Andrew Bennett (Nevada Association of Counties) called the meeting of the Nevada Advisory Committee on Traffic Safety (NVACTS) to order at 2:01 pm on Thursday, March 9, 2023. Mike Colety (Kimley-Horn) took roll and determined a quorum was present.

#### Committee Members Present

Lacey Tisler for Tracy Larkin-Thomason, Nevada Department of Transportation (Northern Nevada (NNV))  
Sondra Rosenberg, Nevada Department of Transportation (Phone)  
Amy Davey, Department of Public Safety, Office of Traffic Safety (NNV)  
Julia Peek, Department of Health & Human Services (Phone)  
Christy McGill, Department of Education  
Sean Sever (Vice Chair), Department of Motor Vehicles (NNV)  
Cliff Banuelos, Inter-Tribal Council of Nevada (Phone)  
Dr. Deborah Kuhls, Kirk Kerkorian School of Medicine at University of Nevada Las Vegas (Phone)  
Dr. Shashi Nambisan, University of Nevada Las Vegas Transportation Research Center (Phone)  
David Gordon, Administrative Office of the Courts (Phone)  
Andrew Bennett (Chair), Nevada Association of Counties/Clark County (Southern Nevada (SNV))  
Joey Paskey, Nevada League of Cities/City of Las Vegas (SNV)  
Daniel Doenges, Regional Transportation Commission of Washoe County (NNV)  
Kelly Norman, Carson Area Metropolitan Planning Organization (Phone)  
Major Kevin Honey for Lt. Col. Martin Mleczko, Department of Public Safety, Nevada Highway Patrol (Phone)  
John Penuelas, Regional Transportation Commission of Southern Nevada (Phone)

#### Members Absent

Nick Haven, Tahoe Regional Planning Agency  
Jason Walker, Nevada Sheriffs and Chiefs Association/Washoe Co Sheriff's Office  
Scott Hammond, Nevada State Senate  
C.H. Miller, Nevada State Assembly

### 2. Public Comment

No public comment.

### 3. September 8, 2022, Meeting Minutes (Action Items – Approved)

The draft December 8 Meeting Minutes were presented.

Motion to approve December 8: Amy Davey, 2<sup>nd</sup>, Sean Sever. Passed unanimously.

#### **4. Presentation on Cannabis Toxicology** *(Information/Discussion)*

Follow up to cannabis discussion at the December 8, 2022, NVACTS meeting, where there was a statement made about a natural supplement that reverses the impacts of THC, Amy Miles, National Resource Toxicology, was invited to present on Toxicology of Cannabis (presented slides included as attachment).

There is no one number for everyone to measure the impacts of THC on the body. Measuring levels of intoxication is not the same as BAC with alcohol.

There are three compounds of THC, Delta-9, 11-Hydroxy-THC, and Carboxy-THC. Carboxy-THC indicates that THC is in the system, but does not measure impairment. With legalization of marijuana, per se/legal limits are different all over the country and measured for different reasons.

Ms. Miles's team conducted extensive research on a product that reverses the impact on the body and they did not find anything conclusive. The closest they could find was Liverwort, which has a binding affinity to CB1 receptor, but is not going to reverse or block the compound.

For further information, you can contact Ms. Miles ([amy.miles@slh.wisc.edu](mailto:amy.miles@slh.wisc.edu)).

With additional research, new cannabinoids may be identified to measure toxicology, and may help establish a cannabis threshold.

Shannon Bryant shared that Nevada tests blood for THC, Delta-9 and 11-Hydroxy, and that tests have shown that peak impaired is 80-90 minutes after consumption. The tests show consumption, but do not measure level of impairment.

Dr. Kuhls questioned how Nevada and other states are prosecuting impairment from Cannabis. Mr. Bryant shared that law enforcement is trained to identify signs of impairment (ARIDE) to be confirmed by testing.

It was noted that Narcan (used to treat an opioid overdose) does not reverse the impairment, and therefore it is not safe to drive after dosed. Narcan has a short half-life, and the patient should be observed, even after they calm down since the drug is still in the system.

#### **5. Equity in Traffic Safety** *(Information/Discussion)*

Amy Davey introduced the presentation by stating that Equity is one of the Guiding Principles of Nevada's Strategic Highway Safety Plan. Analyzing equity shows that there are impacts of different systems of transportation, public health and enforcement of different types of users and in different locations.

Rebecca Kapuler, Assistant Chief of NDOT Multimodal Planning presented on Equity in Transportation (slides included as attachment). When we look at equity in transportation, we need to look at social equity and spatial equity. Need to consider the following:

- Transportation Access Disadvantaged
- Health Disadvantaged
- Environmental Disadvantaged – pollution, environmental inequality
- Climate Change
- Language

Equity should be at the forefront of every project. NDOT is working with other agencies to define disadvantaged communities (DAC), to align with the goals of the One Nevada Plan. For example, Nye County is large geographically, but it does have areas of equity need. The six overarching goals of the One Nevada Plan help score

applications for funding through the Transportation Alternatives Program (TAP). Other NDOT projects and initiatives, include the Statewide Transit Plan and Tribal Best Practices are incorporating equity and connecting communities that may be isolated from services.

Ms. Davey shared that there are challenges with interagency coordination, and asked the Committee to identify where there is cross over between agency services and agency needs. For example, OTS has new requirements (from federal funding) to focus on public engagement, while other agencies have been doing outreach for some time. What does each agency's outreach plan look like and who is the audience?

OTS is coordinating new requirements with NHTSA, and verifying if engagement can be incentivized.

Ms. Norman shared that CAMPO is updating their Public Participation Plan with a focus on equity and how to improve engagement.

Potential to connect with the Nevada Bicycle and Pedestrian Advisory Board. Next meeting is at 8:30 on March 16.

#### **6. Crash Data and Trends** *(Information/Discussion)*

Amy Davey, Administrator, Department of Public Safety, Office of Traffic Safety (DPS-OTS) presented the 2022 Statewide Monthly Fatal Report, which included the updated preliminary year-end total fatalities for 2022 (see attachment). The latest year-end totals show that Nevada fatalities were higher in 2022 than 2021. Traffic crash data information for Nevada is provided at [www.zerofatalitiesnv.com/nevadacrashdata](http://www.zerofatalitiesnv.com/nevadacrashdata).

Substance Involved data includes any person in the collision who was impaired (ped, driver, etc.) that impacts their decision making. Data includes Marijuana only, Marijuana any, Poly-substance – usually found marijuana, and Alcohol only (decrease since 2017). The current trend is poly-substance.

Wrong Way Driving Fatal Crashes (substance involved) were also presented (see attached), which shows that wrong way driving fatalities almost always involve impaired driving. Nevada Highway Patrol has received 500 calls for wrong way driving recently, which is most often related to substance involvement.

#### **7. Member Agency Traffic Safety Initiatives** *(Information/Discussion)*

Department of Motor Vehicles (Sean Sever) shared that the two DMV staff dedicated to autonomous vehicles (AV) have been overloaded. Staff to present at next NVACTS meeting. It was discussed that the laws and procedures are not clear, and Amy Davey shared that OTS has received inquiries from law enforcement agencies for guidance on how to report an AV crash, and that state highway safety offices around the country are working with NHTSA to define their role for AV education/outreach. Sondra Rosenberg shared the NDOT Traffic Operations has a focus on AV. Andrew Bennett shared that there is a plan to run AV on Las Vegas Boulevard. **Vice Chair Sever requested an AV Task Force be developed. More information to be presented at the next NVACTS meeting.**

Nevada Department of Transportation (Lacey Tisler) shared that located crash data for 2020 is available for download. 2021 and 2022 crash data should be ready this summer.

Department of Education (Christy McGill) has released a Notice of Funding Opportunity, \$8 million is available to support safety improvements at schools, which includes traffic safety improvements. More information provided here: [Bi-Partisan Safer Communities Act NOFO \(nv.gov\)](https://www.nv.gov/bi-partisan-safer-communities-act-nofo).

#### **8. Traffic Safety Policy Priorities** *(Information/Discussion)*

NVACTS recommended five traffic safety policy priorities in the 2022 NVACTS Annual Report. These policy priorities included Road Safety Cameras, Higher Fines in School Zones, Primary Seatbelt Law, Graduated Drivers License Additions, and Roadside Drug Impairment Testing.

Road Safety Cameras in School Zones (AB 93) is the high priority for this session. Fact sheet provided to committee along with OTS Automated Enforcement Webinar recording.

NVACTS Chair Andrew Bennett has received requests for three new policy priorities and requests for working groups. The intent was to bring them forward to the Committee for discussion at this meeting, with further discussion and motion at the June meeting.

Ms. Davey advised that the consultant team will work with the SHSP Task Forces to bring forward their recommendations for traffic safety policy priorities. It was discussed that policy priorities should be data-driven, that recommendations are based on data.

- One topic brought forward was autonomous vehicles (AV), and while existing data may not show it, what is the potential for fatalities and serious injuries due to AV?

