



# **Nevada Advisory Committee on Traffic Safety (NVACTS)**

## **MEETING AGENDA**

*Thursday, June 8, 2023, 2:00 pm to 4:00 pm*

*Las Vegas: Building B Training Room, NDOT District 1*

*Carson City: 3<sup>rd</sup> Floor Conference Room, NDOT Headquarters*

*Virtual: [Teams Link](#) Conference ID: 116 809 968# Call-in: 702-780-6673*

- 1. Call to Order/Roll Call**
- 2. Public Comment**

The first public comment is limited to comments on items on the agenda. 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.
- 3. Approve March 9, 2023, Meeting Minutes (For Possible Action)**

Review and approve the minutes from the previous meeting.
- 4. Introduction to New Members (Information/Discussion)**

Introduction to new (Non-voting) NVACTS Members.
- 5. Crash Data and Trends (Information/Discussion)**

Presentation of the latest monthly statewide fatality report.
- 6. 2024 Nevada Impaired Driving Program Plan (For Possible Action)**

Presentation of the 2024 Nevada Impaired Driving Program Plan for possible action.
- 7. Presentation on Rex's Law (SB 322) (Information/Discussion)**

Presentation from Mr. Jason Patchett on Rex's Law (SB 322) from the 2023 Nevada Legislative Session.
- 8. Traffic Safety Legislative Overview (Information/Discussion)**

Receive an overview of the traffic safety-related legislation items during the 2023 Nevada Legislative Session. Roundtable discussion with members on legislation that impacts their agency.
- 9. Citation Process Working Group Update (Information/Discussion)**

Receive an update from the Citation Process Working Group.
- 10. 2023 Nevada Traffic Safety Summit (Information/Discussion)**

Discuss NVACTS participation at the 2023 Nevada Traffic Safety Summit, Sept. 12-14.
- 11. Open Discussion**
- 12. Next Meeting Date (Information/Discussion)**

The next NVACTS Meeting is scheduled for Thursday, September 14, 2023 at the Safety Summit.
- 13. 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.
- 14. Adjourn Meeting**

Notes:

- Items on the agenda may be taken out of order.
- The Committee may combine two or more agenda items for consideration.
- The Committee may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.
- The Committee will limit public comments to three (3) minutes per speaker and may place other reasonable restrictions on the time, place, and manner of the public comments based upon viewpoint.
- In lieu of in-person attendance, members of the public may submit public comment utilizing NDOT's online public comment form by clicking the following link: [Public Comment Form](#).

Public Comment received by 4:00 P.M. (Pacific Time) on the business day (excluding State holidays) prior to the meeting will be provided to the Committee for their review prior to the meeting and will be entered into the permanent record.

Public Comment received after 4:00 P.M. (Pacific Time) on the business day (excluding State holidays) prior to the meeting and prior to 5:00 P.M. (Pacific Time) on the day of the meeting will be included in the permanent record.

To be in compliance with the three (3) minute public comment rule, the online Public Comment Form comments will be limited to 450 words.

- Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. If special arrangements for the meeting are necessary, please notify Mike Colety, Kimley-Horn at (702) 862-3609 or [mike.colety@kimley-horn.com](mailto:mike.colety@kimley-horn.com) as soon as possible and at least two (2) days in advance of the meeting.
- This meeting is also expected to be available via audio-conferencing at the Nevada Department of Transportation Headquarters located at 1263 S. Stewart Street, Carson City, Nevada 89712. Public comment may be provided at that location.
- Copies of non-confidential supporting materials provided to the Committee are available upon request. Request for such supporting materials should be made to Mike Colety, Kimley-Horn at (702) 862-3609 or [mike.colety@kimley-horn.com](mailto:mike.colety@kimley-horn.com). Such supporting material is available at 1263 South Stewart Street, Carson City, Nevada 89712 and, if available online, at <https://www.dot.nv.gov/>.

This Agenda was posted at the following locations:

<https://www.dot.nv.gov/doing-business/public-involvement-information>

Nevada Dept. of Transportation  
1263 S. Stewart Street  
Carson City, Nevada  
Governor's Office  
Capitol Building  
Carson City, Nevada

Nevada Dept. of Transportation  
123 E. Washington  
Las Vegas, Nevada  
Nevada State Personnel  
555 E. Washington  
Las Vegas, Nevada

Washoe County Courthouse  
75 Court Street  
Reno, Nevada  
RTC Admin. Building  
600 S. Grand Central Pkwy  
Las Vegas, Nevada

# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 1: Call to Order/Roll Call

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### 1. SUMMARY OF AGENDA ITEM

Chair Andrew Bennett to lead roundtable introductions of NVACTS Members and Guests.

### 2. BACKGROUND

N/A

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

N/A

### 5. LIST OF ATTACHMENTS

N/A

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)

# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 2: Public Comment

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### 1. SUMMARY OF AGENDA ITEM

The first public comment is limited to comments on items on the agenda. 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.

### 2. BACKGROUND

N/A

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

N/A

### 5. LIST OF ATTACHMENTS

N/A

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)

# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 3: Approve Draft March 9, 2023 Meeting Minutes (For Possible Action)

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### 1. SUMMARY OF AGENDA ITEM

Review and approve the draft meeting minutes from the March 9, 2023 meeting of NVACTS.

### 2. BACKGROUND

The draft meeting minutes from the March 9, 2023 meeting are included for review and possible action.

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

Approve draft meeting minutes from March 9, 2023.

### 5. LIST OF ATTACHMENTS

*March 9, 2023 Meeting Minutes (draft)*

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)

**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**

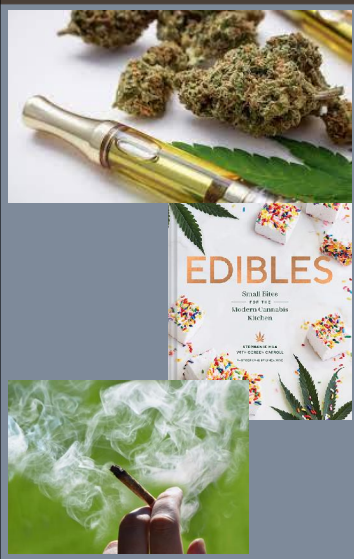
NVACTS Meeting Minutes from September 8, 2022  
Statewide Monthly Fatality Report (10/31/22)

# 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

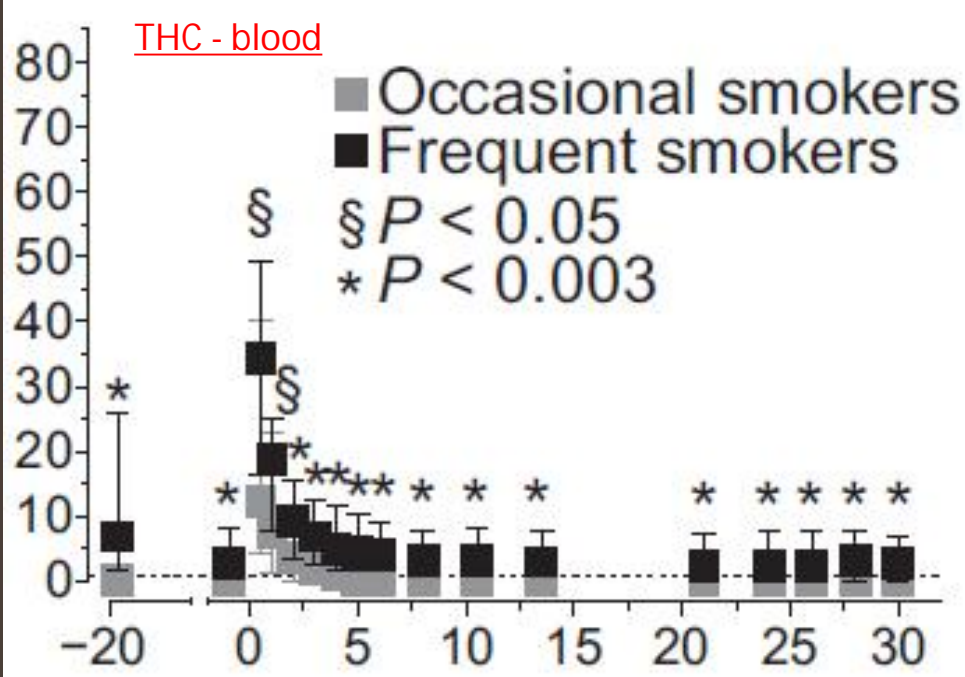
Clinical Chemistry 60:4  
 631–643 (2014)

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

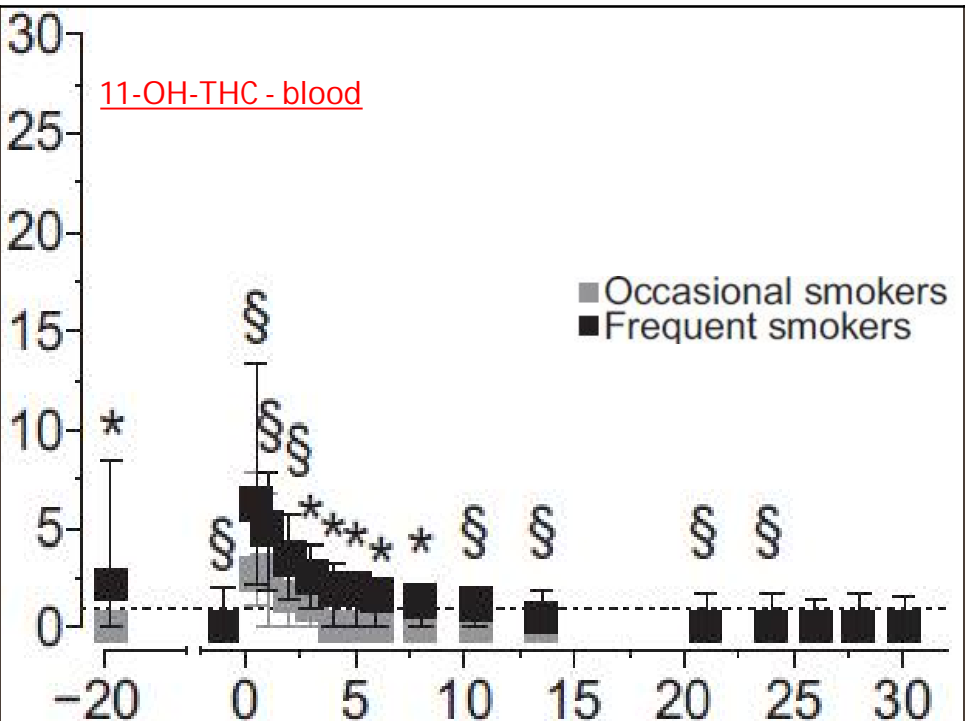
Nathalie A. Desrosiers,<sup>1,2</sup> Sarah K. Himes,<sup>1,2</sup> Karl B. Scheidweiler,<sup>1</sup> Marta Concheiro-Guisan,<sup>1</sup>  
 David A. Gorelick,<sup>1</sup> and Marilyn A. Huestis<sup>1\*</sup>

4

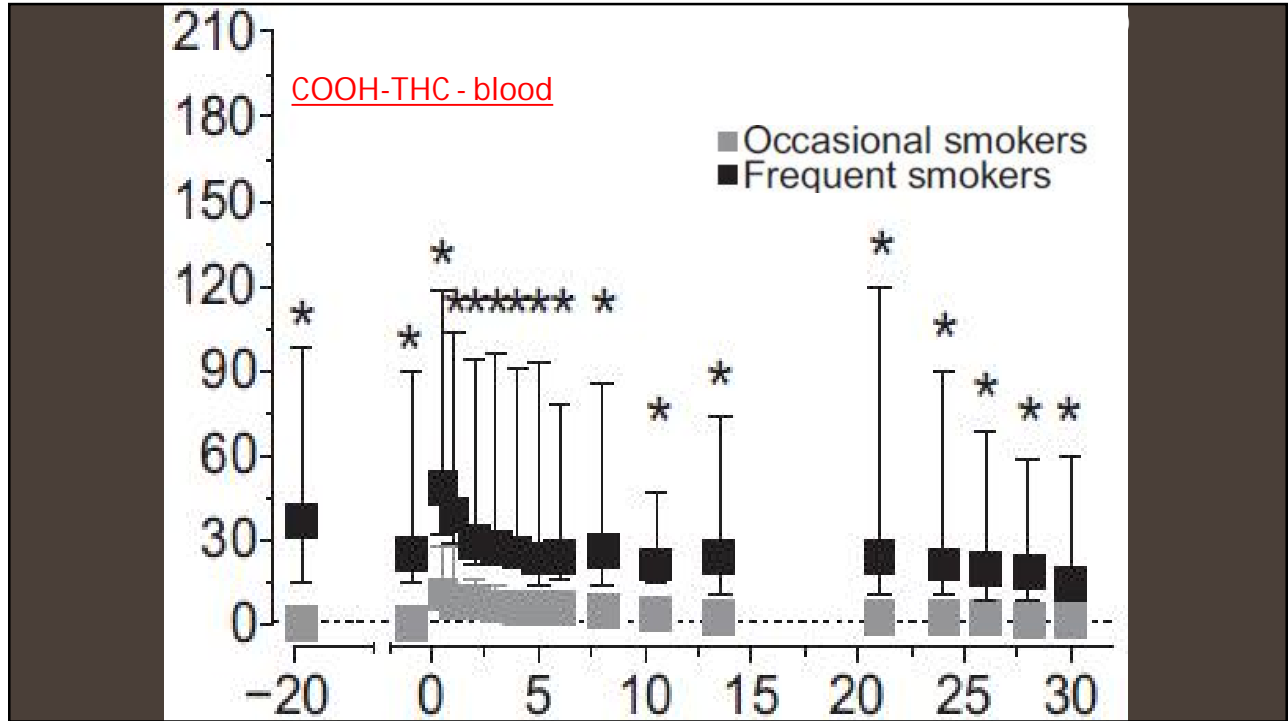
Derosiers NA et al, Clinical Chemistry, 60:4, 631-643 (2014)



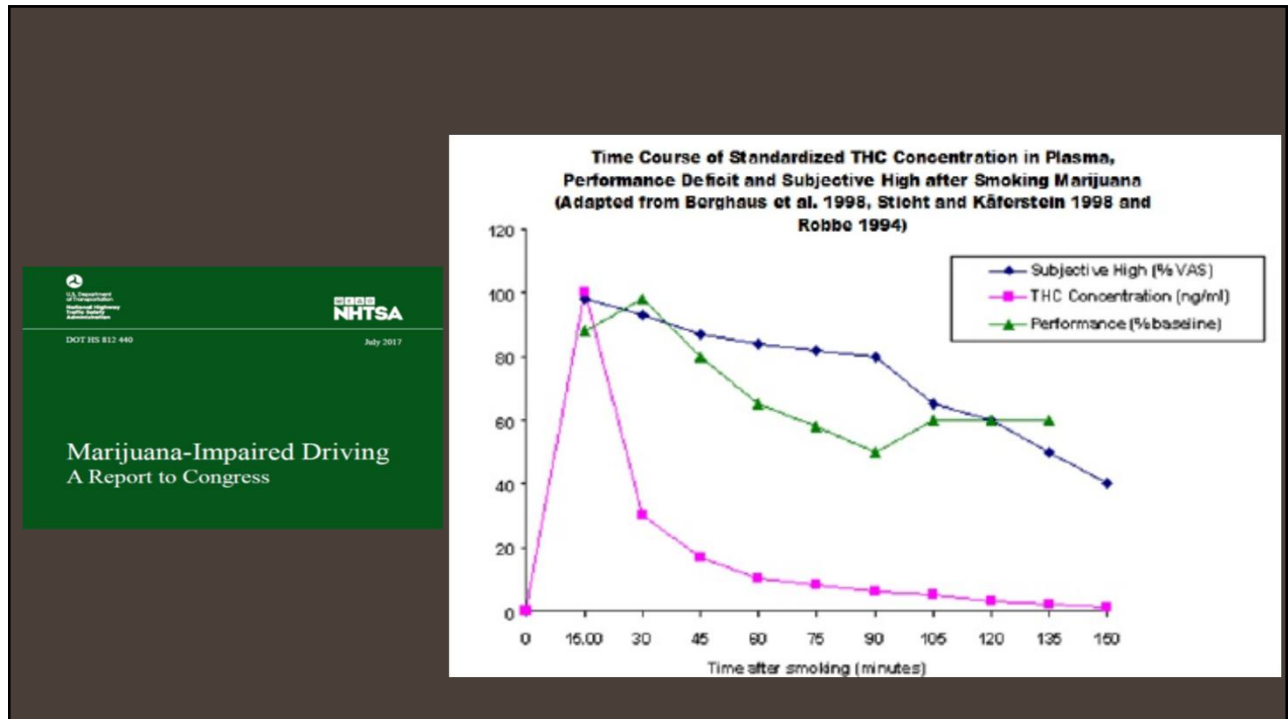
5



6




7



8

U.S. Department of Transportation  
National Highway Traffic Safety Administration  
NHTSA  
DOT HS 812 440 July 2017

**Marijuana-Impaired Driving**  
A Report to Congress



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

Naloxone

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

9

Amy Miles  
amy.miles@slh.wisc.edu

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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 May, 2023.*

By the Governor: *Joe Lombardo* Governor

By: *FVA Gardner* 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\* 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/ta>

**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 	Project improves knowledge about alternative modes of transportation N/A
<b>Improve Access</b> Project expands options for walking, bicycling, or utilizing transit 	N/A
<b>Improve Equity</b> Project expands local and/or state grant coverage 	Project improves alternatives to driving for students Project improves knowledge and skills needed for students to safely walk and bike to school
<b>Improve Resilience</b> Project improves connections between communities or in community facilities 	Project benefits a low-income or underserved community
<b>Improve Community</b> Project benefits a low-income or underserved community 	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.

