

SENATE BILL NO. 53—COMMITTEE ON
GROWTH AND INFRASTRUCTURE

(ON BEHALF OF LYON COUNTY)

PREFILED NOVEMBER 19, 2024

Referred to Committee on Growth and Infrastructure

SUMMARY—Establishes certain requirements relating to notices of road hazards and road closures. (BDR 35-406)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to highways; requiring the Department of Transportation to create an electronic system for local governments to report road conditions under certain circumstances; authorizing a city, county, regional transportation commission, the Department or any other public authority to notify a navigation provider regarding certain road conditions; requiring a navigation provider to take certain actions after receiving such a notification; revising provisions relating to the Advisory Committee on Traffic Safety; requiring the Director of the Department to adopt regulations; providing a civil penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law regulates trade practices and other commercial activities in this
2 State. (Title 52 of NRS) **Section 6** of this bill authorizes a city, county, regional
3 transportation commission, the Department of Transportation or any other public
4 authority to transmit a written or electronic notification to a navigation provider
5 concerning a current or anticipated road condition, such as a road closure, road
6 hazard, lane closure, construction project, accident or other road condition
7 impacting a highway under the jurisdiction of the entity providing the notification.
8 **Section 6** requires a navigation provider who receives such a notification to
9 incorporate the road condition information contained within the notification into the
10 real-time data concerning traffic and road closures that is used by the navigation
11 provider to provide turn-by-turn directions to end users of its navigation application
12 within 48 hours after receiving the notification, with certain exceptions. If a



13 navigation provider fails to incorporate the road condition information into the real-
14 time data concerning traffic and road closures used to provide turn-by-turn
15 directions to end users within the time prescribed, **section 6** provides for a civil
16 penalty of \$500 to be imposed against the navigation provider for each day that the
17 navigation provider fails to incorporate the road condition information until: (1) the
18 provider incorporates the road condition information; or (2) the road condition
19 ceases to exist or is otherwise resolved. Additionally, **section 6** authorizes a city,
20 county, regional transportation commission, the Department or any other public
21 authority, as a part of the notification sent to a navigation provider, to recommend a
22 specific route which would direct traffic around the specific road condition. A
23 navigation provider is not required to incorporate the recommended route into the
24 data used to provide turn-by-turn directions to end users.

25 **Section 6** defines a "navigation provider" as a person who operates a
26 navigation application and defines a "navigation application" as an Internet
27 website, online service or mobile application which: (1) offers turn-by-turn
28 directions in real time to an end user; and (2) incorporates real-time data concerning
29 traffic and road closures into the direction and navigation services provided to the
30 end user. **Section 6** excludes from the definition of "navigation application" a
31 service which: (1) has less than 10,000,000 active users per month; (2) does not
32 offer direction and navigation services for end users with respect to the highways in
33 this State; or (3) does not incorporate real-time data concerning traffic and road
34 closures into the direction and navigation services provided to an end user with
35 respect to the highways in this State.

36 Existing law creates the Department of Transportation and tasks the Director of
37 the Department with the general supervision of the construction, reconstruction,
38 improvement, maintenance and repair of all highways, facilities and services
39 authorized by the provisions governing highways, roads and transportation
40 facilities. (NRS 408.106, 408.195) The Director is also required to collect and
41 compile statistics and maps relating to the mileage, traffic, character and condition
42 of the highways. (NRS 408.190) **Section 1** of this bill requires the Department to
43 create and maintain an electronic system which allows a qualified representative of
44 a city, county or regional transportation commission to submit to the Department
45 information relating to road conditions impacting certain highways under the
46 jurisdiction of the reporting entity for upload onto an Internet website or mobile
47 application maintained by the Department to communicate road conditions to the
48 public, including Nevada 511, if such a website or application is maintained by the
49 Department. **Sections 2 and 4** of this bill require the Department to adopt
50 regulations and use funds in the Account for Systems of Providing Information to
51 the Traveling Public in the State Highway Fund, as necessary, to carry out the
52 provisions of **section 1**. **Section 3** of this bill adds the provisions of **section 1** to the
53 provisions of law which the Department, in cooperation with the Commission on
54 Tourism, is required to develop a plan to carry out.