Chair Bennett will work with the consultant team to clarify the process for policy priorities and the 2023 Annual Report. Discuss policy priority recommendations from task forces at the June NVACTS meeting, then voting at the September meeting.

#### **9. Citation Process Working Group** *(Information/Discussion)*

Mr. David Gordon, Chair of the Citation Process Working Group provided a summary from the working group's recent meeting (see attachment).

There are 15 management systems in Nevada and 34 courts use the state sponsored system. Many of the systems do not communicate with each other. It was also found that some courts submitting printed items by U.S. Mail.

There are different processes for reporting convictions and reporting traffic stops. Department of Motor Vehicles (DMV) tracks conviction records. Traffic offenses get reported to DPS and DMV (if points or license suspension). Citations do not go to repository and only reckless driving are recorded upon conviction. Currently, DUI is the only offense where the DMV is notified at time of arrest.

The Citation Process Working Group would like to determine the process for law enforcement officers when conducting a traffic stop, including what decisions are made and what information is delivered to the courts.

It is desired that every traffic offense would be sent to DMV, including original citation and final resolution.

Chair Gordon indicated that the Working Group is meeting on May 10, and will have specific recommendations to report to NVACTS at the June meeting, which may form future policy recommendations.

NVACTS Chair Bennett offered to attend a meeting with law enforcement or also is able to provide information about what the process/procedure for a traffic stop.

It was also noted that with the new AB116, there is no provision requiring law enforcement to be at the hearing. 44A.7043 paragraph 4C, judges can reduce any citation to a non-moving violation., which is in direct conflict with 2.9C. of the Code of Conduct.

Note: Chair Gordon to verify reference to highest number of citations in summary.

*Law enforcement reported that Nevada had the highest number of citations in Nevada for people driving over 100 miles per hour, in 2021. (Clarification – the highest number of citations in Nevada for 100+ mph was in 2021)*

### **10. NVACTS Annual Report**

Agenda item held to next meeting to have discussion on policy priorities. Committee members should review 2022 Annual Report and outline and provide direction to consultants for content and discussion at next meeting in June. No action was taken.

### **11. Open Discussion** (*Information/Discussion*)

See member agency updates (agenda item #7).

### **12. Next Meeting Date** (*Information/Discussion*)

Next Meetings:

- Thursday, June 8, 2:00-4:00 pm
- Thursday, September 14
- Thursday, December 14

Task force meetings will be held in May. If you would like to join, contact [lindsay.saner@kimley-horn.com](mailto:lindsay.saner@kimley-horn.com).

### **13. Public Comment**

No public comment.

### **14. Adjourn Meeting**

Motion to adjourn the meeting: Sean Sever, 2<sup>nd</sup> by Lacey Tisler. Motion passed unanimously. The meeting was adjourned at 3:59 pm.

Respectfully submitted,

Mike Colety, Kimley-Horn  
SHSP Facilitator

#### Attachments

NVACTS Meeting Minutes from December 8, 2022  
Cannabis Toxicology Slides  
Equity in Transportation Slides  
Statewide Monthly Fatality Report (12/31/22)  
Citation Process Working Group Meeting Summary

# Nevada Advisory Committee on Traffic Safety

## MEETING MINUTES

Thursday, December 8, 2022, 2:00-4:00PM

### 1. Call to Order/Roll Call

Chair Andrew Bennett (Nevada Association of Counties) called the meeting of the Nevada Advisory Committee on Traffic Safety (NVACTS) to order at 2:02 pm on Thursday, December 8, 2022. Mike Colety (Kimley-Horn) took roll and determined a quorum was present.

#### Committee Members Present (update)

Lacey Tisler for Kristina Swallow, Nevada Department of Transportation (Northern Nevada (NNV))  
Jenica Keller for Sondra Rosenberg, Nevada Department of Transportation (NNV)  
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)  
Dr. Deborah Kuhls, Kirk Kerkorian School of Medicine at University of Nevada Las Vegas (Phone)  
Dr. Shashi Nambisan, University of Nevada Las Vegas Transportation Research Center (Phone)  
David Gordon, Administrative Office of the Courts (Phone)  
Andrew Bennett (Chair), Nevada Association of Counties/Clark County (Southern Nevada (SNV))  
Sean Robinson for Joey Paskey, Nevada League of Cities/City of Las Vegas (Phone)  
Daniel Doenges, Regional Transportation Commission of Washoe County (Phone)  
Nick Haven, Tahoe Regional Planning Agency (Phone)  
Kelly Norman, Carson Area Metropolitan Planning Organization (Phone)  
Lt. Col. Martin Mleczo, Department of Public Safety, Nevada Highway Patrol (Phone)  
Christy McGill, Department of Education (Phone)  
Jason Walker, Nevada Sheriffs and Chiefs Association/Washoe Co Sheriff's Office (Phone)  
Scott Hammond, Nevada State Senate (Phone)  
John Penuelas, Regional Transportation Commission of Southern Nevada (Phone)

#### Members Absent

Cliff Banuelos, Inter-Tribal Council of Nevada  
C.H. Miller, Nevada State Assembly (Southern Nevada (Phone))

### 2. Public Comment

No public comment.

### 3. September 8, 2022, Meeting Minutes (Action Items – Approved)

The draft September 8 Meeting Minutes were presented. Dr. Nambisan has minor edits, to be forwarded to the Kimley-Horn team for editing. Kelly Norman inquired about the Equity agenda item that was held. It will be heard at the first NVACTS meeting of 2023.

Motion to approve September 8 with minor edits: Dr. Nambisan, 2<sup>nd</sup>, Sean Sever. Passed unanimously.

#### **4. Presentation from the Nevada Cannabis Association (*Information/Discussion*)**

Representatives from the Nevada Cannabis Association (NCA) provided information on Cannabis Lounges in Nevada. Layke Martin, Executive Director, provided background on Cannabis Lounge Legislation and Brandon Wiegand, President of NCA and COO of Thrive Cannabis Marketplace, presented details about Cannabis Lounges.

Ms. Martin shared that Cannabis for Medical Use was legalized in 2015, and Recreational Use in 2017. The industry reached \$1 Billion in sales in FY 2021, resulting in \$152 Million in excise tax revenue in FY2022 and \$147 Million transferred directly to the Education Fund.

The majority of Nevada licensees are Nevada-based companies, and the industry employs over 18,600 “agents.” All staff, owners and managers submit to a background check to obtain an Agent Card. Jobs are full-time, year-round, and staff typically makes \$17/hour to \$25/hour, and managers can earn \$100,000 salaries, including benefits.

Nevada Revised Statute currently permits 40 Cannabis Consumption Lounges, and of those 40, 20 must be attached to dispensaries, 10 can be independent licenses, and 10 allocated to social equity applicants. The majority of the lounges are in Clark County and City of Las Vegas, with a couple in Nye County, one in Storey County, and one in Washoe County.

Mr. Wiegand shared that consumption lounges will function like a wine tasting room. Staff will be educated to train the clients, and product will be single-serve and must be consumed on-site. Customers cannot bring in product from outside, and while lounges can serve food, there will be no alcohol, smoking tobacco products or vaping.

The permit language allows for opportunities to operate a “puff and paint,” practice yoga, operate a comedy club, or provide entertainment.

In an effort to reduce impaired driving, each applicant must submit a DUI Prevention Plan, which could include a “no tow” policy in parking areas and education for staff to identify signs of over-consumption. Other suggestions included a guaranteed ride home through partnerships with Uber/Lyft or public transit. Another suggestion included changing parking requirements for consumption lounges to discourage people from driving and parking. Reduce on-site parking to eliminate the desire to drive and park. Encourage people to travel in alternative modes.

There is no standard curriculum for educating staff, it will initially be up to the licensee to train staff, and over time, best practices and standards will be developed. Ms. Martin shared that extensive signage is required in the establishment, per Regulation 15 of the Cannabis Compliance Regulations, including product education and encouraging safe behaviors.

Cannabis Compliance Board would track any trends in impaired driving and report the location, requirements to strengthen policies for the establishment. It was noted that if these policies are effective for consumption lounges, they may be applied to other establishments.

It was discussed that traffic safety agencies need to develop good and productive working relationship with the industry, and reserve revenue for public safety and to support traffic safety education and outreach. Mr. Weigand indicated that there is a 3% tax that goes to Counties which could be used for public safety/enforcement.

It was noted that there is a “nutritional supplement” available to reverse impairment from marijuana consumption. Considered a moss, similar to THC, displaces THC in the body and flushing them out.

## **5. Crash Data and Trends** *(Information/Discussion)*

Amy Davey, Administrator, Department of Public Safety, Office of Traffic Safety (DPS-OTS) presented the Statewide Monthly Fatal Report, which included the preliminary total fatalities for 2022 through October 31 (see attachment). Traffic crash data information for Nevada is provided at [www.zerofatalitiesnv.com/nevadacrashdata](http://www.zerofatalitiesnv.com/nevadacrashdata).

Substance Involved data includes any person in the collision who was impaired (ped, driver, etc.) that impacts their decision making. Data includes Marijuana only, Marijuana any, Poly-substance – usually found marijuana, and Alcohol only (decrease since 2017). The current trend is poly-substance.