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

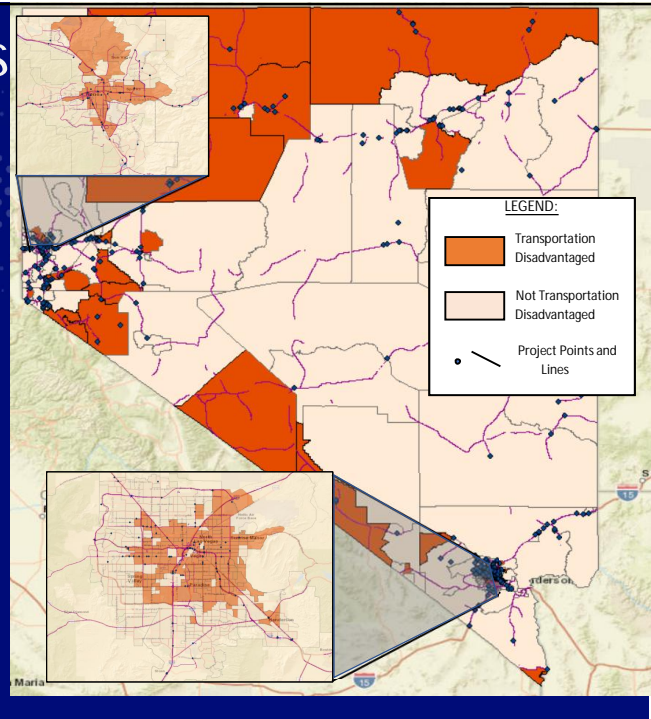
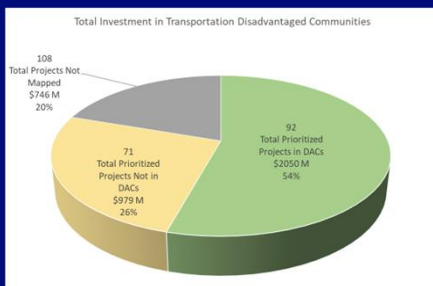


# One Nevada and Equity



## 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

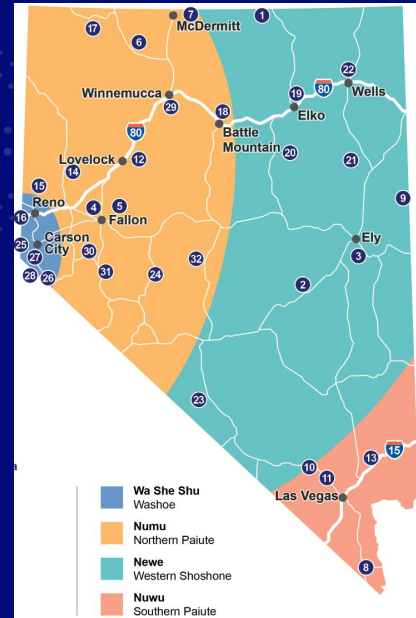
- NDOT is required to designate a tribal liaison who reports to the Director
  - maintain ongoing communication between NDOT and affected Indian tribes
- Tribal liaison is required to provide training to NDOT staff
- Submit an annual report to the NIC documenting activities involving tribal nations
- 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

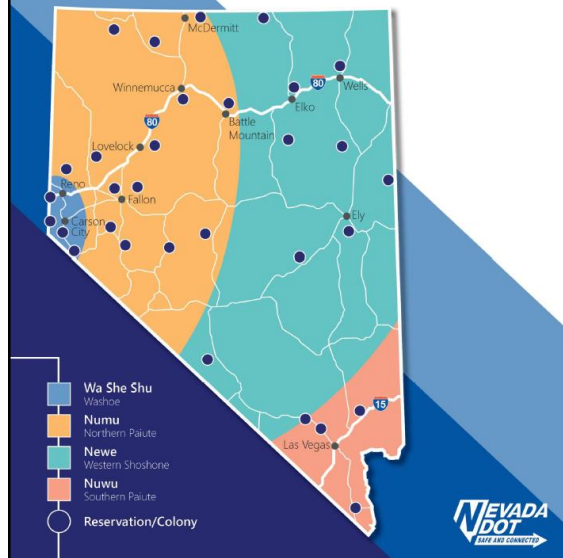
- 20 federally recognized and sovereign tribes within Nevada
- Four tribes comprised of 27 communities



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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 offences 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.



# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 4: New NVACTS Members

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### 1. SUMMARY OF AGENDA ITEM

Introduce three new non-voting Members of NVACTS, appointed by NDOT Director Tracy Larkin-Thomason. New members include Lacey Tisler, NDOT Chief Traffic Safety Engineer; Shannon Bryant, Washoe County Deputy District Attorney, Nevada Traffic Safety Resource Prosecutor, and Chair of the Nevada Committee on Testing for Intoxication; and Kevin Tice, Office of Traffic Safety Traffic Records Program Manager and Chair of the Traffic Records Coordinating Committee.

### 2. BACKGROUND

N/A

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

N/A

### 5. LIST OF ATTACHMENTS

N/A

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)

# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 5: Crash Data and Trends

---

### 1. SUMMARY OF AGENDA ITEM

This agenda item includes an overview of the statewide monthly fatality report. The report includes updated preliminary fatality statistics year-to-date through April 30, 2023.

### 2. BACKGROUND

The Statewide Monthly Fatality Report is published monthly (on the 7<sup>th</sup> of the month) by Office of Traffic Safety. Reports will be sent out by Kim Smith, DPS Public Information Officer ([ky.smith@dps.state.nv.us](mailto:ky.smith@dps.state.nv.us)). The report included here as an attachment includes the updated **preliminary** numbers through May 31, 2023.

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

N/A

### 5. LIST OF ATTACHMENTS

*Monthly Statewide Traffic Fatality Report (through May 31, 2023)*

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)

DATE OF REPORT: 6/5/2023  
 DATA AS OF: 6/5/2023

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	2022 Crashes	2023 Crashes	% Change	Month	2022 Fataals	2023 Fataals	% Change
JAN	20	25	25.00%	JAN	31	27	-12.90%
FEB	23	15	-34.78%	FEB	24	17	-29.17%
MAR	37	26	-29.73%	MAR	39	26	-33.33%
APR	31	37	19.35%	APR	32	40	25.00%
MAY	36	26	-27.78%	MAY	38	28	-26.32%
JUN			0.00%	JUN			0.00%
JUL			0.00%	JUL			0.00%
AUG			0.00%	AUG			0.00%
SEP			0.00%	SEP			0.00%
OCT			0.00%	OCT			0.00%
NOV			0.00%	NOV			0.00%
DEC			0.00%	DEC			0.00%
Reporting Period Total	147	129	-12.24%	Reporting Period Total	164	138	-15.85%
Total				Total			

KNOWN FATAL COMPARISON BETWEEN 2022 AND 2023.

COUNTY	2022 Crashes	2023 Crashes	% Change	2022 Fatalities	2023 Fatalities	% Change	2022 Occupants	2023 Occupants	% Change	2022 Unrestrained	2023 Unrestrained	% Change
CARSON	2	4	100.00%	2	5	150.00%	2	3	50.00%	2	0	-100.00%
CHURCHILL	6	2	-66.67%	6	2	-66.67%	3	2	-33.33%	2	0	-100.00%
CLARK	92	86	-6.52%	108	89	-17.59%	48	42	-12.50%	19	17	-10.53%
DOUGLAS	5	1	-80.00%	5	1	-80.00%	4	1	-75.00%	2	0	-100.00%
ELKO	4	2	-50.00%	5	2	-60.00%	4	2	-50.00%	2	2	0.00%
ESMERALDA	0	2	200.00%	0	2	200.00%	0	2	200.00%	0	0	0.00%
EUREKA	1	0	-100.00%	1	0	-100.00%	1	0	-100.00%	0	0	0.00%
HUMBOLDT	1	2	100.00%	1	3	200.00%	1	3	200.00%	0	2	200.00%
LANDER	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
LINCOLN	1	2	100.00%	1	2	100.00%	1	2	100.00%	1	1	0.00%
LYON	5	2	-60.00%	5	2	-60.00%	2	1	-50.00%	1	1	0.00%
MINERAL	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
NYE	3	7	133.33%	3	11	266.67%	1	9	800.00%	1	1	0.00%
PERSHING	2	0	-100.00%	2	0	-100.00%	2	0	-100.00%	1	0	-100.00%
STOREY	1	0	-100.00%	1	0	-100.00%	0	0	0.00%	0	0	0.00%
WASHOE	24	18	-25.00%	24	18	-25.00%	13	7	-46.15%	3	2	-33.33%
WHITE PINE	0	1	100.00%	0	1	100.00%	0	1	100.00%	0	0	0.00%
Reporting Period Total	147	129	-12.24%	164	138	-15.85%	82	75	-8.54%	34	26	-23.53%
Total												

KNOWN COMPARISON OF FATALITIES BY PERSON TYPE BETWEEN 2022 AND 2023.

COUNTY	2022 Pedestrian	2023 Pedestrian	% Change	2022 Motorcyclist	2023 Motorcyclist	% Change	2022 Bicyclist	2023 Bicyclist	% Change	2022 Other Scooter, Moped, ATV	2023 Other Scooter, Moped, ATV	% Change
CARSON	0	2	200.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
CHURCHILL	1	0	-100.00%	2	0	-100.00%	0	0	0.00%	0	0	0.00%
CLARK	29	30	3.45%	23	14	-39.13%	6	2	-66.67%	2	1	-50.00%
DOUGLAS	0	0	0.00%	1	0	-100.00%	0	0	0.00%	0	0	0.00%
ELKO	0	0	0.00%	1	0	-100.00%	0	0	0.00%	0	0	0.00%
ESMERALDA	0	0	0.00%	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	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
LANDER	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
LINCOLN	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
LYON	0	1	100.00%	3	0	-100.00%	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	0	1	100.00%	1	1	0.00%	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%	0	0	0.00%	0	0	0.00%	0	0	0.00%
WASHOE	3	7	133.33%	8	2	-75.00%	0	2	200.00%	0	0	0.00%
WHITE PINE	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
Reporting Period Total	33	41	24.24%	40	17	-57.50%	7	4	-42.86%	2	1	-50.00%
Total												

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).

2023 DATA IS NOT FINAL UNTIL THE END OF DECEMBER 2024.

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.

# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 6: Impaired Driving Program Plan (For Possible Action)

---

### 1. SUMMARY OF AGENDA ITEM

Presentation of the 2024 Nevada Impaired Driving Program Plan for possible action for the Committee to approve the plan.

### 2. BACKGROUND

This year, Nevada is a “mid-range” state for Impaired Driving, which NHTSA requires a new statewide Impaired Driving Plan that is approved by the statewide Impaired Driving Task Force. The Plan was presented at the May 25<sup>th</sup> meeting of the Impaired Driving Task Force (under NDOT’s Strategic Highway Safety Plan), however that group does not have official authority to approve the plan. It has requested that the NVACTS Committee provide the required approval to meet NHTSA’s requirements.

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

Approve the 2024 Nevada Impaired Driving Plan

### 5. LIST OF ATTACHMENTS

Draft 2024 Nevada Impaired Driving Plan

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)



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## Appendix

Appendix A – Nevada Advisory Committee on Traffic Safety Roster and By-laws

Appendix B – Impaired Driving Task Force Roster

Appendix C – Nevada Transportation Board

# 1. Executive Summary

**Mission:** Eliminate impaired driving deaths and injuries on Nevada's roadways so everyone arrives home safely.

**Vision:** Committed to zero impaired fatalities because every life matters.

The Nevada Office of Traffic Safety (OTS), a Division of the Department of Public Safety (DPS), is the federally recognized highway safety office in the state of Nevada. The Director of DPS serves as the Governor's Highway Safety Representative (GR). The Director is appointed by the Governor of Nevada and operates under the authority and direction of the Governor. OTS is responsible for the planning, program, fiscal, and program oversight of grants administered through behavioral highway safety funding received from the federal government.

The OTS organizational structure consists of a Division Administrator and Deputy Division Administrator. The Division Administrator is responsible for the OTS overall, and the Deputy Division Administrator has direct oversight of Fiscal and Operations staff. The OTS Impaired Driving Program Manager administers grant funds, program activities, research, program evaluation, incentive grant requirements, etc. to address impaired driving issues statewide. The Program Manager also evaluates programs and reviews other states' impaired driving efforts and National Highway Traffic Safety Administration (NHTSA) recommendations and best practices. The Impaired Driving Program Manager has attended the impaired driving training and education courses offered through the Transportation Safety Institute (TSI) as required by OTS.

## 2. Data Driven Problem Identification

The OTS’s Impaired Driving Program supports and equips law enforcement, enabling them to remove high numbers of impaired drivers from the roads while Nevada’s laws place increasing penalties on each successive driving under the influence (DUI) arrest. Yet, Nevada can neither arrest nor penalize the way out of the problem. Recent studies show that even a first time DUI offender is likely already a recidivist with as many as 100 previous offenses, and that any alcohol-impaired driving violation, not just convictions, is a marker for future recidivism. Nevada therefore looks to other strategies to combat impaired driving beyond law enforcement and adjudication; strategies intended to both change the social norms around impairment and to provide access to evidence-based early interventions.

Nevada made positive strides toward lowering the number of alcohol impaired driving fatalities from 2017 to 2020. According to the Nevada Fatality Analysis Reporting System (FARS) data seen in **Table 1** below, in 2021 alcohol impaired fatalities jumped 33 percent. Impaired driving makes up about 43 percent of the five-year total crash fatalities in Nevada. According to the Centers for Disease Control and Prevention, Nevada ranks among the top 10 states with the highest alcohol use rates. In the Las Vegas metropolitan area, 25.6 percent of residents reported binge drinking in a National Survey on Drug Use and Health report, higher than the national average of 23.2 percent. Nevada’s casino culture contributes heavily to the problem; the gaming industry provides alcohol 24 hours a day, seven days a week, and casino patrons are often times served alcohol at no cost.

**Table 1:** Substance Involved Fatal Crashes

Driver Substance Involved Fatal Crashes					
	2017	2018	2019	2020	2021
<b>Total Crashes</b>	290	299	285	309	360
<b>Total Fatalities</b>	309	329	304	333	385
<b>Total Substance Involved Crashes</b>	161	162	153	176	207
<b>Total Substance Involved Fatalities</b>	176	176	166	188	224
<b>Drivers Only</b>					
<b>Alcohol Only (&gt;.08%)</b>	34	33	35	30	40
<b>Marijuana Only</b>	26	17	23	29	28
<b>Polysubstance</b>	48	64	66	74	84
<b>Polysubstance - No Marijuana</b>	24	27	21	22	26
<b>Other Drug</b>	12	11	9	9	14

Special events, local monthly wine walks, and beer crawls that attract as many as 12,000 to 15,000 attendees at 30 alcohol establishments also boost the economy. Additionally, discounts at non-gaming properties such as “all you can drink” specials, 50 cents shots, and drinking games are encouraged. The World Series of Beer Pong is also held in Las Vegas annually. These practices create a culture of binge drinking which cost the state of Nevada \$3.1 billion or \$2.01 per drink in 2022 according to the Centers for Disease Control and Prevention (CDC).

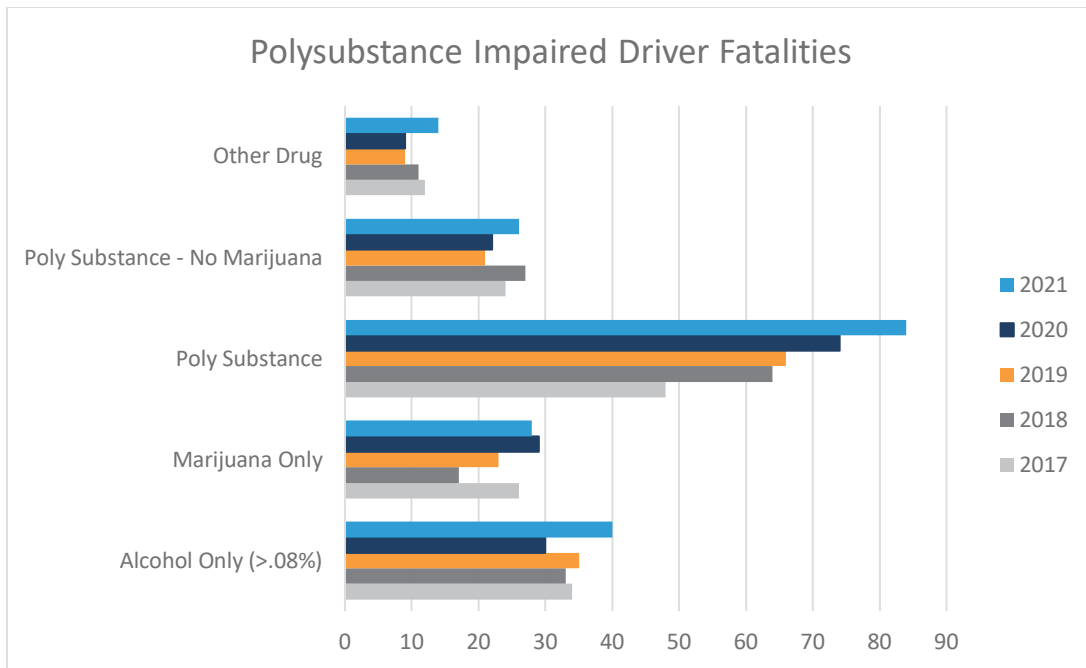


In 2021, according to Nevada’s Criminal History Repository, 13,265 drivers were arrested for DUI and 86 percent were first time offenders (see **Table 2**). Nevada has shown a slight decrease in the number of arrests for DUI over the past five years. The arrest data is important because the numbers rest on the reliable skills and discernment of law enforcement in the preliminary roadside testing to determine impairment. However, what happens to a case as it progresses through the system is difficult to track. In **Table 2** below, first through third offense numbers do not add up to total convictions. This is because each number is a snapshot in time and does not relate to the other numbers in the same column. The criminal history reports constantly change as additional dispositions or charges are sealed. Cases with deferred judgement frequently take a couple years to complete and report. Regardless, the State cannot arrest its way out of the impaired driving problem. Furthermore, we have little transparency on what happens to a DUI case as it progresses through the legal system. Indications are that a substantial number of those arrests end up getting pled down. The goal is to create a mechanism for tracking pleas to gain more transparency in the process.

**Table 2:** 2018-2022 DUI Offenses

	2018	2019	2020	2021	2022
<b>Total DUI Arrests</b>	11,968	12,873	12,092	13,265	10,458
<b>Total Convictions</b>	7,747	3,465	1,726	2,819	1,924
<b>First Offense</b>	10,170	11,045	10,359	11,403	9,033
<b>Second Offense</b>	1,292	1,307	1,237	1,211	917
<b>Third Offense</b>	278	343	246	260	210

Recreational marijuana was legalized in Nevada by a ballot initiative in November of 2016. Within the first six months, cannabis retailers throughout Nevada collectively sold just under \$200 million worth of cannabis, and the prediction is that cannabis sales could reach upwards of \$1 billion by 2025. Additionally, cannabis lounges became legal in Nevada in October of 2021. Initially, 30 licenses will be granted: 10 to consumption lounges attached to or adjacent to an adult-use cannabis retail store. 20 more licenses will be available to independent cannabis consumption lounges (unattached to a retail outlet) and of these, 10 licenses will be reserved for social equity candidates. At the time of this writing, all but one lounge will be located in the Las Vegas area. As the lounges open for business, they will undoubtedly increase the number of impaired drivers on the roads. Many will be venue-hopping and possibly have alcohol or other drugs in their system. Compounded by tourism, it is anticipated this will be the biggest problem facing Nevada’s Impaired Driving Program in the coming years.



**Figure 1:** Polysubstance Impaired Driver Fatalities

The data in **Figure 1** above shows the steady increase in fatalities caused by polysubstance with marijuana between 2017 and 2021. Combining alcohol and cannabis can cause a greater depressant effect and reduced motor control and concentration. Another dangerous short-term effect of mixing the two substances is that it can lead the user to feel less drunk and likely to drink more. Research indicates that people who mix alcohol and cannabis are more likely than those who only drink alcohol to engage in sensation seeking behavior.

In consideration of the total impact of impaired driving on Nevada, the state includes additional data such as property damage and non-serious injuries as a result of suspected alcohol and/or drug impaired driving between 2016 and 2020 (as seen in **Table 3** on the following page).

- 7,545 property damage crashes as a result of suspected driver impairment from alcohol and/or drugs
- 7,092 total injury crashes as a result of suspected driver impairment from alcohol and/or drugs
- 6,470 non-serious injuries in a crash as a result of suspected driver impairment from alcohol and/or drugs
- 834 serious injury crashes as a result of suspected driver impairment from alcohol and or drugs
- 627 fatal crashes (696 fatalities) as a result of suspected driver impairment from alcohol and/or drugs

**Table 3: Alcohol and/or Drug Suspected Crashes**

	2016	2017	2018	2019	2020
<b>Number of property damage crashes</b>	1,852	1,745	1,426	1,356	1,166
<b>Non-Serious Injuries from suspected alcohol/drug related crashes</b>	1,639	1,427	1,214	1,151	1,039
<b>Serious Injuries</b>	152	141	113	97	111
<b>Impaired driving fatalities</b>	145	131	133	142	145

### **Age and Gender**

- 69 percent of injury and property damage crashes with suspected impairment were caused by male drivers
- Less than one percent of total crashes were the result of suspected impaired drivers aged 15-17 years old
- 23.5 percent of crashes were the result of a suspected impaired drivers aged 18-25 years old
- 373 crashes were the result of a suspected impaired drivers aged 18-20 years old
- 1,455 crashes were the result of a suspected impaired drivers age 21-25 years old
- 2,316 crashes were the result of a suspected impaired drivers age 26-35 years old
- 2.1 percent of impaired driving fatalities were drivers 15-17 years old
- 4.2 percent of impaired driving fatalities were drivers 18-20 years old
- 16.4 percent of impaired driving fatalities were drivers 21-25 years old
- 16.5 percent of impaired driving fatalities were drivers 26-30 years old
- 79.7 percent of impaired fatalities were male drivers

### **Location**

Zero Fatalities Impaired Driving Fatal Crash data from 2016 to 2020 shows that 70 percent of fatalities occurred on urban roadways and 30 percent were rural. Sixty-two percent of impaired fatalities occurred in Clark County (Las Vegas).