It was noted that the fatal report is year to date, providing a month over month comparison.

It was noted that our trends are tracking with neighboring states and nationwide. The Infrastructure Bill (BIL) increases efforts to address K and A traffic crashes, which is a new approach at the national level. The National Roadway Safety Strategy is a renewed commitment to new approaches and new countermeasures with new funding and initiatives.

It was noted that NVACTS should hold a brainstorming session on new traffic safety strategies. Traffic safety is not currently getting the attention it deserves going into the 2023 Legislative Session.

The committee discussed further collaboration on the data, following the Safe System Approach and what other states are doing. Look at data in addition to the fatal crash event, including vehicle miles traveled (VMT), population, citations, high visibility enforcement (HVE), etc.

Note: OTS can obtain arrest data from the enforcement grant programs. Data is reported to Department and put out in the Uniform Crime Report annually.

## **6. Member Agency Traffic Safety Initiatives** *(Information/Discussion)*

NVACTS Members participated in a round table discussion to provide brief updates on traffic safety initiatives from their agency.

Department of Education (Christy McGill) is working with Department of Emergency Management to identify the safety and security needs for each school, which also includes traffic safety needs. Chair Bennett noted that charter schools have emergency plans and traffic safety plans.

Department of Health and Human Services (Julie Peek) is participating in the Citation Process Working Group, and it excited for the progress made in their first meeting (see agenda item #X for updates).

Department of Motor Vehicles (Sean Sever) is working with UNLV Medical Student, David Bandbaz, and Senator Dallas Harris on a BDR for motorcycle license testing. Mr. Bandbaz presented at the September 8 NVACTS Meeting.

Office of Traffic Safety (Amy Davey) met with DMV with National Transportation Safety Board (NTSB) to discuss a report and recommendations published by NTSB regarding the state's graduated driver's license (GDL). NTSB also issued a report on multiple fatal bike crash in Southern Nevada from 2020. OTS is providing support to Washoe County School District to bolster activities for additional safety countermeasures. There is an increasing interest nationwide regarding road safety cameras in school zones and on school bus stop arms. There will be a guided discussion (invitation coming in January or February) on initiatives coming from various states (for example, Minneapolis, MN outfitted 6,000 buses with safety cameras on the school bus stop arms and recorded 25,000 infractions the first year. The year prior, there were eight citations. OTS hosting partners from other states and vendors of systems. Webinar information to come, from Amy. Anticipating conversation at 2023 Leg session.



Nevada Highway Patrol (Lt. Col. Martin Mleczko) is requesting budget enhancements for the next legislative session for additional resources for staffing allocation for NHP. Improved ways to move forward, be progressive, partner with UNR and UNLV. As a member of the International Association of Chiefs of Police (IACP) Division of State and Provincial Police, Lt. Col. Mleczko has requested call for action for neighboring states to work together to make progress and take action to reduce fatal crashes. There is a working group focused on developing the plan, identifying priorities and the “whys,” to distribute to staff.

Nevada Department of Transportation (Lacey Tisler) shared that the Local Road Safety Plans (LRSPs) are eligible for Safe Streets and Roads for All (SS4A) Grants. CAMPO LRSP will be kicking off soon. Encourage partners to get involved for SSA. NDOT’s Safety Management Action Plan (SMAP) is finalized and published on the [website](#). NDOT is working on a process to execute safety engineering process with results from the FHWA’s pilot projects that align with the Safe System Approach and the National Road Safety Strategy.

Senate Growth and Infrastructure Committee (Senator Hammond) is working to identify what the committee’s priorities are for the next legislative session, so it is good to learn from the discussion at the NVACTS meetings.

(Chair Bennett noted that January would be a good time to resubmit the NVACTS Annual Report containing Traffic Safety Policy Priority Recommendations to the Legislative Counsel Bureau (LCB) and to the legislators. An introductory letter with NVACTS Contacts with the annual report document. Ms. Davey suggested NVACTS members write letters to the Growth and Infrastructure Committee members to offer to be a point of contact and resource for more information. Refer to NRS for the role of NVACTS as a resource for traffic safety topics.)

Administrative Office of the Courts (David Gordon) reserved updates for agenda item #8.

Nevada Association of Counties (Andrew Bennett) shared that Clark County OTS Strategic Plan has been finalized and approved and will be posted publicly. The plan includes analysis of Clark County crash data.

Nevada League of Cities (Sean Robinson) – no update at this time.

Nevada Sheriffs and Chiefs (Jason Walker) – no update at this time.

Kirk Kerkorian School of Medicine at UNLV (Dr. Kuhls) is very busy with the database project. They are looking for input on the next topic for the TREND Newsletter (will save for Open Discussion). Also working on the new STOP grant project, and will have information to report at a future meeting.

UNLV Transportation Research Center (Dr. Nambisan) is kicking off a project for integration of data tied to citations and adjudication. A graduate level class on transportation safety is doing a class project based on GHSA’s report “America’s Rural Roads: Beautiful and Deadly” and looking at safety outcomes on rural roads in Nevada.

Carson Area MPO (Kelly Norman) – Getting ready to kick off the LRSP for CAMPO.

Regional Transportation Commission of Southern Nevada (John Penuelas) – no update at this time.

Regional Transportation Commission Washoe County (Dan Doenges) is kicking off the Active Transportation Plan, and has a data collection project with University of Nevada Reno to collect roadside LiDAR. RTC Washoe submitted an application for an SS4A grant, which should be announced in January.

Tahoe Regional Planning Agency (Nick Haven) is updating their active transportation plan and also updating their safety strategy to align with the requirements of SS4A. Strategies, countermeasures, deployment, and operations are unique for snow country.

#### **7. Traffic Safety Policy Priorities** *(Information/Discussion)*

The Traffic Safety Policy Priority Working Group will be meeting bi-weekly leading up to and through the 2023 Legislative Session. Currently tracking 100+ bill draft requests (BDRs). Growth & Infrastructure Committee has introduced a BDR for Road Safety Cameras in School Zones. More information to be presented at the next NVACTS meeting.

#### **8. Citation Process Working Group** *(Information/Discussion)*

David Gordon, Chair of the Citation Process Working Group gave an update to the Committee. The working group last met on November 16 and discussed upcoming changes on January 1 with AB 116, where a great majority of misdemeanors become civil infractions. The intent of the civil citations is to reduce backlog at the courts, however, it will be a challenge for the courts to apply the requirements of AB 116 when it takes effect on January 1. This will also have a bigger impact in rural areas.

#### **9. Nevada Traffic Safety Summit Summary** *(Information/Discussion)*

The Committee discussed the Safety Summit held in Sparks in October. One keynote speaker, Shelly Baldwin from Washington State presented on fear-based approach vs. opposite; understanding safety culture and changing behaviors, and that we learn new techniques for education and outreach as we know more about how the mind works.

It was noted that there were more law enforcement officers at this event than before, and it was great to hear from the people who are in the field.

Encourage more elected officials to attend in the future, as well as more judges and attorneys.

Looking to expand the crash demo for high schoolers and in rural areas of Nevada.

#### **10. Open Discussion** *(Information/Discussion)*

Dr. Kuhls shared that they are looking for ideas for the quarterly Trend newsletter. Research currently includes citation data, including type and demographic. Could also look at demographics of hospital discharge data.

To support developing ideas for the Trend newsletter, examples of previous issues will be sent to the committee for reference.

#### **11. Next Meeting Date** *(Information/Discussion)*

Next Meetings:

- Thursday, March 9, 2:00-4:00 pm
- Thursday, June 8
- Thursday, September 14

#### **12. Public Comment**

Mike Colety, Kimley-Horn announced that it was Andrew Bennett's birthday. Happy birthday!

### **13. Adjourn Meeting**

The meeting was adjourned at 3:57 pm.

Respectfully submitted,

Mike Colety, Kimley-Horn  
SHSP Facilitator

#### Attachments

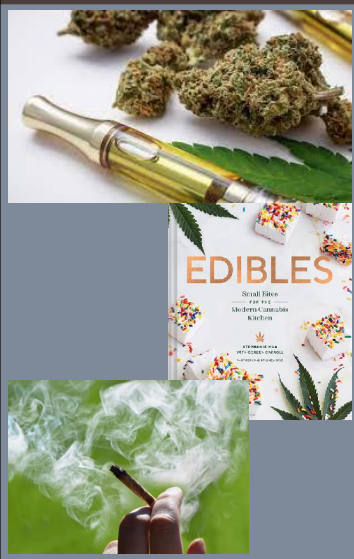
NVACTS Meeting Minutes from September 8, 2022  
Statewide Monthly Fatality Report (10/31/22)

# Nevada Advisory Committee on Traffic Safety

March 9, 2023

1

## THC Use – Different Strokes for Different Folks



- Route of administration
  - Oral
  - Smoked
  - Vaping
  - Oils
- Self-titration
- All this leads down the path to...there is no one "number" for everyone

2



### Delta-9-THC (parent)

Psychoactive component in THC  
 CB1 / CB2 receptor activity  
 Very short half life

### 11-Hydroxy-THC (metabolite)

Equipotent to delta-9-THC at certain concentrations  
 Very short half life

### Carboxy-THC (metabolite) \*Only reported analyte for urine\*

No psychoactive impairment  
 Longer half life

3

## Clinical Chemistry

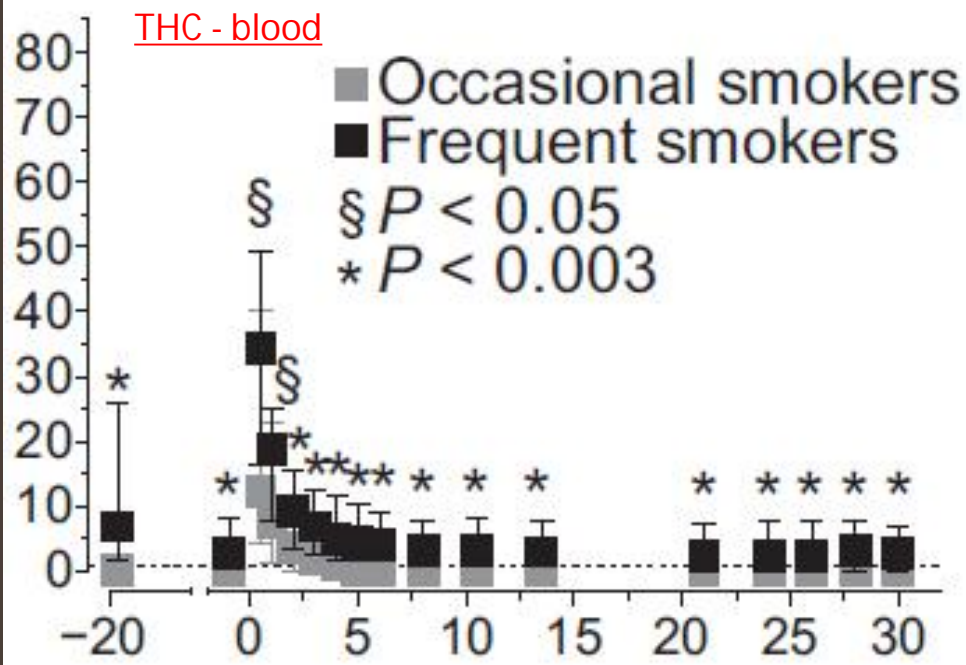
Clinical Chemistry 60:4  
 631–643 (2014)

### Phase I and II Cannabinoid Disposition in Blood and Plasma of Occasional and Frequent Smokers Following Controlled Smoked Cannabis

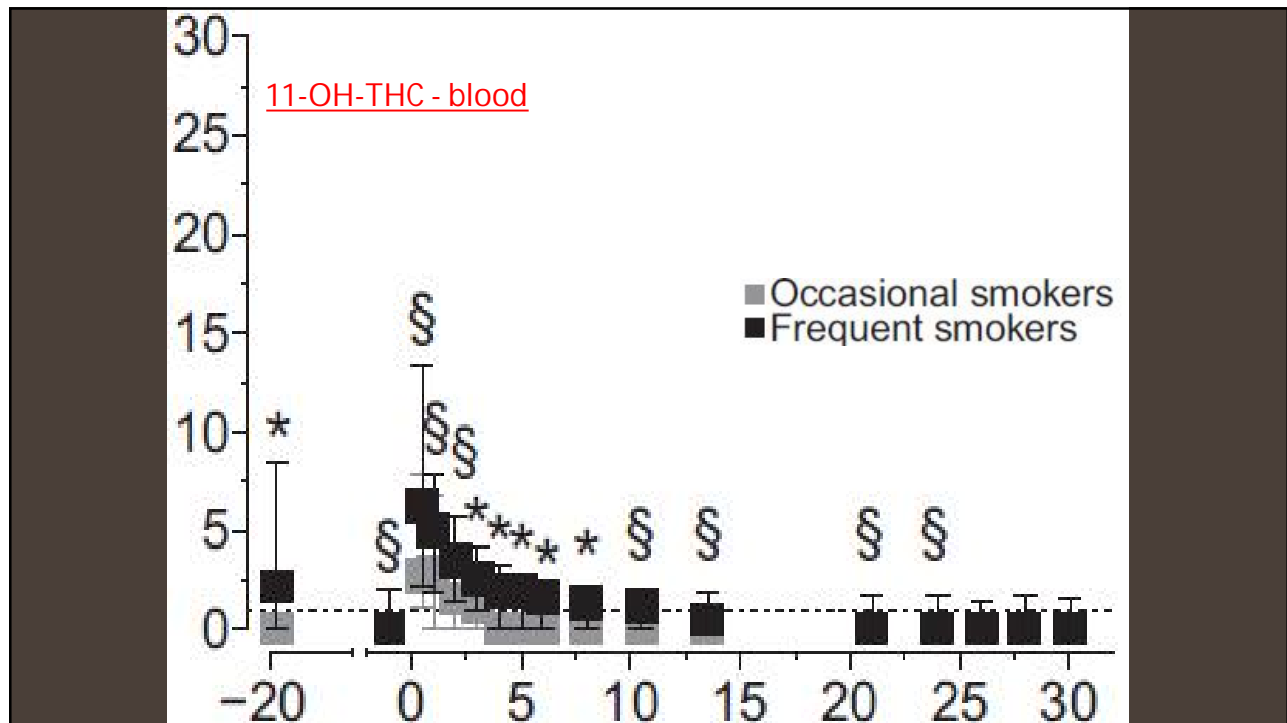
Nathalie A. Desrosiers,<sup>1,2</sup> Sarah K. Himes,<sup>1,2</sup> Karl B. Scheidweiler,<sup>1</sup> Marta Concheiro-Guisan,<sup>1</sup>  
 David A. Gorelick,<sup>1</sup> and Marilyn A. Huestis<sup>1\*</sup>

4

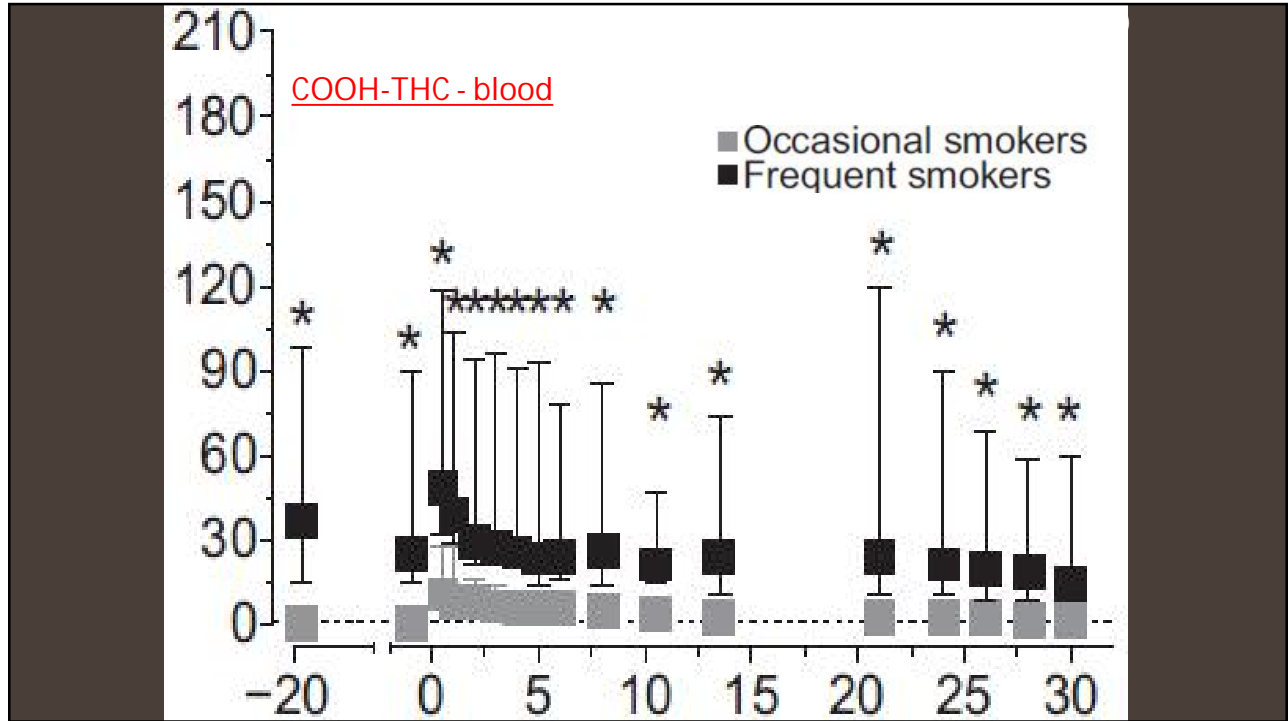
Derosiers NA et al, Clinical Chemistry, 60:4, 631-643 (2014)