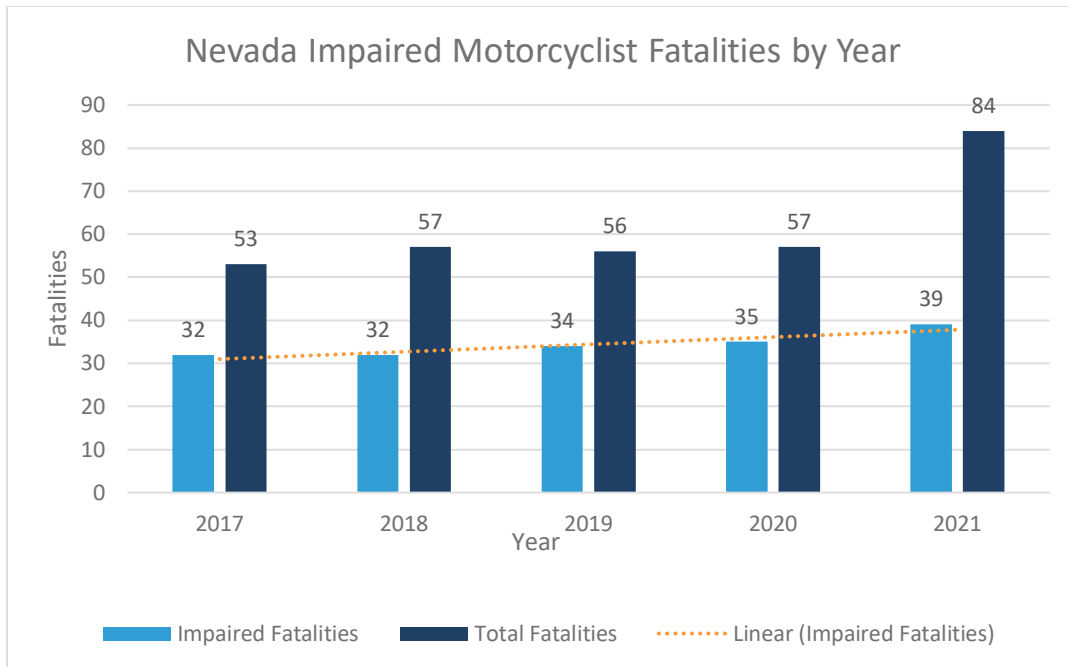
### **Impaired Driving and Young Driver Facts**

Young Drivers (15-20 years old) constituted 10 percent of impaired drivers involved in impaired driving fatalities in 2016-2020.

## Motorcycles

Impaired Motorcyclist Fatalities from 2017-2021 numbered 172, representing approximately 45 percent of all motorcycle fatalities and approximately 20 percent of total impaired crash fatalities.

**Figure 2:** Fatalities Involving a Motorcycle Rider with a Blood Alcohol Content (BAC)  $\geq 0.08$



### 3. Program Management and Strategic Planning

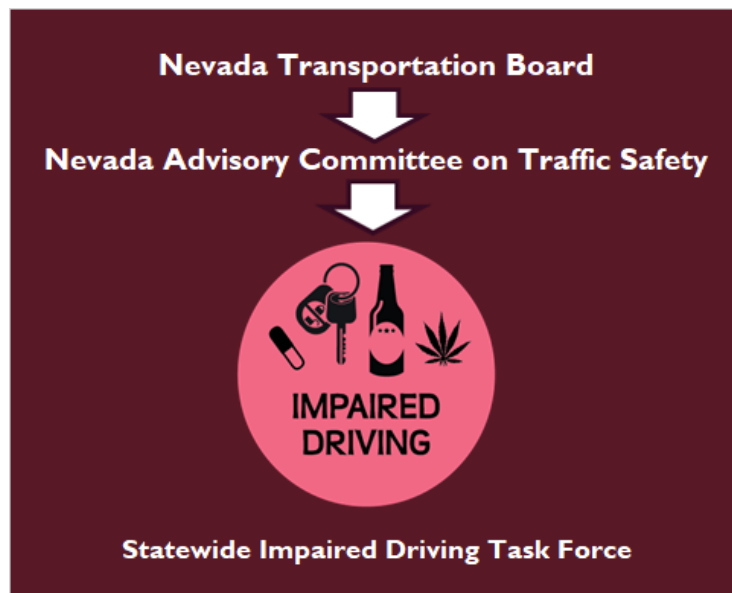
The Nevada Legislature adopted an amendment to transform and reorganize the previous advisory committee, the Nevada Executive Committee on Traffic Safety (NECTS) to the Nevada Advisory Committee on Traffic Safety (NVACTS). The authority for establishing NVACTS is found in the State of Nevada Revised Statutes (NRS) Chapter 408, which creates the Advisory Committee on Traffic Safety within the Department of Transportation. NVACTS reports to Nevada’s Transportation Board of Directors which includes the Governor, Lieutenant Governor, State Controller, and four members appointed by the Governor. The purpose of this committee is to review, study, and make recommendations regarding certain issues relating to traffic and to prepare an annual report of its activities. All members have signed a Partner Pledge committing to support Nevada’s goal of *Zero Fatalities*.

NVACTS identifies the most Critical Emphasis Areas (CEA) for traffic safety crash, injury, and fatality issues facing the State. The identified CEAs each have established Key Area Task Force Leadership Teams as the oversight and monitoring mechanism serving as the driving force for change in each CEA.

NVACTS has designated the Statewide Impaired Driving Task Force with the authority to approve the 2024 Nevada Impaired Driving Strategic Plan (IDSP).

#### 3.1. Task Forces or Commissions

The Impaired Driving Task Force (IDTF) meets quarterly, following a set meeting schedule on the fourth Thursday of February, May, August, and November, and operates under the authority of the NVACTS. The IDTF is chaired by the Nevada Traffic Safety Resource Prosecutor (TSRP) and co-chaired by the Nevada Impaired Driving Coordinator. The membership of the IDTF is extensive with a diverse mix of individuals and organizations that can impact impaired driving issues. The IDTF establishes strategies and related action steps that are tracked on a quarterly basis. Each action step has a leader, who reports to the Chair and Vice Chair on the status.



IDTF leadership is responsible for the following:

- Ensuring team membership is multidisciplinary and includes representatives from at least three of the six “Es” of safety (Equity, Engineering, Education, Enforcement, Emergency Medical Services/Emergency Response/Incident Management, and Everyone) and follows up with the Strategic Highway Safety Plan (SHSP) implementation team if assistance is needed on team composition
- Scheduling group meetings, notifies participants, and prepares meeting reports including action item implementation progress/status after each meeting
- Tracking progress on implementation of the action plan with assistance from various action step leaders and notifies the State SHSP coordinators if assistance is needed to implement an action step
- Preparing quarterly progress reports describing what progress has been made on each of the action steps
- Reviewing the strategies and determining if any should be revised or deleted, identifying new strategies, and developing action plans
- Applying the SHSP to help implement a task or project

### **3.2. Strategic Planning**

Nevada’s SHSP is a comprehensive statewide safety plan that identifies the most significant causes of fatalities and serious injuries on Nevada roadways and provides a coordinated framework for reducing the crashes that cause fatalities and serious injuries. The SHSP establishes statewide goals and strategies focusing on the six “Es” of traffic safety: Equity, Engineering, Education, Enforcement, Emergency Medical Services/Emergency Response/Incident Management, and Everyone.

The ultimate purpose of the SHSP is to eliminate traffic-related fatalities and serious injuries by combining and sharing resources across disciplines and strategically targeting efforts to the areas of greatest need. Nevada has enlisted stakeholders from state, local, tribal, and federal agencies; institutions; private-sector organizations; and concerned citizens to develop goals and strategies to address identified traffic safety problems.

The SHSP is aligned with other statewide planning efforts, as required by federal legislation, and provides guidance for statewide traffic safety plans and local plans, and guides the investment of funds for three federally funded programs:

- Highway Safety Improvement Program (HSIP) managed by the Nevada Department of Transportation (NDOT)
- Highway Safety Plan (HSP) managed by the Nevada OTS
- Commercial Vehicle Safety Plan (CVSP) managed by the Nevada Highway Patrol (NHP)

Nevada's efforts to develop the SHSP began in 2004 when NDOT Traffic Safety Engineering formed a Technical Working Group of traffic safety representatives that initiated coordination and later supported the activities of the NECTS. The role of NECTS, as established in 2005, is to provide guidance, approve the SHSP (and subsequent updates), and help gain consensus at a high level among local, state, tribal, and federal agencies that improve traffic safety.

Nevada's first five Critical Emphasis Areas (CEAs) were identified at the 2004 Traffic Safety Summit—the first to be held in Nevada. The Traffic Safety Summit is now an annual event. The five original CEAs were Pedestrians, Impaired Driving, Occupant Protection, Intersections, and Lane Departures. Later updates to the SHSP process added Motorcycles, Young Drivers, Older Drivers, and Safe Speed as additional CEAs.

For the 2021-2025 SHSP, four key areas were selected to prioritize collaboration among the six "Es" for SHSP implementation: Safer Roads, Vulnerable Road Users, Safer Drivers and Passengers, and Impaired Driving Prevention. The plan established task forces for each key area, which are responsible for collaboration and monitoring progress on the implementation of strategies and action steps. The Impaired Driving Task Force (IDTF) takes the lead on impaired driving issues, developing strategies and action steps for addressing impaired driving in Nevada.

Action steps that are developed for each CEA included in the SHSP Action Plan are evaluated and updated as needed throughout the life of the SHSP. All action items are specific, measurable, achievable, relevant, and time constrained (SMART):

- Specific: Clearly describes action step
- Measurable: Defined performance measures and output measures
- Achievable: Committed resources by responsible organization and action step lead
- Relevant: Data-driven issue and countermeasure
- Time Constrained: Achievable within a designated time frame

Action steps and strategies are implemented and evaluated by the task forces and the SHSP team throughout the life of the plan utilizing the following tools and elements:

- Federal Highway Administration (FHWA) Proven Safety Countermeasures
- NHTSA Countermeasures that Work
- Systemic improvements
- Low-cost improvements
- Road Safety Assessment (RSA) findings

The Impaired Driving CEA outlines four strategies to achieve a reduction in fatalities and serious injuries resulting from impairment. The strategies are:

- Enhance DUI deterrence through improved criminal justice system response
- Support training and education for law enforcement agencies and commit to high-visibility DUI enforcement
- Improve understanding of impaired driving issues through better data
- Improve primary prevention efforts aimed at DUI or riding with an impaired driver

These strategies lead to the development of action steps that have designated leaders to oversee the implementation of each step. Assigned action step leaders attend quarterly interim meetings with their CEA Vice Chairs and provide a summary of activities related to their action steps.

OTS prepares an annual HSP which includes a section for Impaired Driving Prevention. This section of the plan doubles as Nevada's statewide IDSP. The IDSP includes problem identification, short-term and long-term targets, countermeasure strategies, and planned activities.

### **3.3. Program Management**

OTS is responsible for developing, implementing, managing, and evaluating projects to ensure projects are targeted to address strategies that adhere to NHTSA's Highway Safety Program Guideline No. 8 as well as Countermeasures That Work for an effective Impaired Driving Program. The HSP provides partners with key information about each safety focus area, providing current data and examples of past efforts that have received funding to address specific traffic safety issues. OTS actively monitors traffic safety trends and emerging issues and responds with appropriate modifications to the HSP as needed. OTS provides technical assistance, subject matter expertise, and conducts research into proven strategies and best practices that will result in a decrease of impaired driving injuries and fatalities. This ensures that resources are allocated to strategies most likely to prevent impaired driving.

Throughout the year, OTS engages its partners through task forces and stakeholder meetings, trainings and presentations, the annual Nevada Traffic Safety Summit, and outreach events. Information regarding funding opportunities is shared through the OTS website, eGrants online grant system, announcements through statewide task forces, newsletters, and email distributions. **Table 4** on the following page provides the countermeasure strategies OTS pursued in the development of the Fiscal Year (FY) 2023 HSP.



**Table 4:** *Impaired Driving Countermeasure Strategies*

<b>Countermeasure Strategy</b>	<b>Description</b>
<b>Law Enforcement Training</b>	Law enforcement training will be given to reduce traffic fatalities and serious injuries by providing the specialized skills needed to detect, arrest, and collect evidence of alcohol and drug-impaired driving.
<b>Judicial and Prosecutor Education</b>	Judicial and prosecutor education will be provided to reduce traffic fatalities and serious injuries by providing training to judges, prosecutors, and specialty court staff on best practices related to DUI court principles, diversion programs, ignition interlock, and 24/7 programs.
<b>Highway Safety Office Program Management</b>	Planning and administration will be focused on reducing traffic fatalities and serious injury crashes by directing and coordinating the activities of the Highway Safety Office.
<b>High Visibility Enforcement (HVE) Impaired Pedestrian, Motorist</b>	HVE will be implemented to reduce traffic fatalities and serious injuries by removing impaired drivers and pedestrians from the roads.
<b>Driving Under the Influence (DUI) Specialty Courts</b>	DUI courts are rated as highly effective for reducing recidivism. Nevada's DUI Courts have strong roles to play in case management for DUI offenders and support for case management and coordination will continue to be a priority.
<b>Communications</b>	Communications, outreach, and education is a key component of all program areas and combines traffic safety messaging through multiple channels with in-person outreach and education to multiple target groups.

An extensive amount of data is relied upon for problem identification for the impaired driving program area. These data include FARS, crash (including driver, location, vehicle), citation, arrest, and adjudication data. There are also data linkages to other data files (EMS, hospital, citation, and crash). These data are utilized to determine which grants/projects to fund. OTS also relies on data provided at the local level to decide the extent of the identified problem and whether the proposed project should receive priority for funding.

All awarded projects are monitored by OTS. Risk assessments are conducted on each project recommended for award prior to notification of approval and are assigned a risk level. A monitoring plan is developed that takes this risk into account. OTS has a very clear and detailed monitoring procedure for employees to follow. The procedure explains the various types of monitoring, the major elements of monitoring, how to prepare for the monitoring visit, the frequency of monitoring needed, how to deal with problems/issues with sub-recipients, the items to review during the site visit, and the steps employees need to take following the site visit. Due to the COVID-19 pandemic, OTS is currently following a remote monitoring procedure of awarded projects.

The FY 2023 HSP includes several efforts that are funded to aid in Nevada's efforts to achieve the impaired driving targets set forth in the planning process. OTS has committed \$1,466,781 of Section 405d and \$841,397 of Section 164 funding to impaired driving efforts. The funded activities are described in **Table 5** on the following page.

**Table 5:** *Impaired Driving Planned Activities*

Planned Impaired Driving Activities	Description
<b>DUI/Driving Under the Influence of Drugs (DUID) Law Enforcement Training</b>	Statewide DUI/DUID training in Drug Recognition Expert (DRE), Advanced Roadside Impaired Driving Enforcement (ARIDE), and comprehensive marijuana detection and prosecution knowledge delivered in person via electronic trainings to law enforcement and prosecutors.
<b>Judicial and Prosecutor Training</b>	Through a grant from Responsibility.org, training on the Computerized Assessment and Referral System (CARS) assessment tool will be provided to judges by judges. The focus will be on detecting more serious underlying behaviors and connecting the participants to the correct level of supervision and treatment. Ongoing education will be provided on DUI case adjudication. Prosecutors will be trained for thorough preparation and winning presentation of DUI court cases.
<b>DUI Specialty Courts</b>	Through a grant from Responsibility.org, training on the CARS assessment tool will be provided to court coordinators and case managers. The focus will be on becoming technically efficient in using both the screening tool as well as the more complicated assessment tool, gaining speed and confidence in the use of the tool, and recognizing the indication for conducting a deeper assessment on the participant.
<b>Education</b>	Prevention efforts around recidivism of DUI offenders has begun with a goal of incorporating early intervention tools into the curricula presented to first time DUI offenders. Early intervention is defined in behavioral health terms of 0.5 on the American Society of Addiction Medicine (ASAM), to inject cognitive behavioral therapy methods to provide the participant with the tools necessary to change behaviors. Requests have been made for revisions to the language in the Nevada Administrative Codes, and a pilot curricula project is planned for the current year.

Five DUI Courts located throughout the State (the Las Vegas Justice Court, Elko 4th Judicial Court, Las Vegas 8th Judicial Court, Washoe County 2<sup>nd</sup> Judicial Court, and the Carson City 1st Judicial Court) are being funded. Judicial training courses are also offered through the Reno Justice Court Evidence Based DUI courses. DUI Courts are a strategy to reduce impaired driving recidivism for those who are not typically persuaded through education, public safety efforts, or traditional legal sanctions.

OTS provides funding to Washoe County to provide for TSRP services to conduct training on DUI adjudication. The TSRP works with both prosecutors and law enforcement to cross-train these two groups of professionals on the most effective and up-to-date courtroom procedures and prepare these groups for defense tactics. The TSRP has attended and completed basic law enforcement, Standardized Field Sobriety Testing (SFST), ARIDE, and DRE training. This exposure and experience give the TSRP credibility when talking to law enforcement and a unique opportunity to share the science behind these trainings to prosecutors, law enforcement, and judicial personnel.

The Impaired Driving Program funds overtime DUI activities year-round for four law enforcement agencies covering the most impacted areas of the State. An additional four HVE waves are funded during the year through the Joining Forces Program, where two of the enforcement efforts are directed towards impaired driving and two are directed towards seat belt enforcement. Twenty-eight law enforcement agencies are united in the statewide Joining Forces efforts. Joining Forces is an evidence-based traffic safety enforcement program that has delivered positive results for changing driving behavior.

An effective and popular enforcement strategy in Clark County was the use of multi-agency impaired driving enforcement teams, called DUI Strike Forces. The teams quoted impressive enforcement numbers. Local media surrounding the teams was very active in covering the teams' efforts and media coverage was typically very positive. This type of multi-agency impaired driving enforcement effort has been very effective in Nevada. Unfortunately, the teams are disappearing due to lack of funding and personnel limitations at the local level. Support for the Las Vegas Metropolitan Police has increased as it has expanded efforts to cover Clark County.

OTS also funds efforts to improve and expand impaired driving toxicology testing, electronic warrants for blood draws, the ignition interlock program, and ongoing media outreach efforts.

A priority recommendation from the Nevada Impaired Driving Assessment 2023 was to support existing multi-agency law enforcement DUI Strike Forces and explore opportunities to establish new teams where there is evidence that the teams can make a significant impact on reducing impaired driving crashes. This recommendation mirrors the intent of OTS. Law enforcement agencies throughout Nevada are experiencing finite resources to implement competing programs and must make decisions at the local level regarding priorities. Renewed support for enforcement teams will remain a critical priority as local law enforcement agencies rebuild their capacity to implement the program.