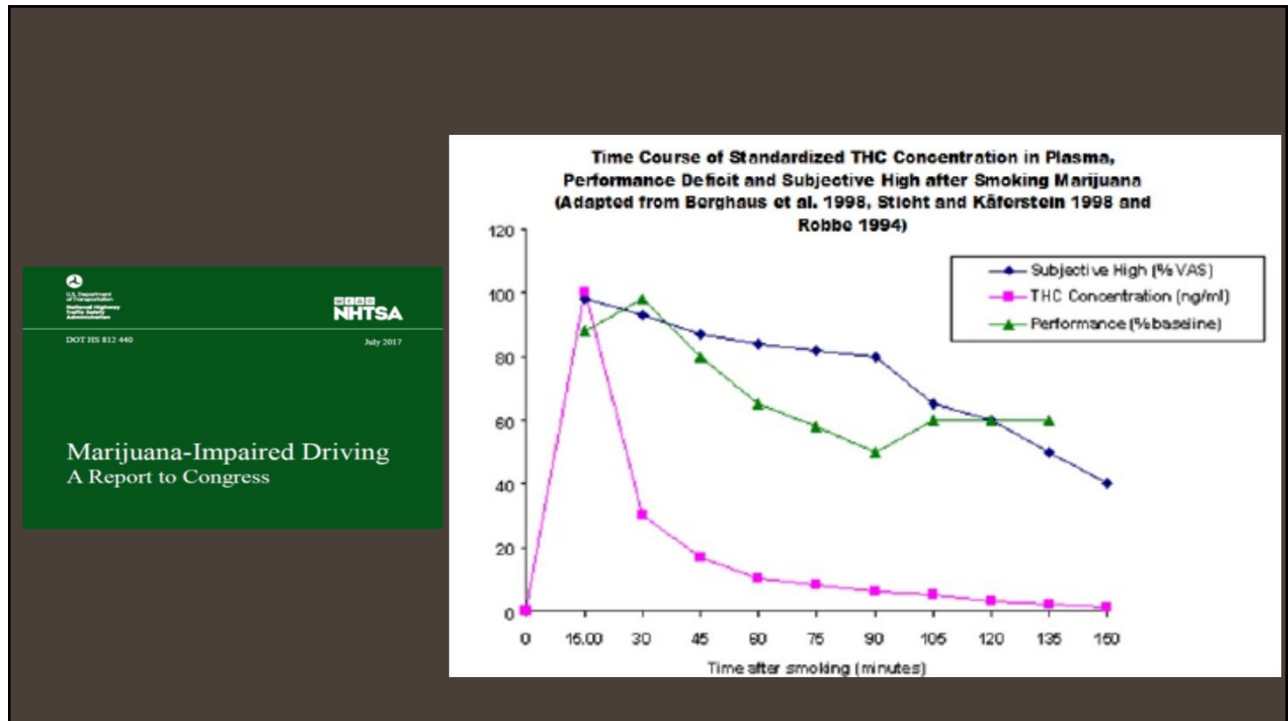
5




6



7



8



**Naloxone**

- Reverses opioid overdose
- Competitive binding by blocking the receptor
- Suboxone – buprenorphine and naloxone

SCIENCE ADVANCES | RESEARCH ARTICLE

**NEUROPHYSIOLOGY**

## Uncovering the psychoactivity of a cannabinoid from liverworts associated with a legal high

A. Chicca<sup>1</sup>, M. A. Schafroth<sup>2</sup>, I. Reynoso-Moreno<sup>1</sup>, R. Erni<sup>2</sup>, V. Petrucci<sup>1</sup>,  
E. M. Carrelra<sup>2\*</sup>, J. Gertsch<sup>1\*</sup>

- Liverwort – binding affinity to CB1 receptor
- Psychoactive results similar to Cannabinoids
- NOT a competitive binder
- NOT a blocking/reversal compound

9

Amy Miles

amy.miles@slh.wisc.edu

10





Rebecca  
Kapuler  
Nevada Department  
of Transportation

Assistant Chief, Multimodal Planning  
Rebecca.Kapuler@dot.nv.gov

1

## Active Transportation, Multimodal Planning

Assistant Chief, Multimodal Planning, Rebecca Kapuler

Active Transportation Manager, Albert Jacquez

Outreach/Education Officer, Vacant

SRTS State Coordinator, Katinka Rauch



2

# Equity in Transportation

Equity should be at the forefront of any project, from the initial planning phase to implementation.

There are two broad ways to think about transportation equity:



3

# Equity in Transportation

There are two broad ways to think about transportation equity:

Social equity: Analysis along socio-demographic lines, i.e., race, gender, age, income, etc., that targets vulnerable or disadvantaged populations.

Spatial equity: Analysis along geographic areas, which assesses the distributional effects of transportation policies and projects on specific physical locations.



4

# Active Transportation, Multimodal Planning

- Responsible for statewide bicycle and pedestrian planning and education.
- Statewide Active Transportation Plan SOW under development
- Statewide Bike Plan and Rural Plans  
[Bicycle Plans | Nevada Department of Transportation \(nv.gov\)](https://www.nv.gov/transportation/bicycle-plans)
- Support [Nevada Bicycle Pedestrian Advisory Board](#)



5



*A Proclamation by the Governor*

**WHEREAS**, parents driving children to school can account for up to 25 percent of the morning rush hour traffic in the vicinity of schools; and

**WHEREAS**, walking and bicycling to school reduces the number of vehicle trips in the vicinity of schools and potential conflicts between vehicles and pedestrians or bicyclists; and

**WHEREAS**, reducing the number of vehicles driving students to school results in increased safety, reduced traffic congestion, improved air quality, and less fuel consumption in the vicinity of schools; and

**WHEREAS**, children walking and bicycling to school together with parents and caregivers opens opportunities to mentor children about pedestrian and bicycle safety and its benefits related to health and the environment; and

**WHEREAS**, walking and bicycling to school offers an opportunity to build physical activity into both parent's and children's daily routines; and

**WHEREAS**, children, parents and community leaders around Nevada are joining together to walk and bicycle to school on Nevada Moves Month;

**NOW, THEREFORE, I, JOE LOMBARDO, GOVERNOR OF THE STATE OF NEVADA, do hereby proclaim the month of March 2023 as**

**NEVADA MOVES MONTH**

*In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 21 day of Feb, 2023.*

By the Governor: *Joe Lombardo* Governor

By: *FVA Carden* Secretary of State






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## Active Transportation, Multimodal Planning

- Conduct outreach/education for bicycle and pedestrian safety statewide
- Participate in outreach events
- Train the Trainer – Bike rodeos for youth
- Create FAQ's for bicycle and pedestrian laws (adult and youth versions)



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## Active Transportation, Multimodal Planning

- Transportation Alternatives Set-Aside Program (TAP)
  - TAP funds are made available to the State through the Federal Highway Administration and administered by the Nevada Department of Transportation.

This program provides up to 95 percent of project-related costs, with the remaining 5 percent provided by project sponsors as a local match.

Current call for projects February 14, 2023 – April 14, 2023



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# Active Transportation, Multimodal Planning

- Transportation Alternatives Set-Aside Program (TAP)

### Transportation Alternatives Set-Aside Program

**Project Background**  
The Transportation Alternatives (TA) Set-Aside Program provides federal funds for a variety of smaller-scale, non-traditional, community-based transportation projects that improve safety, expand travel choices, and enhance the transportation experience. These projects are intended to integrate travel modes and improve the cultural, historic, and environmental aspects of our transportation infrastructure.

**Eligible Project Types**  
Eligible project types include the following, at any stage of project development, including planning, design, and construction:

- Bicycle, pedestrian, and nonmotorized transportation facilities
- Traffic calming, lighting, and safety-related infrastructure
- Projects to achieve ADA compliance
- Trailways, overlooks, and viewing areas
- Recreational trails
- Safe Routes to School (SRTS), including infrastructure, reconstruction, and coordinator positions\*
- Vulnerable road user safety assessments
- Environmental mitigation related to stormwater, water pollution prevention, wildlife crossings, and habitat connectivity
- Safe to Walk
- Community improvement activities:
  - o Removal of outdoor advertising
  - o Vegetation management
  - o Historic preservation related to historic transportation facilities
- Micro-mobility projects, including bike and scooter share

\*SRTS Programs apply to students K-12<sup>th</sup> grade

Nevada Department of Transportation | 2023 TA Set-Aside Quick Facts

### Application Process

The federal guidelines, NDOT utilizes a competitive application process to select projects for the TA Set-Aside Program. NDOT will be hosting an informational webinar and offering pre-application meetings for potential applicants.

**Getting Started**  
As a potential project sponsor, first establish that your project is eligible and determine its qualifying category:

- **Non-Infrastructure (SRTS) program**
- **Infrastructure** (Engineering, environmental analysis, and/or construction)

Program information and online application are available at: <https://www.ndot.nv.gov/tap/tac>

**One Nevada Goals**  
NDOT developed the One Nevada Transportation Plan, the state's Long Range Transportation Plan, that establishes goals for transportation decision-making. The six One Nevada goals will be integrated into TA application screening to better align the prioritization process with both federal and state priorities.