### **3.4. Resources**

Nevada successfully applied for and received funding from NHTSA for FY 2023. These grant monies include funding for 23 U.S.C. Section 402 Highway Safety Programs, and for Section 405 National Priority Safety Programs including: Section 405b (Occupant Protection), Section 405c (State Traffic Safety Information System Improvements), Section 405d (Impaired Driving Countermeasures), Section 405f (Motorcyclist Safety), Section 405h (Non-Motorized Safety Grants), and Section 1906 (Racial Profiling Prohibition). Also included are Section 164 Repeat Intoxicated Driver funds.

Impaired driving programming funds are comprised of \$103,777 in Section 402 funds, \$1,432,193 in Section 405d Impaired Driving funds, and \$2,035,774 in Section 164 Repeat Intoxicated Driver funds. Nevada is fortunate to currently qualify for the Section 402 and Section 405d Impaired Driving Countermeasures funding. The only impaired driving incentive funding categories that Nevada does not currently qualify for are Section

405d Impaired Driving Ignition Interlock, and Section 405d 24/7 Sobriety Programs. Requirements for funding in each of these categories are very stringent. While Nevada has an ignition interlock law, the law does not satisfy all federal requirements to qualify for Section 405d Impaired Driving Ignition Interlock funding. Nevada operates a 24/7 Sobriety and Drug Monitoring Program in Northern Nevada, but the lack of a statewide program negates qualifying for federal funding under current guidelines.

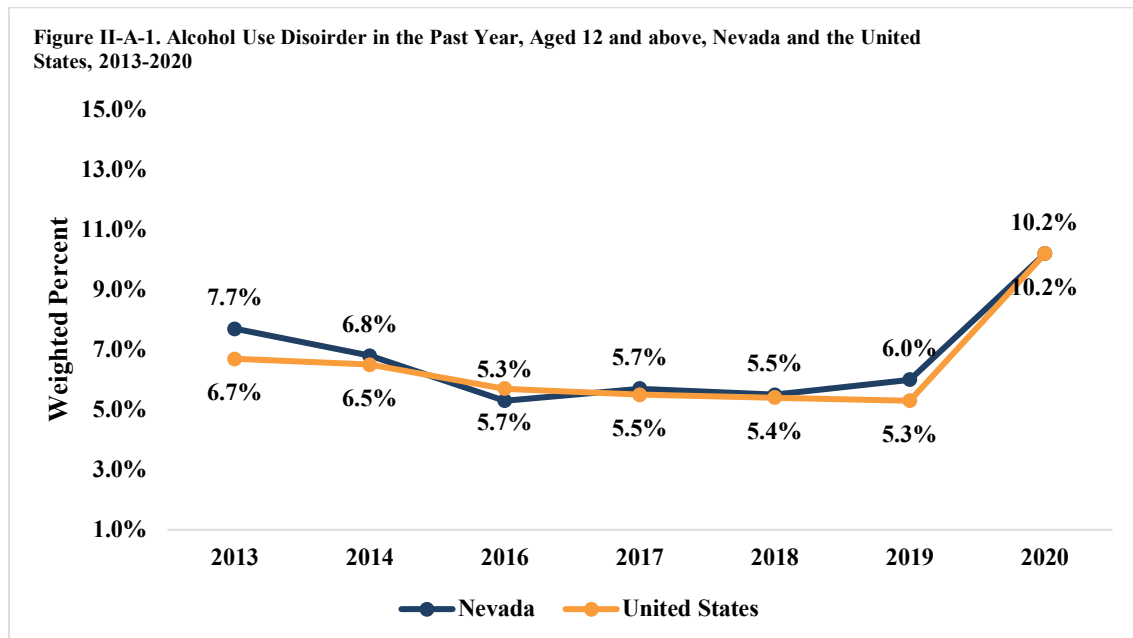
One great disadvantage to the program is that penalties or fees collected from convicted impaired driving offenders, as well as revenue from licensed cannabis outlets, are not used to support impaired driving prevention programs in Nevada.

## 4. Prevention

The Nevada Department of Health and Human Services, Bureau of Behavioral Health Wellness and Prevention 2022 Epidemiologic Profile provides an overview of substance use and mental health related issues in the State. In relation to substance use, the report provides the following points:

- Alcohol use disorder among ages 12 and above reached a high in Nevada and the United States in 2021.
- Nevada high school and middle school students who self-report currently drinking alcohol is at the lowest percent since 2017.
- Nevada high school and middle school students who self-report currently using marijuana is at the lowest percent since 2017.
- Nevada Behavioral Risk Factor Surveillance System survey results found adult marijuana/hashish use has continued to rise since 2013.
- Both age-adjusted and crude rates for alcohol and/or drug-related deaths in Nevada are at the highest since 2012.

**Figure 3** shows the trend in the rate of alcohol use disorder among Nevada residents aged 12 and older compared to the national total. One in 10 (10.2 percent) Nevada residents reported an alcohol use disorder in 2020, equal to the U.S. average but a substantial increase from 2019.



Source: Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Behavioral Health Statistics and Quality, National Surveys on Drug Use and Health. Chart scaled to 15 percent to display difference among groups.

**Figure 3:** Alcohol Use Disorder Aged 12 and Above

Prevention programs are most effective when they implement evidence-based strategies which have been shown to affect the desired change. Effective prevention programs are based on the interaction between the elements of the public health model: 1) using strategies to develop resilient hosts, e.g., increase knowledge and awareness or altering social norms; 2) reducing exposure to the dangerous agent (alcohol, cannabis, other drugs), e.g., alcohol control policies and; 3) creating safe environments, e.g., reducing access to alcohol at times and places that result in impaired driving. Prevention programs will employ communication strategies that emphasize and support specific policies and program activities. Prevention programs of particular focus in Nevada include responsible cannabis service practices, prevention of underage use and impaired driving, transportation alternatives, Drug Impairment Training for Education Professionals (DITEP), school- and community-based programs carried out by Mothers Against Drunk Driving (MADD) and Nevada’s excellent network of community coalitions. It also includes work to revise curriculum for first time DUI offenders that encompasses ASAM .05 Early Intervention strategies and activities, and changes to the regulations to increase minimum hours of education and ensure education is synchronous.

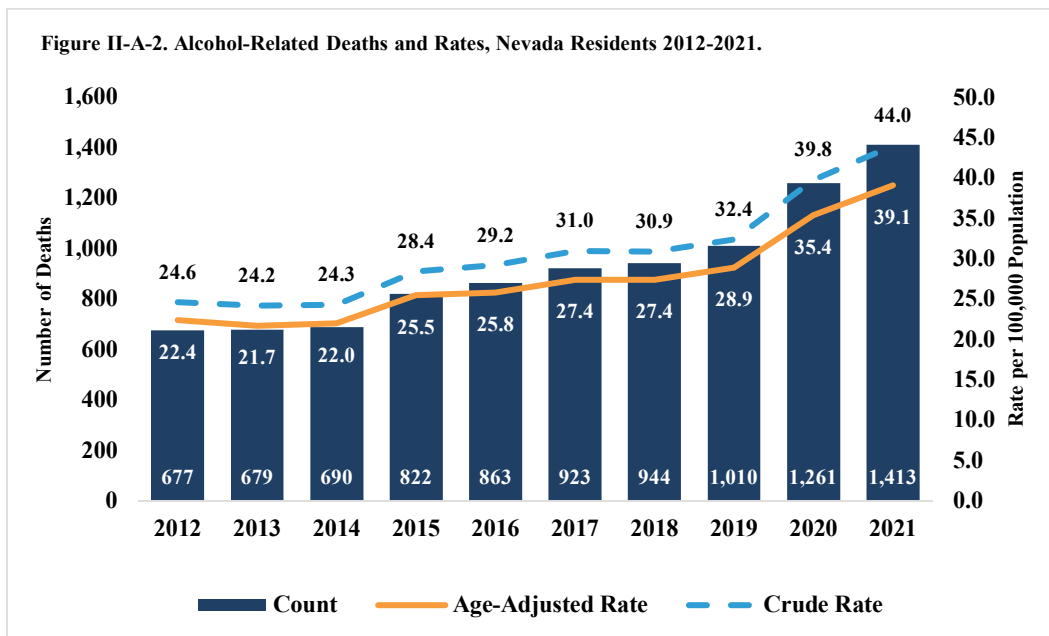


Figure 4: Alcohol-Related Deaths and Rates, Nevada Residents 2012-2021

## 4.1. Promote Responsible Service

### 4.1.1. Alcohol

Nevada, and especially Las Vegas and Reno, the two major population centers, rely heavily on tourism centered on “adult entertainment” including gambling, alcohol consumption, and more recently, use of cannabis products. Consequently, Nevada has minimal restrictions on the sale of alcohol, has no state-level agency responsible for enforcing alcohol control policies, and has few state-level statutes related to responsible alcohol service. There are no restrictions on alcohol advertising, happy hours, or other promotions. In addition, licensed alcohol outlets are permitted to sell alcohol 24 hours a day, seven days a week. Many casinos provide patrons with alcohol at no cost.

Nevada is a license state, that is, alcohol for on- or off-premise consumption is sold by licensed retailers. However, unlike other license states, licenses are issued by and regulated by localities through Liquor Control Boards consisting of the local elected body, e.g., county legislature or city council. There is no legislated limit on the number of licenses that can be issued. Since Nevada has no State agency that is responsible for enforcement of alcohol sales laws, alcohol compliance checks for sales to underage drinkers are conducted by local substance abuse and behavioral health coalitions.

Server training is available from a variety of private sector providers and may be completed online. NRS 369.600 requires completion of a responsible service course by all alcohol servers in retail outlets. NRS 360.625 calls for the development and contents of curriculum for an alcoholic beverage awareness program and certification and operation of the program to include the following topics:

- The clinical effects of alcohol on the human body
- Methods of identifying intoxicated persons
- Relevant provisions of state and local laws concerning the selling and serving of alcoholic beverages
- Methods of preventing and halting fights, acts of affray and other disturbances of the peace; and
- Methods of preventing:
  - The entry of minors into establishments in which minors are prohibited from loitering pursuant to NRS 202.030;
  - The purchase, consumption, and possession of alcoholic beverages by minors as prohibited pursuant to NRS 202.020, including, without limitation, the recognition of altered or falsified forms of identification; and
  - The selling and furnishing of alcoholic beverages to minors as prohibited pursuant to NRS 202.055. Server training is available from a variety of private sector providers and may be completed online.

Several notable Nevada statutes serve as impediments to responsible alcohol service. Nevada does not have Dram Shop legislation and, in fact, has “anti-Dram Shop” legislation which exempts licensed outlets from liability for injury or damage caused by impaired patrons. Statutes now extend to cannabis dispensaries and lounges, a condition that has been dubbed, “Gram Shops.”

A priority recommendation from the Nevada Impaired Driving Assessment 2023 is to enact Dram Shop statutes that hold those who serve or sell alcohol or cannabis products accountable for injuries and damage resulting from over-service or sales to minors.

#### **4.1.2. Cannabis**

As of July 1, 2020, the adult-use cannabis program is administered by the Cannabis Compliance Board (CCB). AB341 in the 81st Session of the Nevada State Legislature authorized the CCB to license and regulate cannabis consumption lounges. Server training is also required for employees of cannabis lounges, and training standards are being developed.

### **4.2. Promote Transportation Alternatives**

Clark County (Las Vegas) is the region most impacted by a high volume of impaired driving fatalities maintains an ongoing partnership with Anheuser-Busch to support a ride-sharing program using Uber. The campaign is called *Decide to Ride* and distributes discount coupons to consumers during times of the year when an increase in substance use is predictable, such as St. Patrick’s Day or New Year’s Eve.

Additionally, the OTS Zero Fatalities Lyft Pass program is available during select holidays and large events, offering a rideshare discount to encourage people to enjoy a safe ride home. The program is made possible by partners of the Zero Coalition, made up of Nevada businesses that want to help spread awareness of driving safely on our roads. The discounted LYFT ride share promocodes are promoted on their social media channels.

Many local coalitions conduct safe ride programs. In rural areas where transportation alternatives are scarce, these programs promote ridesharing.

### **4.3. Conduct Community-Based Programs**

#### **4.3.1. Schools**

In 2020 the State Board of Education adopted the Nevada Academic Content Standards (NVACS) and began aligning their curricula to the new Health Standards. School districts were expected to fully implement the 2020 NVACS for Health beginning with the 2022-2023 school year. This standard provides necessary concepts, practices, and skills to students to achieve personal wellness and academic success. A core idea that runs through the grade levels focuses on substance use and abuse and addresses the health consequences of use of substances.



DITEP has been provided in some school districts and is expanding. DITEP training is intended to provide school administrators and nurses with a systematic approach to recognizing and evaluating individuals in the academic environment who are abusing and impaired by drugs, both legal and illegal, in order to provide early recognition and intervention. Many schools have School Resource Officers who are also trained and are a resource for identifying students with substance abuse issues.

MADD recently received funding from the Nevada OTS to implement school-based prevention programs in Reno and Las Vegas schools. MADD's Power of Parents® program empowers parents of middle school and high school students to have ongoing, intentional conversations about the dangers and consequences of underage drinking and other drug use while Power of You(th)® is one of MADD's programs that provides youth with research-based information on the dangers of underage drinking and other drug use. In 2024, MADD plans to add MADD's Power of Me! program, a classroom or auditorium-based alcohol use prevention and vehicle safety presentation for fourth and fifth grade elementary school students.

The University of Nevada, Las Vegas (UNLV) and University of Nevada, Reno (UNR), the two largest universities in the State, offer prevention programming that is often student-led. UNLV has a substance use policy that prohibits possession or use of illegal drugs including use of alcohol by students under 21. UNLV also uses a social norming approach in which students are shown that their perception of alcohol use on campus is far greater than the actual reported use. Materials also provide information on standard drink sizes and blood alcohol concentration.

Law enforcement agencies are funded to hold school events around the state such as "Every 15 Minutes" providing an opportunity to reach to young people with the realities seen from the perspective of law enforcement and help them understand their concerns.

Numerous local coalitions provide a variety of impaired driving and substance abuse prevention strategies in schools. Education campaigns and alcohol- and drug-free events are conducted at high-risk times such as prom, homecoming, and graduation. Impaired driving simulators are used in some localities. Coalitions conduct alcohol and drug screenings at school events. Coalitions have also been involved in the development of school district alcohol and drug policies for students.

#### **4.3.2. Employers**

There is currently no organized effort to engage the business community in helping to educate its employees and customers about impaired driving. The inclusion of a number of corporate partners in the Zero Fatalities program could serve as the gateway to reach private sector employers across Nevada.

All companies that provide goods and services to federal agencies or that receive federal funds are required to implement a Drug-Free Workplace program. These programs may include substance use policies, drug testing, and employee education. Many Nevada employers offer Employee Assistance Programs (EAP) to help employees deal with personal problems that might adversely impact their work performance, health, and well-being. EAPs generally include short-term counseling and referral services for employees

and their household members. By addressing alcohol and substance abuse, EAPs can have an indirect effect on impaired driving.

#### **4.3.3. Community Coalitions and Traffic Safety Programs**

Nevada's difficult demographic of two concentrated population centers surrounded by vast rural and frontier communities is served through the Substance Abuse Prevention Community Coalitions, primarily funded through federal Block Grant funds set aside for substance abuse prevention, and *Drug Free Communities* and *Partnership for Success*. Coalitions include participation from every sector of the community, including law enforcement, healthcare and education. Nevada's network of community coalitions manages to cover every county in Nevada as well as serve the populations of remote communities. The network is a strong component of the impaired driving prevention program, addressing impaired driving either directly or indirectly through substance abuse and underage drinking prevention strategies.

Impaired driving strategies implemented by community coalitions include providing responsible alcohol service training, safe ride programs, school-based programs that offer alcohol- and drug-free activities at high-risk times for impaired driving such as prom and homecoming, and utilization of impaired driving simulators. Some coalitions also provide a driving under the influence offender education program.

Many coalitions conduct alcohol sales compliance checks. Coalitions use a public health approach addressing underlying risk and protective factors that predict substance abuse issues including impaired driving.

Coalition strategies are often trauma-informed. Trauma-Informed Care (TIC) is an approach in the human service field that assumes that an individual is more likely than not to have a history of trauma. TIC recognizes the presence of trauma symptoms and acknowledges the role trauma may play in an individual's life. The disruption of school and family functioning resulting from the COVID-19 pandemic has dramatically heightened the extent of trauma, especially in the lives of young people. While many prevention strategies are universal, that is, directed at an entire population, others are directed toward individuals demonstrating increased risk. These strategies recognize the role of trauma in this risk. Some community coalitions have received TIC training and some offer training to schools and community members.

## 5. Criminal Justice System

### 5.1. Laws

Nevada has a variety of laws to fight impaired driving as well as specific per se provisions that make it illegal to operate a motor vehicle with prohibited substances in the operator's blood or urine at levels equal to or greater than specific amounts. Those substances include amphetamine, cocaine, cocaine metabolite, heroin, heroin metabolite, lysergic acid diethylamide, methamphetamine, phencyclidine, and marijuana (for felonies only). Commercial motor vehicle operators may be prosecuted at a per se BAC level of 0.04 percent.

First and second DUI offenses are misdemeanors prosecuted with increasing punishments for subsequent violations. A third DUI is a felony. A DUI conviction in Nevada that is beyond seven years old cannot be used for enhancement purposes. Causing an injury or death while operating a vehicle while intoxicated is a felony offense which carries two to 20 years confinement, a fine of \$2,000 to \$5,000, and a minimum license suspension of three years upon release from incarceration. Offenders with three prior DUI convictions who then cause a death while driving under the influence face charges for vehicular homicide. Vehicular homicide carries a sentence of 25 years to life in prison.

**Table 6:** Nevada DUI Penalty Chart

NEVADA DUI PENALTY CHART	
	PENALTIES
<b>FIRST DUI CONVICTION</b> <b>Misdemeanor</b>	<ul style="list-style-type: none"> <li>• two days to six months in jail;</li> <li>• \$400 to \$1,000 dollars in fines;</li> <li>• loss of license for 185 days;</li> <li>• ignition interlock; and</li> <li>• impact panel and online DUI school</li> </ul>
<b>SECOND DUI CONVICTION</b> <b>Misdemeanor</b>	<ul style="list-style-type: none"> <li>• 10 days to six months in jail;</li> <li>• \$750 to \$1,000 fine;</li> <li>• loss of license for one year;</li> <li>• impact panel and online DUI school;</li> <li>• ignition interlock; and</li> <li>• dependency evaluation</li> </ul>
<b>THIRD DUI CONVICTION</b> <b>Felony</b>	<ul style="list-style-type: none"> <li>• one to six years in prison;</li> <li>• \$2,000 to \$5,000 fine; and</li> <li>• loss of license for three years</li> </ul>
<b>DUI CONVICTION AFTER FELONY</b> <b>Felony</b>	<ul style="list-style-type: none"> <li>• two to 15 years in prison;</li> <li>• \$2,000 to \$5,000 fine; and</li> <li>• loss of license for three years</li> </ul>

## ***Implied Consent***

Any person who accepts the privilege of operating a motor vehicle within Nevada is deemed to have given his or her consent to submit to an approved breath, blood, or urine test for the purpose of determining the alcohol or drug content of his or her blood if the person is lawfully arrested for DUI. Refusing a breath, blood, or urine test for alcohol is penalized by a possible administrative license revocation of one year for first offenders and three years for repeat offenders. There is no penal offense attributed to a breath, blood, or urine test refusal.