**Scoring Criteria**

	Infrastructure-Related Improvements	Non-Infrastructure-Related Improvements
<b>Enhance Safety</b>	Project contributes to safety goal Project is located in a high crash area Project improves pedestrian safety Intermittent	Project provides safety education N/A
<b>Improve Mobility</b>	Project improves functionality of an existing transportation facility N/A	Project improves knowledge about alternative modes of transportation N/A
<b>Improve Access</b>	Project improves conditions for walking, bicycling, or accessing transit N/A	Project improves knowledge about alternative modes of transportation N/A
<b>Improve Equity</b>	Project improves alternatives to driving Project improves connections between communities or to community facilities Project benefits a low-income or underserved community Each of the included criteria is scored 1 point, with three potential points available for safety infrastructure	Project improves knowledge and skills needed for students to safely walk and bike to school Project benefits a low-income or underserved community

Nevada Department of Transportation | 2023 TA Set-Aside Quick Facts

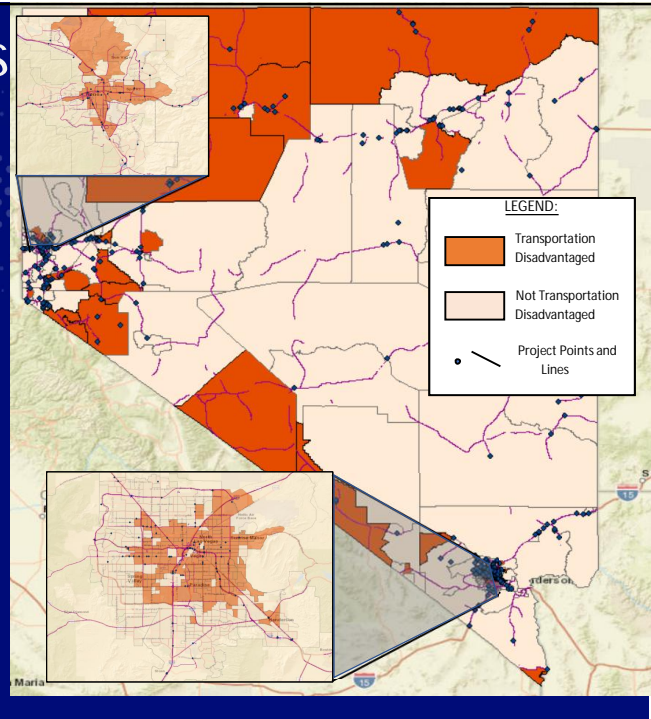
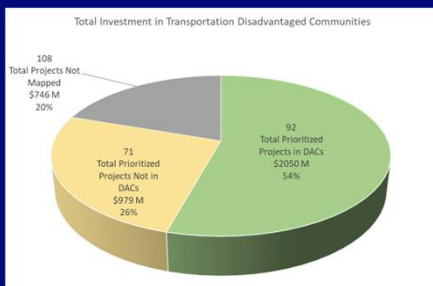


# One Nevada and Equity



## Justice 40 Requirements

- USDOT has defined Disadvantaged Communities (DAC's) and set a target that 40% of the benefit of the federal funding go to these communities
- One Nevada Process evaluated location of all STIP projects in DAC's
  - 1/3 of projects are in DAC's
  - 54% of the investment is located in DAC's
- Continuing to refine process to evaluate impact on DAC's



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- Continue to work with local communities on a project level to solicit feedback and incorporate that feedback into project development
- Work with other Nevada State Agencies on locally defining Disadvantaged Communities (DAC) in Nevada



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- Develop a process for defining and evaluating project impacts on DAC's at a planning level through One Nevada prioritization criteria
  - Obtain more detailed demographic data for transportation users
  - Determine method for evaluating which projects provide true benefits to users and communities
- Define and enhance department-wide equity evaluation processes on a project level through project development



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# TAP/One Nevada Plan + Equity

**Scoring Criteria:**

TAP projects are selected via a competitive scoring process based on the criteria described below. More detailed information about the scoring process is included in the Application Guidance document ([link](#)).

	Infrastructure and Planning Projects	Non-Infrastructure Projects (Safe Routes to School)
Enhance Safety	Project identified in a safety plan. Project is located in a high crash area. Project incorporates proven safety countermeasures.	Project provides safety education.
Preserve Infrastructure	Project improves functionality of an existing transportation facility	N/A
Optimize Mobility	Project improves conditions for walking, bicycling, or accessing transit.	Project improves knowledge about alternative modes of transportation.
Transform Economies	Project supports local land use goals.	N/A
Foster Sustainability	Project improves alternatives to driving.	Project improves alternatives to driving for students.
Connect Communities	Project improves connections between communities or to community facilities.	Improves knowledge and skills needed for students to safely walk and bike to school.
Equity	Project benefits a low-income or underserved community.	Project benefits a low-income or underserved community.



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# Statewide Transit Plan



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## Statewide Transit Plan

Help the State, mobility providers, and riders gain a greater understanding of:

- Nevada's full public transit network
- Service gaps in the transit network
- Strategies to improve Nevada's intercity bus network
- Strategies to enhance service by reducing redundant operations and overlaps
- Strategies to enhance mobility for Nevadans
- Capital and operations funding issues

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## What We've Learned

- Every operation -- regardless of type -- is having critical issues recruiting drivers
- Limited service makes coordinating and transferring between systems very difficult
- Some agencies have limited capacity to apply for grants or identify funding opportunities
- Agencies outside of the urbanized areas have trouble finding local match for grant funds
- Many rural programs are dependent on opportunity funding as opposed to strategic investments
- Coordination with other state programs, such as Medicaid, are minimal, at best
- The condition of transit rolling stock and facilities varies wildly throughout the state

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ONE NEVADA TRANSPORTATION PLAN GOAL	POLICY OBJECTIVES WHICH CONNECT TRANSIT TO GOALS
Enhance Safety 	<ul style="list-style-type: none"> <li>• Improve transit rider access surrounding transit stops</li> <li>• Develop consistent training and standards for operator and rider safety, incident awareness, and reporting</li> </ul>
Preserve Infrastructure 	<ul style="list-style-type: none"> <li>• Encourage agencies to be proactive in planning for a state of good repair (rolling stock and facilities)</li> </ul>
Optimize Mobility 	<ul style="list-style-type: none"> <li>• Deploy technology and coordination to improve transit reliability and efficiency</li> </ul>
Transform Economies 	<ul style="list-style-type: none"> <li>• Partner to provide broader transit access to essential services and workplaces</li> </ul>
Foster Sustainability 	<ul style="list-style-type: none"> <li>• Reduce inefficiencies, vehicle emissions, and long-term transit maintenance costs</li> </ul>
Connect Communities 	<ul style="list-style-type: none"> <li>• Support transit as an equitable and viable option for getting around and between Nevada's rural communities with emphasis on priorities: 1) Access to medical services, essential shopping, and community cohesion and 2) Access to education and jobs</li> </ul>

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# NDOT Tribal Best Practices and Recommendations



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## NDOT Tribal Best Practices and Recommendations

NRS 233A.200 to NRS 233A.280 *Communication and Collaboration between State Agencies and Indian Tribes*

NDOT required to make reasonable effort to collaborate and communicate with Indian tribes and report all activities involving tribes on or before July 1 of each year to the Nevada Indian Commission (NIC)



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## NDOT Tribal Best Practices and Recommendations

### Vision Statement

NDOT provides for the needs of travelers of all ages and abilities in all planning, programming, design, construction, operations, and maintenance activities on the state highway system. NDOT views each transportation improvement project as an opportunity to improve safety, access, and mobility for all road users in Nevada and recognizes sovereign tribes within the state are important stakeholders in the continued development of the state's transportation system as tribal members use the state's transportation system to access services



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## NDOT Tribal Best Practices and Recommendations

### Policy Highlights - NRS 233A

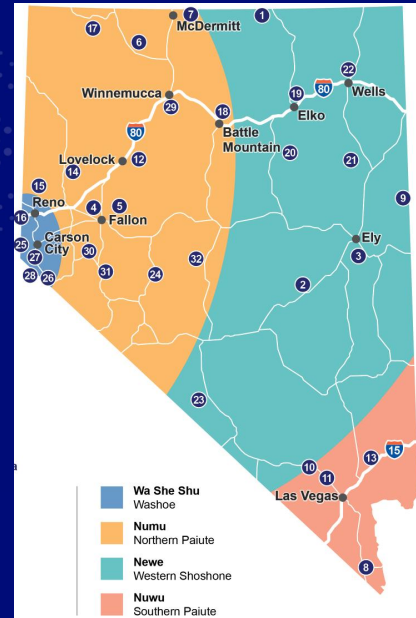
- NDOT is required to designate a tribal liaison who reports to the Director
  - maintain ongoing communication between NDOT and affected Indian tribes
- Tribal liaison is required to provide training to NDOT staff
- Submit an annual report to the NIC documenting activities involving tribal nations
- Notify the NDOT Director of an issues associated with NDOT policies, agreements, or programs that affect an Indian tribe