## ***Minors***

Minors operating a motor vehicle while having a 0.02 percent BAC in their system face a possible 90-day driving privilege suspension. Other than being prosecuted when driving at adult levels of 0.08 percent BAC, there is no other criminal penalty for minors driving under the influence. There is a three-stage Graduated Driver Licensing law for younger drivers in Nevada. A person is eligible for an Instruction (Learner's) Permit at 15 and a half years of age if they pass a written driving test. The Instruction Permit has some restrictions including daylight hours, vehicle passenger restrictions, and being accompanied by a licensed driver. They must also complete supervised driving hours and be enrolled in school. At age 16, youth are allowed to apply for an Intermediate driver license. To get an Intermediate driver license they must hold a valid Instruction Permit for at least six months prior to applying, and in the six months prior to applying have no at-fault crashes, have no moving violation convictions, and have no alcohol or drug convictions of any kind. If successful, the Intermediate driver license is in effect until age 18. During this stage, younger drivers under 18 may not drive between the hours of 10 p.m. and 5 a.m. unless they are traveling to or from a scheduled event such as school events or work. They also may not transport any passenger under the age of 18, except for immediate family members, for the first six months after the license is issued. At 18, drivers get a full unrestricted license.

A priority recommendation from the Nevada Impaired Driving Assessment 2023 is to enact legislation that requires DUI first-time offenders to be evaluated for alcohol or drug dependency and treated if necessary. The Nevada Impaired Driving Program supports this recommendation. A first-time offense may actually be a person who has driven while impaired for years, and it is only the first time they have been "caught". A second offense may have had numerous pleas in between the first and second offense that have been hidden from view. Nevada's goal is to address the behavioral condition as well as the number of times one has been apprehended, and mandatory assessments, we believe, is the way to accomplish this.

A priority recommendation from the Nevada Impaired Driving Assessment 2023 is to amend legislation to require consideration of a person's entire prior DUI case history for subsequent case charging and eliminate provisions that allow a DUI conviction to "fall off" a driving record after seven years. The Nevada Impaired Driving Program supports this recommendation and will work on this goal within the Task Force. A part of this project will look at prosecutor transparency to allow all intermediate pleas to be in the written record for prosecutors and judges to see.

## **5.2. Enforcement**

Nevada currently has 138 law enforcement agencies consisting of a wide variety of jurisdictional authority, including but not limited to: state, county, municipal, school district, parks, taxi authority, university, and tribal police. The Nevada Commission on Peace Officer Standards and Training (POST) reports 15,323 sworn officers statewide.

Impaired driving enforcement education begins at the earliest stage of a Nevada law enforcement officer's career. All officers attending a basic police academy in Nevada receive training in the NHTSA basic DUI Detection and SFST curriculum and ARIDE. Nevada is a Drug Evaluation Classification Program (DECP) state, also known as a DRE Program. The program currently identifies two DRE State Coordinators, whose positions reside within OTS. Each year, the DRE Program offers from one to four DRE schools around the State. In 2021, the DRE Program held four DRE courses, training a total of 29 new DREs. That same year, seven ARIDE courses were held, attended by a total of 108 officers. Both courses utilize the respective curricula approved and published by IACP and NHTSA. The State recently hired a new DRE/ARIDE Training Coordinator to support the state coordinators and oversee training statewide.

The Nevada TSRP is a certified DRE and offers continuing impaired driving enforcement training for officers and prosecutors statewide, both in person and via webinar. Training may also be multidisciplinary, pairing officers and prosecutors in courtroom settings. The TSRP also offers webinar training on both a local and national level, and work is underway to bring the Lethal Weapon seminar to Nevada. This multi-day course trains officers and prosecutors in crash reconstruction, scene investigation, toxicology, and trial skills.

### ***Impaired Driving Task Force***

The State's Impaired Driving Task Force consists of approximately 150 members, covering nearly every corner of transportation safety in the State. Every recipient of impaired driving program grant funding is required to be a member of the task force. The task force holds quarterly meetings to review and analyze FARS and other data, discover new or upcoming law enforcement training, receive updates from State agencies, and identify strategies and goals for each annual IDSP publication. The task force continually analyzes and evaluates the State's impaired driving program for effectiveness.

### ***Law Enforcement Liaisons***

OTS has two Law Enforcement Liaisons (LELs), both retired law enforcement officers whose positions are funded by highway safety grants. One LEL is responsible for the northern half of Nevada and the other for the southern half. The LELs help keep open lines of communication and facilitate collaboration between OTS and the various levels of law enforcement, their local groups and association chapters, and local community safety groups and coalitions. One factor benefitting their ability to stay engaged across the State is the relatively few counties (17) and police agencies in Nevada. The LELs also act as co-DRE State Coordinators.

## ***Communication***

OTS communicates the importance of highway safety and impaired driving prevention through media messaging tools, data reporting, grant funding, and facilitation of law enforcement collaboration. In turn, law enforcement executives to some degree communicate the importance of impaired driving enforcement to their personnel. For example, when high-profile impaired driving cases gain widespread public attention, agency officials may provide statements to the media regarding those cases. Executives from a variety of agencies (state, county, municipal, tribal) accept grant funds to enhance DUI patrol availability and communicate the importance of enforcement.

The Impaired Driving Program Manager travels around the State to engage stakeholders and gather information. The two LELs are also regionally available.

## ***Ignition Interlock Devices (IIDs)***

Oversight of IID laws, rules, and program administration was recently moved to the NHP by legislative order. Planning is ongoing to establish policies and procedures for the program. Primary short-term goals include developing the compliance division for IID provider oversight and creation of a tracking database. A webpage on the Department of Motor Vehicles (DMV) website currently exists for customers to locate nearby installers. Nevada currently has approximately 3,700 IID clients. Future enforcement of driver IID violations is expected to occur through parole and probation departments. Because commission of low-level misdemeanors must be witnessed by an officer for enforcement to occur, administrative rules and/or other laws are being developed requiring IID units to be equipped with cameras in the future.

## ***Other Technologies***

Nevada is working to implement the use of roadside oral fluid testing to identify recent drug use among suspected drug-impaired drivers. For alcohol detection, portable breath tests (PBTs) are in use; passive alcohol sensors are rarely used. Officers who utilize in-car, mobile data computers (MDC) have access to Justice Link (JLink), a driver records database, to see the status of a driver's license and conviction history at the roadside. A MDC also minimizes time spent preparing search warrants to collect blood in DUI cases. Some agencies have evidentiary breath test instruments installed in their patrol cars.

Others have phlebotomists ride with them for impaired driving HVE events and saturation patrols. The ability to collect evidentiary breath and blood samples at the scene of a traffic stop or crash greatly reduces investigation and processing times and increases the likelihood of obtaining the sample within a two-hour window from the time of driving.

OTS has several programs aimed at achieving the State's Zero Fatalities goal. Notable programming includes Impaired Driving, Zero Teen Fatalities, and the Joining Forces programs. OTS distributes numerous impaired driving and other traffic safety enforcement grants to law enforcement agencies of all types and sizes across Nevada to fund enhanced enforcement operations and equipment. OTS also actively solicits impaired driving and traffic safety project proposals that may be funded by highway safety grants. For FY 2023, some of the project topics solicited are:

- Drugged driving data collection
- Law enforcement phlebotomy programs
- Electronic search warrant programs
- Teen driving—marijuana and other substance abuse
- Tribal community traffic safety programs

Through other grant funding, OTS supports many enforcement, communication, and judicial programs to combat impaired driving. Examples of projects funded by these grants between 2017 and 2021 include:

- Enhanced impaired driving enforcement
- PBT device purchases
- Misdemeanor and Felony DUI court administration
- Tribal court judicial outreach
- Staffing of the Nevada TSRP
- Staffing of the Nevada Impaired Driving Program Manager
- ARIDE and DRE training for officers
- University Police Services impaired driving and underage drinking enforcement
- Professional development for judges and prosecutors
- County 24/7 Sobriety and Drug Monitoring Program
- Rural community impaired driving and substance use awareness campaigns

### **5.3. Publicizing High Visibility Enforcement**

Nevada law allows the use of sobriety checkpoints and saturation patrols. OTS encourages all law enforcement agencies to execute sobriety checkpoints and HVE saturation patrols throughout the year. Saturation patrols and checkpoints are widely publicized both before and after an event through standard news outlets such as local papers and television local news. Many agencies also make excellent use of various social media such as Facebook and Twitter. Members of the community are welcome to respond and leave comments on the platforms.

### **5.4. Prosecution**

Prosecuting attorneys have a significant responsibility in the administration of criminal DUI cases in Nevada. Misdemeanor DUI cases are filed in Justice or Municipal Courts. Justice Courts and Municipal Courts are limited jurisdiction courts. There are 65 Justices of the Peace serving in 40 Nevada Justice Courts. There are 30 Municipal Judges sitting in 17 Municipal Courts in some of the larger cities in the State.

In addition to handling misdemeanor DUI cases, Justices of the Peace determine whether felony or gross misdemeanor cases have enough evidence to be bound over to a District Court for trial. Prosecution in Justice Courts is handled by the local District Attorney's Office. There are 17 District Attorneys, one for each county. Prosecution in a Municipal Court is facilitated by the municipality's City Attorney.

Felony DUI cases are filed in District Courts. Nevada has 11 judicial districts making up the State's general jurisdiction courts. These District Courts serve Nevada's 17 counties. The 11 judicial districts are served by 82 District Court judges who serve their elected counties but have jurisdiction to serve in any district court in the State. Prosecutions in District Courts are handled by the State's District Attorneys.

Prosecution for cases in Nevada DUI cases is primarily, but not exclusively, the responsibility of the State's 17 District Attorneys. District Attorney prosecutor's offices range in size from one prosecutor in some of the most rural counties to 175 prosecutors in Clark County. Municipal Court prosecutors (City Attorneys) are hired by the municipality, and offices also range in size based upon the size of the municipality. Some DUI prosecution is the responsibility of City Attorneys. They must handle cases filed in one of the State's Municipal Courts.

Prosecutors are all licensed attorneys. The responsibility of each prosecutor includes the preparation and presentation of criminal cases, including DUI cases. Cases are initiated by any of Nevada's law enforcement agencies, but District or City Attorneys have the final decision on whether to file a case.

Disposition of DUI cases through a plea bargain is a common occurrence, which means prosecutors may be involved in the determination of many facets of sentencing including incarceration time, fine amounts, and license suspension. Nevada law prohibits prosecutors from dropping or reducing impaired driving charges unless the prosecutor knows, or it is obvious, that the charge is not supported by probable cause, or the charge cannot be proved at the time of trial. However, reductions of first offense DUI cases to



reckless driving violations does occur in Nevada. Reducing second offenses to first offenses and dropping felonies to misdemeanors also takes place in Nevada. Prosecutors are often involved in the decision to reduce and make reduction recommendations to trial judges. Reductions to reckless driving or lowering second to first DUI charges can undermine the effectiveness of DUI penal statutes. Prosecutors and judges often argue reductions are necessary to do justice or to handle the high number of cases filed.

A priority recommendation from the Nevada Impaired Driving Program Assessment 2023 is to establish and adhere to strict policies on plea negotiations and deferrals in impaired driving cases and require that plea negotiations to reckless driving or a lesser offense be made part of the record and count as an impaired driving offense. The Impaired Driving Program together with the TSRP will work toward accomplishing this goal. They have begun to explore ideas that will provide more transparency with regard to the number of cases that get pled down. Some of these ideas are as simple as adding a plea-tracking system to each file that will indicate the percentage of DUI cases that get pled down, all the way to something as ambitious as creating a searchable plea database to make plea history available to prosecutors.

## **5.5. Adjudication**

In Nevada, misdemeanor DUI cases are filed in Justice or Municipal Courts. Justice Courts and Municipal Courts are limited jurisdiction courts. There are 65 Justices of the Peace serving in 40 Nevada Justice Courts. There are 30 Municipal Judges sitting in 17 Municipal Courts in cities in the State.

Felony DUI cases are filed in District Courts. Nevada has 11 judicial districts making up the State's general jurisdiction courts. These District Courts serve Nevada's 17 counties. The 11 Judicial Districts are served by 82 District Court judges who serve their elected counties but have jurisdiction to serve in any district court in the State. Prosecutions in District Courts are handled by the State's District Attorneys. There are 17 District Attorneys, one for each county.

Nevada has a number of Tribal Courts for 19 federally recognized tribes. Tribal Courts are generally presided over by non-law trained judges and handle matters occurring on tribal lands. For this reason, it is rare if an impaired driving case is adjudicated in a tribal court.

### ***Specialized Courts***

There are currently specialized "problem solving" treatment courts in Nevada. These courts are heavily weighted in treatment of repeat offenders. The heart of a treatment court is more intensive oversight, substance abuse testing, and additional treatment. In return for the additional supervision, offenders may avoid periods of incarceration, gain sobriety, and become more productive members of society. Members of the judiciary are supportive of the concept and success has been shown. There are currently 65 specialty court programs which include 21 adult drug courts and nine DUI courts. There are specialty court programs in every county in both urban and rural areas.

## ***Other***

DUI reduction programs are controversial in the area of DUI adjudication nationwide. Cases of DUI first offense being reduced to reckless driving is happening in Nevada. Subsequent cases are also being reduced to first offenses. Some felony DUI cases are also being reduced to misdemeanors. Prosecutors and Judges often feel these reduction practices are necessary due to the significant number of DUI cases, available time, limited jail space, and court resources. It appears that sentencing consistency in the courts statewide is lacking.

Justice and Municipal Courts, where almost all impaired driving cases are adjudicated, generally do not use formal probation services for DUI cases. Probation services for DUI offenders are generally useful in securing treatment and lifestyle changes for offenders. Adding probation services will likely require a change in sentencing structure in Nevada. Additional resources will also be necessary for support staff and probation personnel. Exceptions in some counties exist where DUI Courts are active. Those counties have provided some probation services and positive results have been shown.

A priority recommendation from the Nevada Impaired Driving Program Assessment 2023 is to provide annual mandatory judicial education on impaired driving case adjudication to all trial court judges. Nevada's judicial system is not unified, and there is no mechanism to make education mandatory. However, most of the judges in the state are attracted to the Winter Seminar for Limited Jurisdiction Courts sponsored by the Administrative Office of the Courts. OTS plans to fund an additional speaker as an add-on to the seminar to address issues with regard to impaired driving case adjudication.

A priority recommendation from the Nevada Impaired Driving Program Assessment 2023 is to execute a thorough examination of the practice of sentence reductions and establish data-driven uniformity of terms, appropriate monitoring of offenders, and enforcement of terms.

Beginning in 2024, Nevada will have two Judicial Outreach Liaisons (JOLs) working to help further the goals of OTS. One JOL will be a District Court Judge who will visit DUI courts across the state to conduct a peer review on best practices and a thorough examination of the practice of reductions, sentencing, and treatment monitoring. This would result in data driven uniformity and enforcement of terms which has not previously been done in the State. This initial step will ensure that offenders are being held accountable for crimes and receive assistance in any necessary lifestyle changes. The second JOL will be a Justice Court Judge with experience and knowledge of ways to implement pilot programs and improve tools and techniques used to adjudicate first and second DUI cases. Together the two JOLs will provide a powerful synergistic approach to training, communication, and organizational improvements in the existing, ununited court system.

## **5.6. Administrative Sanctions and Driver Licensing Programs**

The Nevada DMV is responsible for all processes related to driver licenses from issuance to suspension or revocation. Ongoing system updates and projects will continue to

advance the State's ability to evaluate programs and determine the effectiveness of licensing laws and policies.

NRS include an implied consent statute and provisions for comprehensive administrative licensing sanctions related to impaired driving offenses. Both license and vehicle-related penalties are included in the statute and apply to all drivers convicted of impaired driving. This administrative process runs independently of, but parallel to, the judicial process and associated penalties for impaired driving. Conducting mutually exclusive processes allows for uniform administrative consequences to be enacted separate from any court proceedings.

### ***5.6.1. Administrative License Revocation and Vehicle Sanctions***

At the point of arrest, the offender's driver license is confiscated, and a temporary permit for seven days is issued unless the offender is taken into police custody. The offender may install an IID at any point during the revocation period and obtain a restricted license. A restricted license is not permitted without an IID during the revocation period. In the case of a vehicular homicide or second or subsequent DUI violation within seven years, each motor vehicle registered to the offender will be suspended for five days. Convictions also require the offender to attend a victim impact panel. Completion of an alcohol education course may reduce the revocation period in some cases.

To determine the number of previous impaired driving convictions, driver history records are queried, including all administrative and judicial convictions, and efforts are made to receive out-of-state convictions. Any arrests made while awaiting an administrative review may be considered for the progressive sanctions for the original offense.

NRS include an implied consent statute and provisions for comprehensive administrative licensing sanctions related to impaired driving offenses. Both license and vehicle-related penalties are included in the statute and apply to all drivers convicted of impaired driving. This administrative process runs independently of, but parallel to, the judicial process and associated penalties for impaired driving. Conducting mutually exclusive processes allows for uniform administrative consequences to be enacted separate from any court proceedings.

In Nevada, impairment is defined as a BAC of 0.08 percent for adults age 21 and older, 0.02 percent for those under age 21, and 0.04 percent for commercial vehicle drivers. In the case of an alcohol test refusal or failure and administrative conviction, the following sanctions will be imposed:

OFFENSE	ALCOHOL CONCENTRATION	LICENSE REVOCATION
<b>Age less than 21</b>		
1 <sup>st</sup> conviction	0.02-0.07	90 days
2 <sup>nd</sup> or subsequent conviction	0.02-0.07	90 days
<b>Age 21 and over or BAC 0.08+ under age 21</b>		
1 <sup>st</sup> conviction	0.08+	185 days
1 <sup>st</sup> refusal		185 days
2 <sup>nd</sup> conviction within 7 years	0.08+	1 year
2 <sup>nd</sup> or subsequent refusal within 7 years		3 years
3 <sup>rd</sup> or successive conviction within 7 years		3 years
<b>Commercial Driver</b>		
1 <sup>st</sup> conviction	0.04+	1 year DCL
1 <sup>st</sup> conviction with hazmat	0.04+	185 days non-commercial
1 <sup>st</sup> refusal		3 years CDL
2 <sup>nd</sup> conviction within 7 years	0.04+	Permanent CDL 1 year non-commercial
3 <sup>rd</sup> conviction or subsequent refusal within 7 years		Permanent CDL 3 years non-commercial

At the point of arrest, the offender's driver license is confiscated, and a temporary permit for seven days is issued unless the offender is taken into police custody. The offender may install an IID at any point during the revocation period and obtain a restricted license. A restricted license is not permitted without an IID during the revocation period. In the case of a vehicular homicide or second or subsequent DUI violation within seven years, each motor vehicle registered to the offender will be suspended for five days. Convictions also require the offender to attend a victim impact panel. Completion of an alcohol education course may reduce the revocation period in some cases.

## **5.6.2. Programs**

### ***Ignition Interlock***

IID programs were approved by State law in 2017 and 11 providers are approved to operate in the State. For a first conviction with a BAC 0.08+ percent, the court may order IID for six months. Upon second conviction, IID may be ordered for one year, and upon third or other felony DUI convictions, it may be ordered for three years. The DMV will issue a 'Y' restriction on an existing license or a new license that clearly identifies the driver as being in the IID program. The time period for the IID will not begin until the device is installed and the license restriction is issued, which only occurs after installation.

### ***24/7 Sobriety and Drug Monitoring Program and DUI Courts***

NRS recently authorized a statewide 24/7 Sobriety and Drug Monitoring Program, a highly intensive monitoring program for repeat DUI offenders. Many jurisdictions around the State also offer their own DUI treatment courts, providing alternative sentencing programs in DUI cases. These courts generally have broad discretion in the alternative sanctions and treatment they impose. One such program is the Washoe County Sober 24 program. It operates under the Washoe County Department of Alternative Sentencing (DAS) as a pre-trial and/or post-conviction intensive treatment and monitoring program. Supervision and enforcement of program participants is handled by Washoe County DAS, a law enforcement agency created pursuant to NRS chapter 211A. In other courts, the local parole and probation department is an integral part of the treatment and monitoring team.