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# Tribes within Nevada

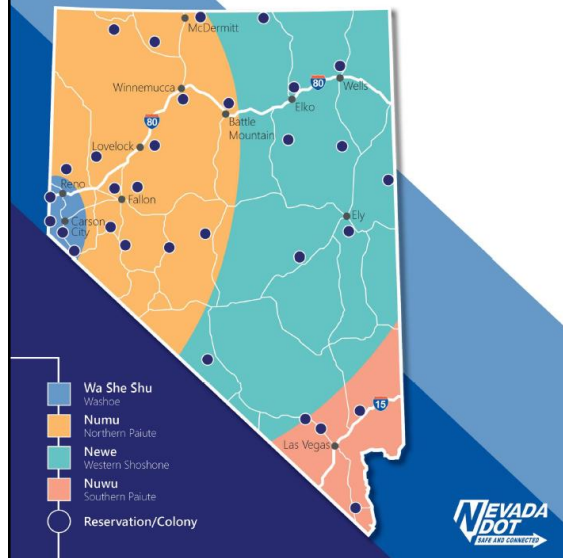
- 20 federally recognized and sovereign tribes within Nevada
- Four tribes comprised of 27 communities



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October 2022

## NDOT TRIBAL BEST PRACTICES AND RECOMMENDATIONS



# Stakeholder Outreach

- Tribes within Nevada
- Nevada Indian Commission (NIC)
- Other state DOTs
- Interviews with NDOT employees

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## Recommendations and Next Steps

### NDOT Tribal Liaison Position(s)

- Establish two tribal liaisons (east and west) to adequately cover the tribes within Nevada
- NDOT Tribal Training
  - Mandatory 1-hour training required for NDOT staff and contractors that interact with Indian tribes
- NDOT Roadway System and Tribal Land Mapping
- Intranet Tribal Website and Tribal Consultation Website



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## Summary: Equity in Active Transportation

Equity should be at the forefront of any project, from the initial planning phase to implementation.

There are two broad ways to think about transportation equity:

- Social equity
- Spatial equity:



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DATE OF REPORT: 3/6/2023  
 DATA AS OF: 3/6/2023

TO: PUBLIC SAFETY, DIRECTOR NDOT, HIGHWAY SAFETY COORDINATOR, NDOT TRAFFIC ENGINEERING, FHWA, LAW ENFORCEMENT AGENCIES  
 FROM: THE OFFICE OF TRAFFIC SAFETY, STATE FATAL DATA  
 PREPARED BY: ADAM ANDERSON, FARS ANALYST  
 SUBJECT: FATALITIES BY COUNTY, PERSON TYPE, DAY, MONTH, YEAR AND PERCENT CHANGE.

Month	2021 Crashes	2022 Crashes	% Change	Month	2021 Fataals	2022 Fataals	% Change
JAN	29	17	-41.38%	JAN	33	28	-15.15%
FEB	17	22	29.41%	FEB	21	23	9.52%
MAR	24	32	33.33%	MAR	27	34	25.93%
APR	30	29	-3.33%	APR	32	30	-6.25%
MAY	32	35	9.38%	MAY	35	37	5.71%
JUN	36	39	8.33%	JUN	36	39	8.33%
JUL	27	29	7.41%	JUL	27	30	11.11%
AUG	34	28	-17.65%	AUG	38	31	-18.42%
SEP	38	31	-18.42%	SEP	39	32	-17.95%
OCT	33	39	18.18%	OCT	33	42	27.27%
NOV	33	30	-9.09%	NOV	36	34	-5.56%
DEC	27	32	18.52%	DEC	28	35	25.00%
Reporting Period Total	360	363	0.83%	Reporting Period Total	385	395	2.60%
Total	360			Total	385		

KNOWN FATAL COMPARISON BETWEEN 2021 AND 2022.

COUNTY	2021 Crashes	2022 Crashes	% Change	2021 Fatalities	2022 Fatalities	% Change	2021 Occupants	2022 Occupants	% Change	2021 Unrestrained	2022 Unrestrained	% Change
CARSON	5	8	60.00%	6	8	33.33%	4	4	0.00%	1	4	300.00%
CHURCHILL	7	6	-14.29%	8	6	-25.00%	5	3	-40.00%	2	2	0.00%
CLARK	225	234	4.00%	236	256	8.47%	103	110	6.80%	33	38	15.15%
DOUGLAS	5	6	20.00%	5	6	20.00%	5	5	0.00%	2	2	0.00%
ELKO	12	10	-16.67%	14	12	-14.29%	14	10	-28.57%	6	7	16.67%
ESMERALDA	5	2	-60.00%	5	5	0.00%	4	5	25.00%	1	0	-100.00%
EUREKA	3	5	66.67%	3	5	66.67%	3	5	66.67%	3	2	-33.33%
HUMBOLDT	6	10	66.67%	7	12	71.43%	5	11	120.00%	3	4	33.33%
LANDER	1	3	200.00%	1	5	400.00%	0	5	500.00%	0	4	400.00%
LINCOLN	5	6	20.00%	5	6	20.00%	2	4	100.00%	2	2	0.00%
LYON	15	7	-53.33%	16	7	-56.25%	14	3	-78.57%	4	1	-75.00%
MINERAL	4	3	-25.00%	5	3	-40.00%	5	3	-40.00%	1	0	-100.00%
NYE	18	11	-38.89%	25	12	-52.00%	19	9	-52.63%	8	6	-25.00%
PERSHING	1	5	400.00%	1	5	400.00%	0	5	500.00%	0	2	200.00%
STOREY	3	2	-33.33%	3	2	-33.33%	1	0	-100.00%	0	0	0.00%
WASHOE	41	44	7.32%	41	44	7.32%	20	25	25.00%	6	8	33.33%
WHITE PINE	4	1	-75.00%	4	1	-75.00%	3	0	-100.00%	3	0	-100.00%
Reporting Period Total	360	363	0.83%	385	395	2.60%	207	207	0.00%	75	82	9.33%
Total	360			385			207			75		

KNOWN COMPARISON OF FATALITIES BY PERSON TYPE BETWEEN 2021 AND 2022.

COUNTY	2021 Pedestrian	2022 Pedestrian	% Change	2021 Motorcyclist	2022 Motorcyclist	% Change	2021 Bicyclist	2022 Bicyclist	% Change	2021 Other Scooter, Moped, ATV	2022 Other Scooter, Moped, ATV	% Change
CARSON	2	3	50.00%	0	1	100.00%	0	0	0.00%	0	0	0.00%
CHURCHILL	2	2	0.00%	1	1	0.00%	0	0	0.00%	0	0	0.00%
CLARK	65	71	9.23%	60	57	-5.00%	5	13	160.00%	3	5	66.67%
DOUGLAS	0	0	0.00%	0	1	100.00%	0	0	0.00%	0	0	0.00%
ELKO	0	0	0.00%	0	2	200.00%	0	0	0.00%	0	0	0.00%
ESMERALDA	1	0	-100.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
EUREKA	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
HUMBOLDT	1	0	-100.00%	1	1	0.00%	0	0	0.00%	0	0	0.00%
LANDER	0	0	0.00%	1	0	-100.00%	0	0	0.00%	0	0	0.00%
LINCOLN	0	0	0.00%	3	2	-33.33%	0	0	0.00%	0	0	0.00%
LYON	1	1	0.00%	1	3	200.00%	0	0	0.00%	0	0	0.00%
MINERAL	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
NYE	2	1	-50.00%	3	2	-33.33%	1	0	-100.00%	0	0	0.00%
PERSHING	0	0	0.00%	1	0	-100.00%	0	0	0.00%	0	0	0.00%
STOREY	0	0	0.00%	2	2	0.00%	0	0	0.00%	0	0	0.00%
WASHOE	10	10	0.00%	10	8	-20.00%	1	1	0.00%	0	0	0.00%
WHITE PINE	0	0	0.00%	1	1	0.00%	0	0	0.00%	0	0	0.00%
Reporting Period Total	84	88	4.76%	84	81	-3.57%	7	14	100.00%	3	5	66.67%
Total	84			84			7			3		

THIS REPORT IS A POINT IN TIME COMPARISON

THIS DATA DOES NOT INCLUDE DATA FIELDS MARKED BY THE OFFICER AS UNKNOWN.

2022 DATA IS PRELIMINARY AND DOES NOT NECESSARILY INCLUDE FINAL REPORTS (FORM 5, CORONER, AND/OR TOXICOLOGY).

2021 DATA IS FINAL AS OF FEBRUARY 2023.

NOTE: The monthly report will be distributed by the 7th of each month.

- Key:
- Fatalities= Total number of reported fatalities (vehicle occupants, pedestrian, motorcyclist, bicyclist, and other).
  - Vehicle Occupants = Driver and occupant fatalities in a motor vehicle.
  - Vehicle Unrestrained = Driver and occupant fatalities in a motor vehicle unrestrained.
  - Pedestrian = Any person on foot, on a personal conveyance, or in a building.
  - Motorcyclist= A person riding any motor vehicle that has a seat or saddle for the use of its operator and is designed to travel on not more than three wheels in contact with the ground.
  - Bicyclist= A person on an other road vehicle that can be propelled by pedaling (bicycle, tricycle, unicycle, pedalcar, electric bike).
  - Other = A person on a scooter, moped, ATV, or other motorized vehicle not captured above on a roadway.

## SUMMARY

### NEVADA CITATION WORKING GROUP

Wednesday, February 8, 2023, at 1:00 p.m.

Via Zoom

#### **Committee Members Present**

David Gordon, Chair and Manager of Judicial Education AOC, Nevada Supreme Court

The Honorable Sam Bateman, Henderson Township Justice Court

The Honorable Stephen Bishop, White Pine County Justice Court

The Honorable Karen Stephens, Lake Township Justice Court

Julia Peek, Deputy Administrator, Nevada Department of Health and Human Services

Amber Putz, IT Manager, AOC, Nevada Supreme Court

Emily Strickler, MPH Research Assistant, Department of Surgery UNLV

#### **Staff Present**

Shyle Irigoien, Judicial Education, AOC, Nevada Supreme Court

#### **I. Call to Order**

Meeting called to order at 1:05 p.m.

A summary that will be provided to the Advisory Committee on traffic safety.

#### **II. Report on Systems and Use by the Courts**

Ms. Putz reported that ninety percent of local law enforcement agencies are using Brazos. If not using Brazos, they are handwriting the tickets. Tickets go into one of 15 trial court Case Management Systems (CMS) in the state, with 34 using the state-sponsored system (currently Court View, but soon to be Global Justice Solutions). There are several alternative systems (Journey, Odyssey, Benchmark, etc.) used in the remaining 40 courts. The State of Nevada does require any CMS being used to be in compliance with statistical reporting requirements. To transfer data, most courts use different forms of electronic transfer while some courts send printed reports to the Department of Motor Vehicles (DMV). Nevada has seventy-four limited jurisdiction courts that handle traffic. Once adjudicated, convictions are sent by courts, via Justice Link (JLink) or other electronic system, some courts print and mail the information to:

- Department of Public Safety (DPS) Criminal Repository for criminal convictions and retainable misdemeanors, etc.
- DMV for traffic convictions (only those involving points or monitorable offenses, such as cell phone use) .
- A few such as domestic violence and DUI go to both systems because DMV handles license suspensions and DPS tracks enhanceable offences.
  - When police make a traffic stop, they run the driving record via DMV records.
  - Law enforcement agencies notify DMV of DUI arrests.
  - Judges do not have authority to order an individual fingerprinted. If no fingerprint data is collected booking, the data will not be provided to DPS because there is no Person Control Number (PCN) number tied to the

case/charges. Once the court has a resolution, the information will be sent to DPS .

No traffic offenses that are misdemeanor offenses (now civil citations) are going to Central Repository.

Judge Bishop explained that there are no fingerprints on citations. The repository is fingerprint based. When there is an arrest, the fingerprint starts the record and a PCN number is generated tied to the case and the charges.

Judge Bateman observed that reckless driving is not retainable. Law enforcement reported that Nevada had the highest number of citations in Nevada for people driving over 100 miles per hour, in 2021. Driving over 100 miles per hour would normally be reported as reckless driving, meaning that reckless driving goes under-reported, with no PCN number being generated, and nothing sent to the central repository. Reckless driving is enhanceable, but in not being properly reported, there is no tracking. A law addressing the need to book reckless driving offenders may represent a key recommendation from this study group. Ms. Putz confirmed that DUI is the only offense that DMV is notified of at the time of the arrest and there is no provision for reporting reckless or careless driving arrests (rather than convictions) to DMV. It was established that if a DUI was pleaded down to reckless or careless driving, the original arrest for DUI would still have been reported to DMV.

Ms. Putz observed the in-car-unit computers used by law enforcement officers will show a history of a stopped driver's driving record, but that details of what is in that history are not known to members of the working group. It was also observed that the in-car-computer units are subject to malfunctions and resulting down time. Illegal parking records do not appear on such reports.

Judge Bateman observed that the discussion could be summarized as a "how are we mandated to report and to whom are we mandated to report" challenge, rather than a "unified court system" challenge. Ms. Putz said that she could bring those questions to the Chief Information Officer of the Nevada Supreme Court, Mr. Paul Embley. Judge Bateman said key questions included determining what law enforcement officers are doing when they make a stop and how that impacts decisions regarding handling the stop, and what resulting information is being delivered to the courts and prosecuting agencies. Such information would, on face value, appear to be relevant to the viability of accepting non-moving violations in place of moving violations.

Judge Bishop observed that the Nevada Code of Judicial Conduct, rule 2.9C prevents judges from conducting independent investigations, and judges are only permitted to make decisions based on the cases presented to them. Judge Bateman noted that when traffic citations were misdemeanor offenses, the District Attorneys (DAs) handled reducing charges, and now that traffic offenses are civil infractions, the DA's office is out of the business of handling those matters.



Judge Bateman noted that the procedures for civil infractions allow for those cited for infractions to file motions to reduce fines/points, and there is no procedure for routine notification to law enforcement that the cited individual is making such a motion. The Judge also referenced NRS 484A.7043, subsection 4 (provided below) as legislation providing judges with authorization, since A.B. 116 came into effect, to waive or reduce penalties, and reduce any moving violation (civil infraction) to a nonmoving violation.

**NRS 484A.7043 Penalties. [Effective January 1, 2023.]**

**4. A court having jurisdiction over a civil infraction pursuant to NRS 484A.703 to 484A.705, inclusive, may:**

**(a) In addition to ordering a person who is found to have committed a civil infraction to pay a civil penalty and administrative assessments pursuant to this section, order the person to successfully complete a course of traffic safety approved by the Department of Motor Vehicles.**

**(b) Waive or reduce the civil penalty that a person who is found to have committed a civil infraction would otherwise be required to pay if the court determines that any circumstances warrant such a waiver or reduction.**

**(c) Reduce any moving violation for which a person was issued a civil infraction citation to a nonmoving violation if the court determines that any circumstances warrant such a reduction.**

**(Added to NRS by 2021, 3317, effective January 1, 2023)**

Judge Bishop noted the phrase “that any circumstances warrant” in the NRS does not provide much guidance to judges.

Ms. Peek remarked that she would like to identify what it would take to get better data, and suggested that at a minimum, arrest data for reckless driving should be collected. Judge Bishop noted that reported data would still be subject to challenges of validity and authentication.

Judge Bateman asked if the working group might want to recommend that every traffic offense be sent to DMV including what the original citation was and the final resolution. He noted that this would require an overhaul of all connected legislation. Ms. Putz said that DMV would be unlikely to want to track data that did not impact driving records, such as a non-moving violation. Ms. Peek said that it could be a matter of housing data at DMV, even if the data was not used by DMV, observing they could be the best repository of the data. While data is reflected in JLink, it was observed that CMSs still do not interact with each other.

Mr. Gordon suggested that for the next meeting the working group identifies specific recommendations to the Nevada Advisory Committee on Traffic Safety, so that they can advise the Legislature. Ms. Peek will reach out to DMV to see their position on being the repository of all traffic including non-moving violations.

The working group noted that NVACTS is working to increase road safety, and the courts are working to resolve disputes. Sometimes those two goals can appear to be in opposition, and often they appear to be in concert.

**III. Discussions on Civil Citations in Practice Since January 1, 2023**

Judge Bishop addressed the topic of older misdemeanor citations coming in after January 1<sup>st</sup>, and that they represent a minor procedural hurdle. Warrants cannot be issued for offenses that were committed in December and did not make it to the courts until January.

**IV. Law Enforcement Staffing and Response**

Mr. Gordon has been in communication with representatives of the Nevada State Police, and they are working to determine if participation in the working group is possible considering staffing issues. Judge Bishop had made an observation regarding staffing, confirming that of there are 9 positions and 3 are filled. It was observed, that in geographically large counties, law enforcement officers spend a lot of time in transit to calls and large areas are then unpatrolled. Currently traffic tickets are down by half. Members of the working group agree that law enforcement staffing is a challenge resulting in fewer traffic stops, subsequently resulting in fewer citations. Mr. Gordon discussed that this impacts the courts as they are partially funded by administrative assessments which are put on those citations, and when citations are down, the administrative assessments are down, and court budgets become unpredictable.

**V. Determine Criteria for Working Group Successful Completion and the Information Recommendations provided to NVACTS**

This topic will be continued to the next meeting of the working group.

**VI. Determination of Action Items**

- Ms. Peek is going to contact DMV to determine their position on being the repository of all traffic, including non-moving violations. and ask if they have the power to revoke or suspend a license independently on moving violations.
- Mr. Gordon is going to reach out again to Nevada State Police.
- Judge Bateman asked for an agenda item on license suspension for the next meeting.

**VI. Next Meeting Wednesday, May 10, 2023**

**VII. Meeting Adjourned**

This meeting was adjourned at 2:00 p.m.