## 6. Communication Program

The Nevada OTS receives grant funding to execute multimedia public safety messaging. OTS media efforts consist of communications to educate and inform the public on driving safety and to deter dangerous driving behaviors such as impaired driving. OTS also conducts public relations campaigns related to areas of emphasis listed in the SHSP Action Plan. The messaging goals identified in the grant include:

- Produce and publish quality assets designed to educate the public about the SHSP Critical Emphasis Areas
- Produce and publish social media messages five times a week via Zero Fatalities' three social media accounts
- Develop and implement a public outreach plan that includes attending and staffing public events
- Present a new Zero Fatalities presentation designed to engage the public
- Develop statewide mass media Public Service Announcements to address unsafe driving behaviors
- Conduct a public awareness survey
- Develop and implement an outreach strategy to reach all Nevadans

OTS has a media contractor that handles paid media efforts. The contractor utilizes appropriate data to identify both the intended target audience that is over-represented in impaired driving crashes and to identify the most appropriate messaging to reach the intended target audience. The audience that has been identified for impaired driving messaging in Nevada is the 21- to 35-year-old male driver. The contractor uses focus groups to identify appropriate and effective messaging to reach the target audience, secures the best platforms and/or time slots for advertising, and provides feedback on the reach of the various media platforms utilized. This feedback includes the number of impressions through the placement of billboards, a wide variety of social media placements (TikTok, Facebook, YouTube, etc.), streaming and broadcast media, sponsorships, and public relations impressions.

Earned media is also used to share traffic safety messaging. The OTS impaired driving communication earned media strategy includes holding press events with speakers that draw media attention, utilizing "media hooks" that will maximize coverage, and participating at a variety of events. Press releases are also prepared and utilized by both OTS and traffic safety partners throughout the State to deliver impactful media placements providing maximum coverage at minimal costs.

Nevada has built a strong public-private partnership through its Zero Coalition with the goal to prevent Nevada road users from getting behind the wheel impaired. The coalition began as a partnership with Lyft ride services in 2018 and expanded statewide to partners in 2019 and subsequent years. Partners include businesses, health providers, distilleries, bars, restaurants, sport teams, and others. Partnerships also include law enforcement

and government affiliated entities to deliver the program. Efforts are focused on safe ride alternatives for drivers that have consumed impairing substances.

As part of the Zero Fatalities initiative, Nevada embarked on a widespread impaired driving campaign from May to September 2022 entitled Impaired Driving Not Yet. While reaching all ages and genders, this campaign targeted male drivers 21 to 35 years of age. The concept of something bad having not happened to a driver “yet” was incorporated into various messaging platforms and disseminated across television, streaming audio/video, billboards, social media, sporting event sponsorships, and more. The post-campaign summary literature published by DPS noted over 8.4 million impressions on various digital media platforms.

The Zero Teen Fatalities program targets young drivers and has a dedicated website within OTS, providing traffic safety information tailored to teen drivers and their parents. The website, [zeroteenfatalities.com](http://zeroteenfatalities.com), offers downloadable guides, teen traffic safety statistics, tips for parent driving instructors, available driving courses, live presentations, behavior identification quizzes, links to traffic safety partners, and more. This program was recently moved to a local school district police agency in Clark County. The officer assigned to the program serves in a full-time capacity on the Zero Teen Fatalities initiative, which is supported with funding from OTS.

An annual awareness survey is conducted to evaluate the impact of communication efforts. Latest survey results show a shrinking awareness of the Zero Fatalities campaign and overall traffic safety messaging. The survey revealed 42 percent of those surveyed had heard of the Zero Fatalities campaign in 2022 compared to highs in 2015 and 2017 of 65 percent. There was a reported increase in the percentage of those surveyed that were aware of the BAC limit of 0.08 percent for drivers at least age 21. Sixty-one percent of respondents were aware of this law in 2022, compared to 56 percent in 2021.

Nevada strives to complement and leverage national media buys that are done by the NHTSA within the State surrounding national HVE waves. These campaigns include the use of paid media delivered through television, radio, social media, and other internet-based messaging. Placement of paid media is secured by the media contractor. Media placement is at times and on platforms where the impaired driving message will reach the greatest number of individuals in the target demographic group. Impaired driving advertising focuses on four primary holiday periods: New Years, Memorial Day, Labor Day, and Halloween.

Pursuant to a law enforcement agency’s grant funding agreement with OTS, each agency is required to publicize HVE waves, typically consisting of DUI saturation patrols and sobriety checkpoints. OTS’s Joining Forces program partners with multiple law enforcement agencies in a coordinated statewide HVE effort that is spread across the year and combats a series of commonly known risky driving behaviors. These efforts are widely publicized before and after to inform the public of the upcoming event and share the ensuing results.

Sports marketing is a key component for reaching the target audience at the point of sale for alcohol consumption within sports venues. Sponsorships are in place for two minor league baseball clubs in Nevada, the Reno Aces and the Las Vegas Aviators. Impaired driving messaging is done in appropriate locations throughout the ballparks where messaging is most likely to reach the 21- to 35-year-old male target audience. Messaging is done on pre-game video boards, portable bar kiosks, and in men's bathrooms. Radio advertising is also conducted during all 127 games for the Las Vegas Aviators.

The Las Vegas Golden Knights ice hockey team is another professional sports partner. The need for this partnership came to light following a review of crash data which revealed that crashes spiked following the conclusion of Golden Knights home games. The predominant cause of these crashes was impairment. The team was receptive to partnering with OTS and agreed to a partnership at cost rather than the going rate for typical partners.

## **6.1. 2023 OTS Communication Plan**

Develop and implement a year-round communication plan that includes policy and program priorities; comprehensive research; behavioral and communications objectives; core message platforms; audience-relevant and linguistically appropriate campaigns; key alliances with private and public partners; Highway Safety Program Guideline No. 8 NHTSA seven specific activities for advertising, media relations, and public affairs; special emphasis periods during high-risk times; and evaluation and survey tools.

In order to raise the awareness of the dangers of impaired driving to reduce fatal crashes in Nevada, the impaired Not Yet campaign which is running for the second year in Nevada creates the conversation of the opportunity for tragedy when driving reckless. This campaign was created to also contribute to the goal of zero fatalities in 2050.

- This year's campaign flight begins May 26 and ends September 5. The campaign flight dates are purposeful as this is running during the known as the 100 Deadliest Days of summer in Nevada.
- The 100 Deadliest Days in Nevada is reported as being Memorial Day through Labor Day. This time period is when Nevada usually reports the highest fatalities on its roadways. In 2022, this campaign ran in the summer as well as a short flight during Halloween through NYE, which also reports high-risk times for fatalities on Nevada's roads.
- The specific campaign objectives are to (1) raise awareness of the dangers of impaired driving to reduce fatal crashes in Nevada and (2) create conversation and get people to care to contribute towards the goal of zero fatalities by 2050.
- The main core message platform is that impaired driving is not just alcohol but also cannabis impairment and the misuse of polysubstance. This is expressed in the campaign by developing three separate video spots that each focus on a different impairment.



- The second core message platform is that although someone has not been in a crash or went to jail yet for driving impaired, it can still happen if the behavior does not change.

Specific activities for impaired messaging are via Zero Fatalities social media channels, a statewide pledge that will be launched in May of this year, Paid Media, and press releases.

A statewide social norming survey will be administered later this year online. This survey will be conducted to the below and will touch on the communities take on impaired driving:

- Understand Nevadans' opinions and values across a number of dimensions, some related specifically to traffic as well as other issues
- Uncover perceptions of traffic issues in order to ground the difference between perceptions and reality for the campaign
- Identify commonalities and differences among population groups in order to determine the best way to form the campaign per population

The key alliances are with UNLV Transportation Research Center and NDOT and Nevada State Police.

***Employ a communications strategy principally focused on increasing knowledge and awareness, changing attitudes, and influencing and sustaining appropriate behavior***

- Utilizing the summer flight of the Impaired Not Yet Campaign
- Monthly impaired focused social media posts on Zero Fatalities' social channels
- Obtaining data from the upcoming social norming survey.
  - Creating an impaired focused social norming campaign based on the finding of the social norming survey

***Use traffic-related data and market research to identify specific audience segments to maximize resources and effectiveness***

- The social norming survey which will be administered in 2023 allows for a deeper dive into values/beliefs and key drivers of why drivers drive the way they do in Nevada. Knowing what is perceived as the biggest issues and identifying common values will guide the campaign with specific messaging that leverages common threads
  - An approximate total of n=1,000 participants will be recruited for this research study.
  - Nevada residents, 18+ years old
  - Statewide, census representation falling naturally; this should allow for analysis among specific subgroups (e.g., gender, ethnicity, age, rural/urban, etc.)

- The survey will be offered in English, but a Spanish version of the survey is being considered.
- The targeted Not Yet campaign audience target is males 21-35 who reside in Clark and Washoe counties

***Adopt a comprehensive marketing approach that coordinates elements like media relations, advertising, and public affairs/advocacy***

- The Not Yet campaign won the state's American Advertising Federation (AAF) District Gold American Advertising Award and Gold award at the American Advertising Awards (ADDYs)
- This summer's Not Yet impaired campaign will be flighted in Streaming TV and Audio, Display, Video, Paid Social, via the Nevada Broadcasters Association TV and Radio PSA program.
- Zero Fatalities will partner with the UNLV Transportation Research center during their annual 100 Deadliest Days press event and provide a discounted Lyft rideshare promo to Las Vegas and Reno/Sparks residents
- Zero Fatalities partnership with Lyft will provide discounted rideshare codes during high-drinking holidays and alcohol-focused festivals.
- Discounts will be created for St. Patrick's Day, Memorial Day, Labor Day, Halloween, Thanksgiving, Christmas, New Year's Eve, and the annual Great Vegas Festival of Beer
- Zero Fatalities also partners with the Reno Crawl events to remind eventgoers to drink responsibly while at these events and encourages a set a plan to get home safe.
- The Zero Coalition comprised of statewide businesses help promote the discounted Lyft ride share promocode on their social media channels
- Coalition partner Terrible's gas stations have impaired signage at their gas pumps (started in May 2023) and via door clings at their convenience doors
- Coalition partner PT's Taverns has six-foot-tall pop-up banners in 63 bars with impaired messages (see **Figure 5**)
- Running May to June 2023 is a crashed car/motorcycle activation in the parking lot of the Meadowood Mall shopping center parking lot. There is signage that details that the car/bike belonged to an impaired driver. This is to draw attention to the consequences of what could happen if driving impaired (see **Figure 6**)



Figure 5: Pop-up Banners at PT's Taverns



Figure 6: Impaired Driving Crash Vehicle Activation

## 7. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation

### 7.1. Screening and Assessment

All DUI offenders may apply to complete a substance abuse treatment program if a screening and evaluation indicate the need. If the offender enters and complies with the treatment plan, the court may suspend the sentence for up to three years, at which point, based on successful completion, the original sentence is reduced significantly.

#### 7.1.1. Criminal Justice System

Screening, evaluation, and treatment are required for DUI offenders with a recorded blood alcohol concentration of 0.18 percent or greater, for multiple offenders, and for offenders found to be in possession of one ounce or less of marijuana. These offenders may also apply for a treatment program and, if completed, may receive a reduced sentence. Some offenders are sentenced to probation to monitor compliance with treatment. In jurisdictions that operates a DUI Court, the offender can complete treatment and be monitored by the court. Screening is not required for drivers who have their license suspended as a result of a refusal to take a breath test and who are not subsequently convicted of DUI.

In Nevada, screening and evaluation are conducted at an evaluation center certified by the State Board of Health and/or are conducted by a credentialed substance abuse or mental health professional; however, there is no standardized protocol or instrument. Revisions to the language in the Nevada Administrative Codes related to screening and evaluation have been proposed. There is no mandated screening protocol and there are no approved standardized screening instruments. Within the treatment settings, screening and evaluations that are completed utilize current clinical protocols and are used to develop specific treatment recommendations appropriate to the assessed level of alcohol or other drug dependence.

A priority recommendation from the Nevada Impaired Driving Program Assessment 2023 is to screen and evaluate all driving under the influence offenders for alcohol and other substance abuse and dependency and need for treatment. This is the goal of the Impaired Driving Program as well. The Office of Traffic Safety promotes the use of assessments in DUI courts and will support efforts to implement assessment tools. OTS has hosted a webinar presented by the APPA Fellow on three screening tools: DUI RANT, IDA and CARS. The webinar was aimed at Nevada DUI Courts but the audience also contained prosecutors, defenders and counselors. The purpose of the webinar was to provide information on the difference between the three assessment tools, and how best to implement them. OTS also procured a grant from GHSA and Responsibility.org to provide training on the CARS screening tool.

A priority recommendation from the Nevada Impaired Driving Program Assessment 2023 is to develop a DUI tracking system that connects data from the point of offense through completion of treatment programs. This is a goal of the Office of Traffic Safety, but it may



take years to complete due to the gaps where no tracking exists as well as the places where tracking exists only with local jurisdictions.

### **7.1.2. Medical and Health Care Settings**

Level I and II trauma centers in Nevada utilize Screening, Brief Intervention, and Referral to Treatment (SBIRT) with patients in their facilities. In most cases, nurses are the point of first contact and initiate the SBIRT process. As needed, referrals are made to social work services in the hospital. The extent to which patients are referred to community-based substance abuse treatment or intervention services is unknown as data systems do not record the status of these referrals.

The Las Vegas Metro Police Department has implemented the *DUI Intervention Program* which pairs social workers or other mental health professionals with law enforcement officers to contact and interview DUI offenders to determine their level of substance abuse or mental health needs. Offenders can be referred to services and the program reports that nearly eight out of 10 offenders voluntarily comply with clinical evaluation and intervention recommendations.

## **7.2. Treatment and Rehabilitation**

In Nevada, screening and evaluation are conducted by credentialed substance abuse or mental health professionals. Although there is no standardized protocol, DUI offender screening and evaluation, when completed, include information and recommendations adequate for referral to intervention and treatment appropriate for the level of problems. Based on evaluation results, offenders can be sentenced to levels of intervention ranging from an education program to residential treatment.

Offenders whose evaluation determines minimal need for treatment may be referred to an education program. There are no required or approved evidence-based education programs for DUI offenders. There are numerous programs, including online, virtual, and hybrid programs, available from private vendors. There is no requirement that the education program utilize an evidence-based curriculum. Content and operation of education programs vary widely. Education programs have not been evaluated for effectiveness. A pilot curriculum project is planned for the coming year.

Treatment recommendations are based on the screening and clinical evaluation. In large population centers, i.e., population of 100,000 or greater, the provider agency conducting the assessment of an offender cannot also provide treatment to that offender. Treatment services are available in much of the State. In the more rural areas, not all levels of treatment are available, and some have utilized tele-medicine to provide some services.

Nevada statutes provide for the court to place the offender under the clinical supervision of a treatment provider for treatment in accordance with the report submitted to the court. NRS 484C.360 also states:

1. *The court shall:*
  - (a) *Order the offender to be placed under the supervision of a treatment provider, then release the offender for supervised aftercare in the community; or*
  - (b) *Release the offender for treatment in the community, for the period of supervision ordered by the court.*
2. *The court shall:*
  - (a) *Require the treatment provider to submit monthly progress reports on the treatment of an offender pursuant to this section; and*
  - (b) *Order the offender, to the extent of his or her financial resources, to pay any charges for treatment pursuant to this section. If the offender does not have the financial resources to pay all those charges, the court shall, to the extent possible, arrange for the offender to obtain the treatment from a treatment provider that receives a sufficient amount of federal or state money to offset the remainder of the charges.*

Misdemeanor DUI Court allows eligible first- and second-time DUI defendants the opportunity to submit to intense alcohol counseling instead of incarceration. Upon successful completion of this program, the DUI charge may be reduced to a lesser offense.

The Felony DUI Court is a court-supervised treatment program for individuals with three or more charged DUIs and no prior felony DUI convictions to participate in a three- to five-year substance abuse program in lieu of a one- to six-year prison sentence. The program offers substance abuse counseling, random drug/alcohol testing, and court supervision of program compliance. Successful completion of the program will result in the felony DUI charge being reduced to a 2nd offense misdemeanor DUI conviction. There are nine DUI Courts in Nevada.

Nevada statutes established the *24/7 Sobriety and Drug Monitoring Program*. This program is a seven day per week, year-round monitoring program for offenders who have driven under the influence of alcohol and/or drugs. Participants submit to scheduled and/or random testing in order to determine the presence of alcohol, marijuana, or other controlled substance in their bodies. If a participant does not appear for testing or tests positive, the participant is subject to swift, certain, and proportional sanctions consistent with Nevada law and the Court's discretion. The goal of a 24/7 program is to improve public safety, while providing DUI offenders with resources that help them maintain their driver license and valuable services including drug and alcohol counseling, employment services, education services, and legal services. Nevada currently has one *24/7 Sobriety and Drug Monitoring Program*, branded as Sober 24, located in Washoe County.

Positive treatment outcomes are greatly enhanced by early identification and intervention. Nevada's current system of screening, evaluation, and treatment for DUI offenders places an emphasis on offenders who have demonstrated indicators of significant substance abuse problems, e.g., 0.18 percent blood alcohol concentration, multiple DUI convictions. The system relies heavily on DUI Treatment Courts, which, while demonstrating high levels of efficacy, are generally limited to the most problematic DUI offenders. The alternative education program is intended to provide first offenders with skills to avoid future impaired driving. It is not a treatment intervention. The vagaries of the DUI system

predict that few DUI offenders are truly first offenders. Enhanced access to early intervention programs that are more intense than the education program has become a vital component of the DUI countermeasures program.

In addition, though the current screening and evaluation activities can detect offenders' substance abuse problems, participants in education sessions often reveal behaviors or give other cues that add insight into a substance abuse problem. Protocols for identifying these cues and a method of making a subsequent referral to treatment can enhance the effectiveness of the program. This process is hindered by online or virtual education program implementation.

## 8. Program Evaluation and Data

### 8.1. Evaluation

The Nevada OTS is responsible for administering federal traffic safety funds and has developed problem identification and program evaluation processes. These processes inform the State's SHSP, HSP, and other guiding documents for traffic safety. Each year, OTS works with a research partner and consultant to analyze crash data to drive the problem identification process, and crash data are also used in goal-setting, tracking, and location-based analyses. Other data sources are also incorporated, such as citation information.

NVACTS provides guidance, approval, and consensus on State safety plans and includes representatives from approximately 18 agencies representing state, regional, and tribal interests.

OTS staff members coordinate the Traffic Records Coordinating Committee and SHSP Key Area Task Forces, including the Nevada Impaired Driving Task Force. Additionally, all OTS sub-recipients are required to participate on at least one SHSP Key Area Task Force.

OTS evaluates, or requires an evaluation of, programs funded through that office using process or outcome methods. Process evaluations include documentation and tracking of milestones and deliverables for each project. Grant-funded impaired driving-related law enforcement sub-recipients are required to report the number of contacts, warnings, and citations issued during funded hours, in addition to other metrics. Outcome evaluations often rely on data gathered within the conduct of the program and others rely on statewide traffic records datasets. Behavioral outreach programs may conduct outcome evaluations in the form of media impressions, pre- and post-surveys, or other methods for collecting feedback, e.g., anecdotal observations. Sub-recipient projects must include such metrics in OTS progress reports. Performance measures are identified in each grant against which the agency and its efforts may be evaluated.

Broader outcome measures rely on crash data to track crash incidence, severity, and other patterns. The Nevada Department of Transportation has management responsibilities for the police crash reporting system and shares the data with OTS. Crash data also drive performance measures and target-setting in the SHSP.

Many law enforcement agencies conduct rolling problem identification and program evaluation efforts. Through ongoing review of crashes and fatalities in conjunction with enforcement plans and activities, problem areas and progress are identified to potentially redirect efforts for maximum impact.



## 8.2. Data and Records

NVACTS makes available monthly fatality reports, Traffic Safety Crash Facts documents, and a fatal crash data dashboard utilizing data from the FARS. The Nevada Department of Transportation also maintains an online crash data dashboard with all State crash data including injury and non-injury incidents.

The Nevada Traffic Records Coordinating Committee (TRCC) is a comprehensive, functional body of data system managers and stakeholders. The TRCC includes representation from all six core systems (crash, citation/adjudication, driver, vehicle, roadway, injury surveillance system) which allows for access to and analysis of a range of data. The Nevada DPS OTS relies primarily on crash, fatality, and arrest data for problem identification and program evaluation.

All law enforcement agencies in the State utilize the Enforcement Mobile software technology to collect data on crashes and citations/warnings and submit reports to the DPS. The uniformity of that system increases the quality of those data and allows the State to confidently draw conclusions from analyses. The State also utilizes a standard crash report form.

There are advances in data collection and quality planned in other systems that affect the impaired driving analyses in the State. Nevada does not have a unified court system, but data are largely transmitted electronically between law enforcement, the Administrative Office of the Courts, and the Nevada DMV for processing. With larger court systems, typically law enforcement submits citations to the courts using the JLink system upon completion, and adjudication information is transmitted to the DMV through JLink.

The DMV data system is on a mainframe structure and driver records are updated with administrative findings from JLink daily. At the point of adjudication, judges may access driver information through the Nevada Criminal Justice Information System (NCJIS). Information on all citations written and submitted to the courts, regardless of final adjudication, is not available but is critical for evaluating which charges are most likely disposed as guilty, not guilty, reduced, or dismissed, or identifying trends in adjudication by location (geographical, court type, etc.).

Impaired driving violations may be reduced to reckless driving or other charges, so maintaining only the adjudicated charge prevents analysts from accurately accounting for all DUI stops.

The DMV maintains the driver history file, which includes impaired driving convictions and associated sanctions. The DMV has established real-time interfaces with law enforcement agencies and the NCJIS system. These connections allow officers to access up-to-date driver histories at the roadside and facilitates the posting of sanctions to the driver and vehicle files electronically.

There is currently no law in Nevada requiring hospitals to report positive BAC and drug toxicology screening results to law enforcement in cases of crash-involved drivers who are being treated after a crash. In cases where police were never notified of the crash, or in cases where the driver was transported before officers were able to interview them or

make any observations about them, this can prevent law enforcement from effecting an impaired driving arrest.

The State uses three laboratories responsible for the majority of toxicology testing for law enforcement purposes: Henderson Police Department, Las Vegas Metropolitan Police Department, and Washoe County Sheriff's Office. DUI drug toxicology is regularly performed, especially on blood samples with blood alcohol concentrations under 0.08 percent, but data on these blood results are not communicated to the DRE Program. Turnaround time at these laboratories currently ranges from four to 18 weeks. Time needed to process samples and produce results is not considered to be a hindrance to processing impaired driving offenses but could be improved. It was estimated that, across the three laboratories, alcohol test results average 24-126 days, while drug test results may take 75-110 days. Officers submit samples to the closest laboratory geographically for alcohol and/or drug testing. Each laboratory tests for the substances requested. If alcohol is detected at a BAC below 0.08 percent then drug tests are conducted; if drug test results are negative then alcohol testing is conducted; in some cases where a BAC of 0.08 percent is detected no drug testing is conducted. The variability in testing protocols is related to the availability of staff resources. Utilizing the same processes would increase the uniformity of results.

The State is considering a statewide laboratory model for toxicology testing that would be built upon the three current agencies and expanded to provide support in distant areas of the State. The development of this statewide laboratory would allow for an assessment of current resources and policies and the implementation of a shared data model to promote analytical collaboration and research.

Toxicology results from fatally injured drivers are shared with the State's FARS analyst. All fatally injured drivers will have BAC results available to FARS; however, that level of completeness is lower among surviving drivers as it is upon request or as officers are able to collect a sample at the hospital. In addition to the law enforcement data, Nevada is working within the TRCC to support an analysis project at UNLV to integrate emergency medical services, trauma registry, toxicology, and citation data. Incorporating health data systems and partners enhances analytical efforts and broadens outreach efforts. There are plans to expand this model to include driver and vehicle data. UNLV researchers produce a quarterly trend newsletter that helps provide research outcomes to partners and the public.

With regards to treatment outcomes, data are not regularly transmitted from programs to OTS for incorporation into analyses. The IID Program is managed by the Nevada Highway Patrol, but the in-system violations gathered during offender compliance checks are not consistently shared from providers. Violations of the IID rarely result in an extension of the program, so offenders will only serve what was initially ordered for the IID regardless of compliance.

A strong outreach partner is the Nevada MADD organization. This agency is expanding its efforts in conjunction with OTS to conduct outreach events. MADD utilizes pre- and post-surveys and other behavioral measurement tools and the collected data are shared

with OTS. This information is critical to monitoring and identifying areas for improvement in the program.

Though not sub-recipients of OTS, impaired driving treatment programs collect data critical to understanding recidivism and successful approaches to preventing impairment. Incorporating such data would significantly enhance the breadth and depth of linkage projects and evaluation efforts. The Washoe County Department of Alternative Sentencing collects long-term outcome data from offender interviews with social workers, which is a major missing piece to the impaired driving puzzle.

The various diversion programs used throughout the State do not share information with traffic safety partners, which could create a robust treatment data warehouse with the IID and judicial outcomes. Coordinating violation issuance/arrest, administrative law and judicial review processes, and treatment data would constitute a DUI tracking system beginning at the point of offense and moving through to treatment completion and subsequent violations. Such a tracking system would significantly empower traffic safety partners in prevention efforts.

A priority recommendation from the Nevada Impaired Driving Assessment 2023 was to require e ignition interlock device providers to submit violation reports to the Nevada Highway Patrol and appropriate members of the judiciary and impose consequences for offender failures. Beginning in 2024, the Office of Traffic Safety will fund the NHP, IID Program to develop a database created for the Ignition Interlock Program. The database will support automated, streamlined, and accurate tracking and storage of manufacturer/vendor information, installation center addresses and contact information, customer information, installation dates, removal dates, and violation information. This database would allow for a tracking system for repeat Ignition Interlock offenders and would provide documentation for ongoing audits of the program to include a centralized repository for customer compliance logs and installation center information. The information will be shared with DUI courts to assist them in monitoring their participants.

### **8.3. Driver Records Systems**

The Nevada DMV is responsible for maintaining all driver license and history information for State residents. Most traffic violation convictions are transmitted electronically through the Justice Link system to the DMV and applicable convictions are posted on the driver record daily. The DMV is also responsible for enforcing driver license revocation orders.

The DMV has developed interfaces with law enforcement agencies for the exchange of information in near real-time, which allows for accurate evaluation of drivers at the roadside. The driver data system complies with national standards and processes are in place to reduce identity fraud and track commercial drivers.

Driver license and history data are maintained on a mainframe system, which may create challenges to abstracting data for sharing or analysis.

## Appendix A

### Nevada Advisory Committee on Traffic Safety Roster and By-laws

First Name	Last Name	Title	Appointee Agency/Organization
Jenica	Keller	Assistant Director of Operations	NDOT
Sondra	Rosenberg	Assistant Director, Planning	NDOT
Julia	Peek	Deputy Administrator	Dept of Health and Human Services
Sean	Sever	Deputy Administrator, Research and Project Mgmt Division	DMV
Amy	Davey	Administrator	Dept of Public Safety-OTS
Lt. Col. Martin	Mleczo	Lt. Colonel	Dept of Public Safety-Nevada State Police
Christy	McGill	Director of the Office for a Safe and Respectful Learning Environment	Superintendent of Public Instruction/Nevada Department of Education
Cameron (C.H.)	Miller	Assemblyman	Assembly Standing Committee on Growth & Infrastructure
Scott	Hammond	Senator	Senate Standing Committee on Growth & Infrastructure
David	Gordon	Manager of Judicial Education	Administrative Office of the Courts
Cliff	Banuelos	Tribal-State Environmental Liaison	Inter-Tribal Council of Nevada
Shashi	Nambisan	Director, Transportation Research Center	Nevada System of Higher Education/UNLV TRC
Deborah	Kuhls	Interim Assistant Dean for Research, Professor of Surgery, Chief, Section of Critical Care	Nevada System of Higher Education/UNLV SOM
Dan	Doenges	Director of Planning	MPO/RTC Washoe
John	Penuelas	Senior Director of Engineering	MPO/RTC Southern Nevada
Nick	Haven	Long Range Planning and Transportation Division Manager	MPO/Tahoe Regional Planning Agency
Kelly	Norman	Transportation Manager	MPO/Carson Area MPO
Andrew	Bennett	Director, Clark County OTS	Nevada Association of Counties
Joey	Paskey	Deputy Director/City Traffic Engineer	Nevada League of Cities/City of Las Vegas
Jason	Walker	Sergeant	Nevada Sheriffs and Chiefs Association/Washoe County Sheriff's Office
<b>Non-Voting Members</b>			
Shannon	Bryant	Nevada TSRP	Nevada TSRP
Lacey	Tisler	Chief Traffic Safety Engineer	NDOT
Kevin	Tice	Traffic Records Program Manager/TRCC Chair	Dept of Public Safety-OTS/Traffic Records Coordinating Committee

## **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 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), NDOT
  - Representative (appointed by NDOT Director) of NDOT
  - Director (or designee), Department of Health and Human Services (DHHS)
  - Director (or designee), DMV
  - Director (or designee), 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 two 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

**Appendix B**  
**Impaired Driving Task Force Roster**

FirstName	LastName	Title/Position	Company
Nicole	Alberti	Health Educator	Washoe County Health District
Adam	Anderson	FARS Analyst	Nevada Department of Public Safety Office of Traffic Safety
David	Astles	Criminalist	Washoe County Sheriffs Office-Forensic Science Division
Sergio	Avila	Public Relations Specialist	AAA Nevada
Solome	Barton	Emergency Management	City of North Las Vegas - Office of Emergency Management
Andrew	Bennett	Director	Clark County Office of Traffic Safety
Bill	Bensmiller	Program Manager	Federal Motor Carrier Safety Administration
Daniela	Botal		Coark County 8th District DFUI Court
Eddie	Bowers	Lieutenant	Nevada Department of Public Safety Highway Patrol
Amanda	Brandenburg	Grants and Projects Analyst	Nevada Department of Public Safety Office of Traffic Safety
Mike	Browett	Lieutenant	Reno Police Department
Shannon	Bryant	Deputy D.A. 4 and Nevada Traffic Safety Resource Prosecutor	Washoe County District Attorney
Tim	Burrows		Kimley-Horn
Matt	Cambron	Motorcycle Safety (Las Vegas)	Nevada Department of Public Safety Office of Traffic Safety
Mike	Campbell	Sergeant	Clark County School District Police Department
Chris	Cannon	Lieutenant	City of North Las Vegas Police Department
Bryant	Carpenter	Lieutenant	University Police Services, Southern Command
Shelley	Carrao	Captain	Nevada Department of Public Safety Highway Patrol
Ruthi	Cass	Public Information Officer	Nevada Department of Transportation
Daysha	Catchings	Brand Supervisor	R&R Partners
Mike	Colety	Project Manager	Kimley-Horn
Charlie	Colleton		Nevada Restaurant Association
Eden	Collings	Public Information Officer I	Nevada Department of Public Safety Office of Traffic Safety
Zachary	Cord	Management Analyst	Nevada Department of Motor Vehicles
Dave	Cox	Sergeant	Nevada Department of Public Safety Highway Patrol
Amy	Davey	Division Administrator/Highway Safety Coordinator	Nevada Department of Public Safety Office of Traffic Safety
Dominic	Dickey	Administrative Assistant IV	Nevada Department of Public Safety Office of Traffic Safety
Kurt	Dietrich	Traffic Engineer	City of Reno
Dianne	Draper	Program Officer 3	Nevada Department of Motor Vehicles
Heith	Draper	Hooker/Snatch Block	Carson City Towing
Mike	Edgell	Lieutenant	Nevada Department of Public Safety Highway Patrol
Gina	Espinosa-Salcedo	Regional Administrator	National Highway Traffic Safety Administration
Michelle	Farmer	Fiscal Officer	Nevada Department of Public Safety Office of Traffic Safety
Timothy	Fassette	Senior Forensic Toxicologist	City of Henderson Police Department Crime Lab
Zero	Fatalities NV		Kimley-Horn
Richard "Buck"	Fenlason	Emergency Medical SVCS Rep 2	Nevada Department of Health and Human Services
Darin	Franklin		University Police Services - Southern Command
Cody	Fulwiler	Sergeant	Las Vegas Metropolitan Police Department
John	Galicia	Segeant	University of Nevada Reno Police
Adam	Garcia		University of Nevada Las Vegas
Sabas	Garcia	Federal Program Specialist	Federal Motor Carrier Safety Administration
David	Giacomin	Civil Engineer	Kimley-Horn
Patrick	Grimes	CFO & COO	The National Judicial College
Laura	Gryder-Culver	Project Director	Kirk Kerkorian School of Medicine at UNLV
Danielle	Hafeman	Ignition Interlock Program Coordinator	Nevada Department of Public Safety Office of Traffic Safety
Brenda	Hahn	Regional Program Manager	National Highway Traffic Safety Administration
Todd	Hartline	Law Enforcement Liasion	Nevada Department of Public Safety Office of Traffic Safety
Victoria	Hauan	Administrator	Nevada Department of Public Safety Office of Criminal Justice
Brandon	Henning	Principal Structures Engineer	Nevada Department of Transportation - Safety
Juan	Hernandez	Principal ITS Programs & Operations Engineer	Nevada Department of Transportation
Anabel	Hernandez	Project Engineer	Kimley-Horn
Sandy	Heverly	Co-Founder	STOP DUI
Kerri T.	Heward	Director	Washoe County Sheriffs Office-Forensic Science Division
Tanya	Hiner	Criminalistics Administrator	Henderson Forensic Laboratory
Loy	Hixson	Officer 2	Nevada Department of Public Safety Highway Patrol
Alan	Hollingsworth		Reno Police Department
Kevin	Honea	Captain	Nevada Department of Public Safety Highway Patrol
Rob	Honea	Law Enforcement Liaison	Nevada Department of Public Safety Office of Traffic Safety
Jeffrey	Howell	Lieutenant	Nevada Department of Public Safety Highway Patrol
Carmen	Hua	Health Educator I	Southern Nevada Health District, Office of Disease Surveillance
Deborah	Huff	Trooper	Nevada Department of Public Safety Highway Patrol
Tamrah	Jackson	Lieutenant	Nevada Department of Public Safety Highway Patrol
Katherine	Jacobi	President & CEO	Nevada Restaurant Association
Cecilia	Javier		
Jessica	Johnson	Senior Health Educator	Southern Nevada Health District
Elliott	Johnson		Washoe County Court
Danny	Jones	Branch Manager	Statewide Traffic Safety & Signs
Jorden	Kaczmarek	Staff Engineer	Nevada Department of Transportation

Natasha	Koch	Captain	Nevada Department of Public Safety Highway Patrol
Douglas	Konersman	Interlock Provider	Nevada Safety & Diagnostics LLC
Carrie	Krupp	Grants and Projects Analyst - Joining Forces	Nevada Department of Public Safety Office of Traffic Safety
Adrea	Kurthar		Tribal Project
Irene	Lam	Project Engineer 2	City of Henderson
Tonya	Laney	Field Services Administrator	Nevada Department of Motor Vehicles
Rebecca	Lara		Mothers Against Drunk Driving (MADD)
Elizabeth	Lawrence		Carson City 1st DC - Dept Alternative Sentencing
Tia	Linzsey	Program Officer	Nevada Department of Motor Vehicles
James	Lovett		Kirk Kerkorian School of Medicine at UNLV
Steve	Maczka	Sergeant	Nevada Department of Public Safety Division of Parole & Probation
Stephie	Mager		Victim Advocate
Jerry	Mager		Victim Advocate
Sarah Lee	Marks	President	SMARTeen DRIVER/My Car Lady & ABS Inc.
Susan	Martinovich		HNTB
Judith	Mata	Child Passenger Safety/Outreach Coordinator	Nevada Department of Public Safety Office of Traffic Safety
Meg	Matta	Program Manager/Impaired Driving	Nevada Department of Public Safety Office of Traffic Safety
Tiffani	May Noel	Community Engagement and Diversity Outreach Coordinator	Nevada Department of Public Safety Office of Traffic Safety
Paul	McCullough	Sergeant	Las Vegas Metropolitan Police Department
Justin	McDonald	Motorcycle Program Administrator	Nevada Department of Public Safety Office of Traffic Safety
Eric	McJoy	Owner	One Stop Breathalyzer, LLC
Anastacia	Melendy		Washoe County Sheriffs Office Forensic Science Division
Debbie	Miller		Nevada Department of Public Safety - Office of Traffic Safety
Barbara	Mirman		Not Associated with a Business
Kaela	Moldowan		Not Associated with a Business
Michael	Montero	Nevada Judicial Outreach Liaison	Sixth Judicial District Court
Jan	Morris	Judicial Outreach Director	Tribal Court
Johnean	Morrison	Program Manager/Occupant Protection	Nevada Department of Public Safety Office of Traffic Safety
Tim	Moulson		Not Associated with a Business
Kara	Mueller	Regional Program Manager Region 8	National Highway Traffic Safety Administration
Anthony	Munoz	Lieutenant	Nevada Department of Public Safety Highway Patrol
Kim	Murga		Las Vegas Metropolitan Police Department
William	Murwin	Lieutenant	Nevada Department of Public Safety Highway Patrol
Nick	Nordyke	Zero Teen Fatalities - Northern Nevada Program Coordinator	Nevada Department of Public Safety Office of Traffic Safety
Laura	Oslund	Director	PACE Coalition
Seri	Park	Associate Professor	University of Nevada Reno
Jonathan	Pasternack	Intern	Kimley-Horn
Jeff	Payne	Founder & CEO	Driver's Edge
Amanda	Pearson		Las Vegas Justice Treatment Court
Scott	Pearson	Judicial Outreach Liaison	National Highway Traffic Safety Administration Region 8
Chelsea	Price	Licensing Coordinator	Medmen
Meg	Ragonese	Public Information Officer	Nevada Department of Transportation
Mario	Ramos	Regional Program Manager	National Highway Traffic Safety Administration
Jennifer	Rangel		SCRAM
David	Ranson	Deputy	Storey County Sheriff's Office
Daryl	Rhoads	Lieutenant	Las Vegas Metropolitan Police Department
Bernie	Rivers	Regional Environmental, Health and Safety Manager	Nevada Barricade & Sign Co., Inc.
Susan	Robinson	Director of Advancement	The National Judicial College
Chris	Rodriguez	Vice President Global Security Operations	Medmen
Dasha	Rotar	Administrative Assistant	Kimley-Horn
Lindsay	Saner	Project Engineer	Kimley-Horn
Kenneth	Satowski		RTC of Southern Nevada
Chris	Schwarz		RTC of Southern Nevada
Fred	Shakal	Chief Traffic Safety Engineer	Nevada Department of Transportation
Andrew	Sherbondy		Wahoe County Sheriffs Office
Matt	Smith		Carson City Sheriffs Office
Kim	Smith	Public Information Officer	Nevada Department of Public Safety
Gary	Smith	Lieutenant	Nevada Department of Public Safety Highway Patrol
Casey	Smith	Transportation Analyst/Planner III	Nevada Department of Transportation
Kailie	Sonneville		Nevada Department of Public Safety - Office of Traffic Safety
Elizabeth	Stacy	Specialty Court Case Manager	Carson City District Courts
Jason	Stallcop	Lieutenant	Reno Police Department
David	Stoddard	Sergeant	Las Vegas Metropolitan Police Department
Chelsea	Stuenkel	Sergeant	Nevada Department of Public Safety Highway Patrol
Michael	Stypa		Las Vegas Metropolitan Police Department
Theresa	Suffecool	Forensic Lab Manager	Las Vegas Metropolitan Police Department
Scott	Swain	Law Enforcement Liaison	Nevada Department of Public Safety Office of Traffic Safety
Genevieve	Swain	Traffic Records Program Manager	Nevada Department of Public Safety Office of Traffic Safety
Casey	Sylvester	Principle Signs, Striping and Traffic Control Engineer	Nevada Department of Transportation

Glen	Taylor	Zero Teen Fatalities - Southern Nevada Program Coordinator	Nevada Department of Public Safety Office of Traffic Safety
Brad	Taylor		Washoe County Crime Lab
Mike	Thiele	Officer	Las Vegas Metropolitan Police Department
Sarah	Thompson		2nd Judicial District Court
July	Thompson	Injury Prevention Specialist	Duckwater Shoshone Tribe
Kevin	Tice	Traffic Records Program Manager	Nevada Department of Public Safety Office of Traffic Safety
Lacey	Tisler	Project Manager	Nevada Department of Transportation
Donna	Trauger		Concerned Citizen
Shannon	Trice	Region 2 Program Manager	National Highway Traffic Safety Administration
Matthew	Triplett	Department of Public Safety Lieutenant	City of Las Vegas
Jaime	Tuddao	Senior Road Safety Engineer	Nevada Department of Transportation - Safety
Colleen	Unterbrink		Nevada Department of Transportation
Lindsey	Valdez	Regional Executive Director	Mothers Against Drunk Driving (MADD)
Peter	Vander Aa	Deputy Division Administrator	Nevada Department of Public Safety Office of Traffic Safety
Paul	Villaluz	Senior Project Manager	Westwood
David	Wade		Not Associated with a Business
Sandy	Watkins		Community Against Reckless Driving
Shawn	White		Nevada Highway Patrol - Southern Command
Brennan	White	Victim Services Specialist	Mothers Against Drunk Driving
William	White	Lieutenant	Nevada Department of Public Safety Highway Patrol
Niguel	Williams	Rider Coach	Nevada Rider Motorcycle Safety
Timber	Wood		Nevada Department of Transportation

**Appendix C**  
**Nevada Transportation Board of Directors**

Joe Lombardo, Governor

Stavros Anthony, Lt. Governor

Andy Matthews, Controller

Virginia Valentine, Nevada District 1 Representative

Justin Kalb, Nevada District 1 Representative

Stephen Ascuaga, Nevada District 2 Representative

Gary Perea, Nevada District 3 Representative

# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 7: Presentation on Rex's Law

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### 1. SUMMARY OF AGENDA ITEM

Mr. Jason Patchett will present on his experience during the 2023 Nevada Legislative Session and the passing of Rex's Law (SB 322).

### 2. BACKGROUND

SB 322, which increases the penalties for reckless driving, was passed by the Assembly on May 26. SB 322 is better known as "Rex's Law," for 13-year old Rex Patchett who was killed by a reckless driver going over 90 mph outside Mannion Middle School in 2022. Rex's father, Jason, will present on the experience getting the bill passed during the 2023 Session.

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

N/A

### 5. LIST OF ATTACHMENTS

N/A

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)

# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 8: Traffic Safety Legislative Overview

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### 1. SUMMARY OF AGENDA ITEM

Provide an overview of the traffic safety-related legislative items that were proposed during the 2023 Nevada Legislative Session, and discuss how member agencies will be impacted by new legislation.

### 2. BACKGROUND

N/A

### 7. ANALYSIS

N/A

### 8. RECOMMENDATIONS FOR NVACTS ACTION

N/A

### 9. LIST OF ATTACHMENTS

N/A

### 10. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)



# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 9: Citation Process Working Group Update

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### 1. SUMMARY OF AGENDA ITEM

Receive an update from the Nevada Citation Process Working Group chair, David Gordon.

### 2. BACKGROUND

NVACTS approved the Nevada Citation Process Working Group at the September 8, 2022 meeting. The most recent meeting summary is attached. Chair Gordon will provide an update to the NVACTS members.

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

N/A

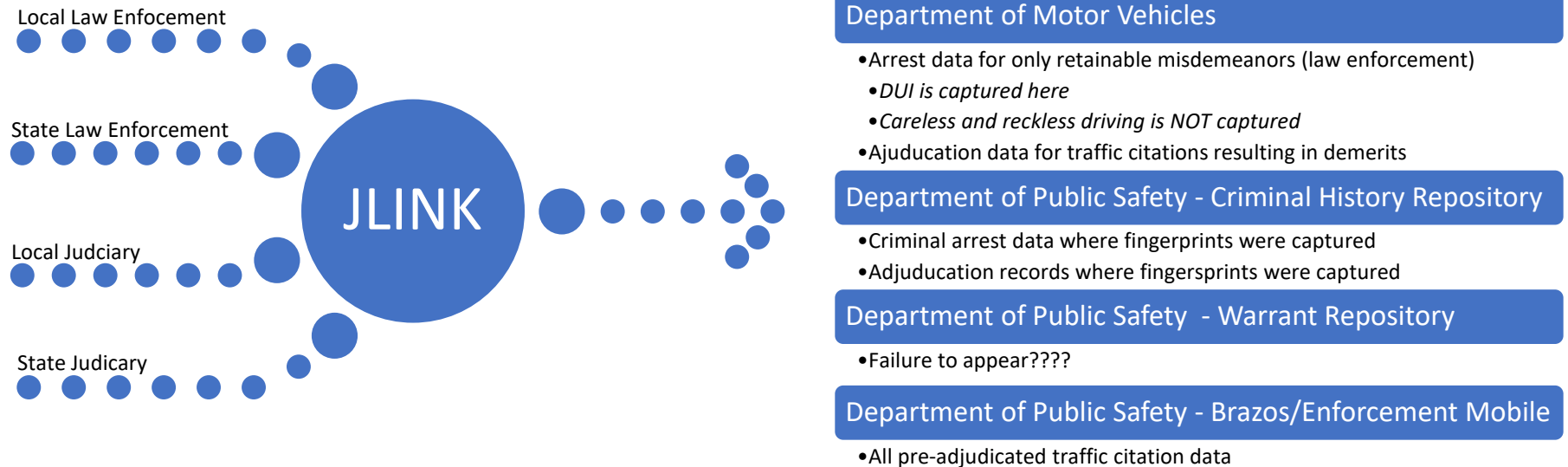
### 5. LIST OF ATTACHMENTS

*Nevada Citation Working Group Meeting Summary*

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)

## DATA FLOW FOR MOVING VIOLATION RECORDS



## WORKGROUP RECOMMENDATIONS

1. Require all moving violation arrest data to be sent through JLINK to the DMV repository. This must include retainable and non-retainable arrests.
2. Require the NVACTS to annually complete a report of all moving violations reported to the DMV repository. If possible, compare the arrest records to adjudication records.
3. Ensure that legislation does not allow for “masking” of moving violations related to speeding as this may affect highway funding for Nevada.
4. Assess the ability to allow the Criminal History Repository to allow more efficient collection and analysis of records where no fingerprint is present.

## SUMMARY

### NEVADA CITATION WORKING GROUP

Wednesday, May 17, 2023, at 1:00 p.m.

Via Videoconferencing

#### **Working Group 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  
Andrew Bennett – Clark County Office of Traffic Safety Director  
Hans Jessup - AOC - Lead Court Research Analyst  
John McCormick – Assistant Court Administrator  
Trooper D. Kassebaum, Jr. – State of Nevada Department of Public Safety  
Kevin Tice – Traffic Records Coordinator, The Office of Traffic Safety  
Amber Putz – IT Manager, AOC, Nevada Supreme Court  
Julia Peek, Deputy Administrator, Nevada Department of Health and Human Services  
Amy Davey – Nevada Office of Traffic Safety  
Marc Schifalacqua - Senior Assistant City Attorney, Henderson

#### **Staff Present**

Shyle, Irigoien, Judicial Education, AOC, Nevada Supreme Court  
Rosemary Luque, Judicial Education, AOC Nevada Supreme Court

#### **Call to Order**

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

#### **I. Review of Provided Materials**

A summary of the meeting held on Wednesday, February 8, 2023, was previously provided and approved by the committee.

Mr. Gordon spoke about the the Policy Priority Recommendation template.

Proposed recommendations identified from the last meeting were:

- a. Provide a collection of data associated with arrests for reckless driving.
- b. Recommend Department of Motor Vehicles become a data repository for every traffic offense including original citation and final resolution.

II. **Report from Ms. Peek (DMV/DPS Repository/License Suspension Discussion)**

Ms. Peek discussed her concerns regarding the ability of drivers to plead down dangerous driving incidents to non-violent issues. She discussed how DMV and DPS gather, retain, and make accessible driving data for law enforcement officers (LEOs). Ms. Peek provided a flow chart on the Data Flow for Moving Violation Records and Workgroup recommendations. An attachment will be included with this summary. Potential recommendations are:

- Require all moving violation arrest data be sent through JLINK to the DMV repository. This must include retainable and non-retainable arrests.
- Require the NVACTS to annually complete a report of all moving violations reported to the DMV repository. If possible, compare the arrest records to adjudication records.
- Ensure that legislation does not allow for masking of moving violations related to speeding as this may affect highway funding for Nevada.
- Assess the ability to allow the Criminal History Repository to allow more efficient collection and analysis of records where no fingerprint is present.

The working group is still discussing details and none of these potential recommendations represent a finished product.

III. **Determination of Policy Priority Recommendation(s).**

Judge Bishop pointed out in the previous meeting 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. He went on to say that he does not see this as a judicial problem as it is a legislative and executive problem. If the District Attorney or LEOs do not appear in court, it allows those breaking the law to continue with no consequences. Judge Bishop reiterated that judges are only permitted to consider evidence presented in court in compliance with rules and procedures.

Ms. Davey reported that the Office of Traffic Safety is funding the University of Las Vegas Transportation Center to look at other states across the country and see how they manage the citation and adjudication flow process. The purpose is to create an analysis for the State of Nevada. Ms. Davey stated that there is a growing belief that habitual unsafe drivers may need to be identified for LEOs and that should be tracked and educated.

Mr. Bennett stated that he had hopes for the working group to examine the flow of information related to citations and identify where the flow is blocked. He said that enforcement, prosecution, and adjudication are the essential components that warrant examination. He requested that the group provide best practices and policies so that informed suggestions to the Nevada Legislature be given with specifics on what judges can and cannot do separately from what prosecutors can and cannot do.

Ms. Peek commented that data is needed to understand what people are being cited for on the roads, and the ultimate the adjudication, along with geographic data. Currently individuals receive multiple citations from multiple sources and communicating the data is a challenge for a number of reasons.

Ms. Davey said data available from the Nevada Office of Traffic Safety would allow for analysis to determine such things as what percentage of drivers are responsible for what percentage of citations, locations, or which drivers may be responsible for the riskiest behavior, but the challenges would arise in applying adjudication results to raw citation data.

Judge Bateman spoke about the decrease in citations. He indicated that there is a presumption in favor of reducing the violation if the person pays the entire fine and all fees. Additionally, Judge Bateman stated that even when traffic citations were criminal offences, prosecutors were not researching the driving history of those cited and appearing in court. He said that he thought it would be important to have a resource to allow prosecutors and LEOs to research driving history and be able to determine if the initial charges had been reduced, even to non-moving violations. He also pointed out LEOs, who are plaintiffs within the civil citation process, require notification to appear in court and the responsibility for notification can be interpreted in more than one way. A police officer either must appear in court or send a statement as to what occurred. Henderson Justice Court is experiencing LEOs either showing up or providing a statement approximately half of the time. Civil processes operate on the preponderance of the evidence rather than the reasonable doubt standard and room is left for different viewpoints. It was also noted that the language in the bill that made traffic offenses civil citations permits the cited individual to request the Judge to reduce their fine or charges, to include reduction to non-moving violations, via ex parte communications. Such a process is in direct conflict with the Nevada Code of Judicial Conduct. There is added pressure from the legislature to make the system more lenient for drivers, making judges powerless to hold people accountable.

Judge Bishop said the prosecution has been removed from the process in the switch to civil citations, and it is akin to removing a leg from a three-legged stool. He described a conversation with a trooper in which the trooper said he can access information about how many convictions a driver may have had, and the trooper responded that he did it all the time. Ms. Putz clarified that it would only be access to convictions on citations that carry points, and Judge Bishop said that is the problem. Judge Bateman summarized that citations are being sanitized to make it appear that drivers with multiple citations are not engaging in bad behavior.

Mr. Jessup provided an overview of the intent of the Nevada Offense Codes related to traffic. In 2007-2008 NOCs were created to help identify offenses for traffic stops. NOCs were created to drill down into the actual offense. These Nevada offense codes would allow the criminal repository to be a one stop shop for all data related to pre-charging the arrest, and the citation charging the individual through the prosecutor's office. The arrest information would be through LEOs, and the charging would be through the prosecutor's followed by the conviction information through the courts. When the transition civil infractions came about, DPS did not create NOC codes because DPS does not maintain traffic convictions; that's the responsibility of DMV. The Courts track the initial citation and not the outcome through the Uniform System for Judicial Records (USJR). Additionally, Mr. Jessup observed that not everyone has a driver's license and that there are issues with citations using information such as social security numbers as identifiers. He also noted that the provision of false information by cited individuals can present more challenges. Mr. Jessup also informed the working group that the judiciary is in the process of developing a data repository to track cases and while it may be of some use, tracking is directed to the charges initially filed with the court. He went on to say that the USJR data showed 1469 reckless driving citations (representing 1756 reckless driving charges) were filed in court last year and over 1400 of those disposed in some manner. USJR does not specify if any of those charges were amended down, but that may eventually be tracked in the judiciary's data repository. Mr. Jessup shared that his work experience in both Utah and Colorado provided him with a perspective that civil infractions in those states are still part of the criminal code, allowing use of the criminal process. Additionally, he noted that Colorado suspends licenses if fines are not paid on the day of judgement and Utah garnishes tax returns to collect unpaid fines.

The mission of the Nevada Advisory Committee on Traffic Safety (NVACTS) was noted as studying the ecosystem related to traffic safety, compare it to other ecosystems that are working better, and produce recommendations for policy considerations that improve the lives and safety of Nevadans.

Ms. Davey proposed that we look at other state policies and compare them to Nevada to produce best practices and legislative changes. Mr. Bennett echoed the statement that the Nevada Advisory Committee on Traffic Safety needs to do a better job reporting on the current situation and suggested changes.

Judge Bateman suggested that a separate study to compare and contrast how other states handle the civil citation process would be useful and may show that the civil citation process now in place in Nevada is not consistent with the approaches in other states. Judge Bishop said that a major improvement related to the current civil citation process is that if the cited individual fails to appear then the points automatically go on the license, and he characterized that as a major improvement. It was noted that discussion has taken place about changing the process to allow cited individuals who fail to appear to be able to come in at a later date and ask the previously designated points to be set aside.

Mr. Bennett asked if this group could provide a document on facts to back up recommendations and where improvements need to be made. He requested that this document be submitted between September and December.

Mr. Gordon asked the committee to meet again on Wednesday, July 12, 2023 at 1:00 pm. He stated that he would be taking on the task of compiling the report Mr. Bennett requested by December 6, 2023.

Mr. Tice will provide citation data both geographically and demographically on individuals who have multiple citations.

Trooper Kassebaum spoke about how federal authorities are unhappy over masking and how it may impact future federal funding. He asked if a clear statement is enough for a civil citation. He also said that there is an effort to have troopers use the "To Wit" side of citations and use it as an arrest narrative. Judge Bateman replied that it would work as a statement, and it would depend on the official/judge whether they would hold an offender liable based on a statement. Some courts may not. Judge Bateman went on to say that some judicial officers may not feel they can hold a cited individual liable when the individual takes the time to show up for a hearing and the LEO, as a plaintiff, does not. Mr. Bennett stated that the process of getting officers to hearings is an issue and would like to see specific recommendations about having officers show up, or ways to make the process easier.

IV. **Determination of Action Items**

- Mr. Bennett requested a report showing status and recommendations of policy priorities before December 6, 2023, backed by data.
- Mr. Gordon will compile the report for Mr. Bennett.

V. **Next Meeting**

Wednesday, July 12, 2023, at 1:00 pm

VI. **Meeting Adjourned**

This meeting was adjourned at 2:23 p.m.

# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 10: 2023 Nevada Traffic Safety Summit

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### 1. SUMMARY OF AGENDA ITEM

Provide information about the upcoming 2023 Nevada Traffic Safety Summit in Las Vegas and discuss how NVACTS Members can get involved during the event.

### 2. BACKGROUND

The Nevada Traffic Safety Summit will be held September 12-14, 2023, at Palace Station Hotel and Casino in Las Vegas. All information can be found on the event website: [2023 Traffic Safety Summit - Zero Fatalities \(zerofatalitiesnv.com\)](https://www.zerofatalitiesnv.com)

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

N/A

### 5. LIST OF ATTACHMENTS

N/A

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)



# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 11: Open Discussion

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### 1. SUMMARY OF AGENDA ITEM

This agenda item allows for additional comments from NVACTS Members.

### 2. BACKGROUND

N/A

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

N/A

### 5. LIST OF ATTACHMENTS

N/A

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)

# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 12: Next Meeting Date

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### 1. SUMMARY OF AGENDA ITEM

The next NVACTS meeting is scheduled for Thursday, September 14, 2023 from 12:00-2:00pm.

Upcoming meeting dates:

Thursday, December 14, 2023

Thursday, March 14, 2024

### 2. BACKGROUND

NVACTS meets quarterly on the second Thursday of the month.

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

N/A

### 5. LIST OF ATTACHMENTS

N/A

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)

# Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

## Agenda Item 13: Public Comment

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### 1. SUMMARY OF AGENDA ITEM

This agenda item allows for the second public comment period of the meeting. 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.

### 2. BACKGROUND

N/A

### 3. ANALYSIS

N/A

### 4. RECOMMENDATIONS FOR NVACTS ACTION

N/A

### 5. LIST OF ATTACHMENTS

N/A

### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)

## Nevada Advisory Committee on Traffic Safety (NVACTS) Memorandum

TO: NVACTS Members

FROM: Andrew Bennett, Chair

SUBJECT: NVACTS Meeting, June 8, 2023

### Agenda Item 14: Adjourn Meeting

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#### 1. SUMMARY OF AGENDA ITEM

Adjourn the meeting.

#### 2. BACKGROUND

N/A

#### 3. ANALYSIS

N/A

#### 4. RECOMMENDATIONS FOR NVACTS ACTION

N/A

#### 5. LIST OF ATTACHMENTS

N/A

#### 6. PREPARED BY

Mike Colety, Kimley-Horn, for Andrew Bennett, NVACTS Chair, NACO Representative (Clark County)