55 Existing law creates the Advisory Committee on Traffic Safety within the
56 Department. The Advisory Committee consists of voting members and certain
57 nonvoting members who may be appointed by the Director of the Department.
58 (NRS 408.581) **Section 5** of this bill requires the Director of the Department to
59 appoint to the Advisory Committee two nonvoting members who represent
60 navigation providers.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 408 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 **1. If the Department maintains an Internet website or mobile**
4 **application to communicate to the public information concerning**
5 **the conditions for driving on some or all of the highways in this**
6 **State, including, without limitation, Nevada 511 or any successor**
7 **Internet website or application, the Department shall create and**
8 **maintain an electronic system which allows a qualified**
9 **representative of a city, county or regional transportation**
10 **commission to submit to the Department, for upload to the**
11 **Internet website or mobile application as soon as practicable,**
12 **information related to a current or anticipated road closure, road**
13 **hazard, lane closure, construction project, accident or other road**
14 **condition which impacts a highway:**

15 **(a) Under the jurisdiction of the city, county or regional**
16 **transportation commission; and**

17 **(b) For which the condition is communicated by the Internet**
18 **website or mobile application.**

19 **2. As used in this section:**

20 **(a) "City" means an incorporated city.**

21 **(b) "Qualified representative" means a person who is**
22 **authorized by his or her respective city, county or regional**
23 **transportation commission to submit information through**
24 **the electronic system created and maintained pursuant to**
25 **subsection 1.**

26 **(c) "Regional transportation commission" means a regional**
27 **transportation commission created pursuant to NRS 277A.170.**

28 **Sec. 2.** NRS 408.557 is hereby amended to read as follows:

29 408.557 1. The Director shall adopt regulations:

30 **(a) Governing the size, shape, lighting and other characteristics**
31 **of a sign to be erected at a location designated pursuant to**
32 **NRS 408.553;**

33 **(b) Authorizing the use of trademarks and symbols identifying**
34 **an individual enterprise on a sign erected at the location;**

35 **(c) Fixing the qualifications of a person or governmental agency**
36 **to erect or construct, operate, sponsor or maintain a center or sign**
37 **and of an enterprise to be identified on a directional or informational**
38 **sign;**

39 **(d) Fixing reasonable fees, based upon the market value as**
40 **determined by the Department, for:**



1 (1) Authorizing the use of trademarks and symbols
2 identifying an individual enterprise on a directional or informational
3 sign; and

4 (2) Providing:

5 (I) Information concerning commercial attractions; and

6 (II) Items designed to promote tourism in this State; and

7 (e) Otherwise necessary to carry out the provisions of NRS
8 408.551 to 408.567, inclusive **[H]**, *and section 1 of this act.*

9 2. The regulations adopted by the Director pursuant to
10 subsection 1 must be consistent with the provisions of 23 U.S.C. §§
11 111 and 131.

12 **Sec. 3.** NRS 408.559 is hereby amended to read as follows:

13 408.559 The Department shall develop a plan, in cooperation
14 with the Commission on Tourism, to carry out the provisions of
15 NRS 408.551 to 408.567, inclusive **[H]**, *and section 1 of this act.*
16 The plan must take into consideration such factors as:

17 1. Economic development in this state.

18 2. Availability of money for the purposes of NRS 408.551 to
19 408.567, inclusive **[H]**, *and section 1 of this act.*

20 3. Population in a particular area.

21 4. Proposed highway construction.

22 5. Need for information.

23 ➔ The Department and the Commission shall review the plan at
24 least once each year and revise it until the provisions of NRS
25 408.551 to 408.567, inclusive, *and section 1 of this act* have been
26 uniformly put into effect throughout the State.

27 **Sec. 4.** NRS 408.567 is hereby amended to read as follows:

28 408.567 1. Money received by the Department from:

29 (a) Fees for:

30 (1) Authorizing the use of trademarks and symbols
31 identifying an individual enterprise on a directional or informational
32 sign; and

33 (2) Providing:

34 (I) Information concerning commercial attractions; and

35 (II) Items designed to promote tourism in this State;

36 (b) Participants in a telephone system established to reserve
37 accommodations for travelers; and

38 (c) Appropriations made by the Legislature for the purposes of
39 NRS 408.551 to 408.567, inclusive, *and section 1 of this act,*

40 ➔ must be deposited with the State Treasurer for credit to the
41 Account for Systems of Providing Information to the Traveling
42 Public in the State Highway Fund, which is hereby created.

43 2. Money in the Account must only be used to carry out the
44 provisions of NRS 408.551 to 408.567, inclusive **[H]**, *and section 1*
45 *of this act.*



1 **Sec. 5.** NRS 408.581 is hereby amended to read as follows:
2 408.581 1. The Advisory Committee on Traffic Safety is
3 hereby created in the Department. The Advisory Committee consists
4 of the following voting members:

5 (a) The Director of the Department of Transportation or his or
6 her designee;

7 (b) The Director of the Department of Health and Human
8 Services or his or her designee;

9 (c) The Director of the Department of Motor Vehicles or his or
10 her designee;

11 (d) The Director of the Department of Public Safety or his or her
12 designee;

13 (e) The Superintendent of Public Instruction or his or her
14 designee;

15 (f) One member who is a representative of the Department of
16 Transportation, appointed by the Director of the Department of
17 Transportation;

18 (g) One member who is a representative of the Department of
19 Public Safety, appointed by the Director of the Department of Public
20 Safety;

21 (h) One member appointed by the Speaker of the Assembly who
22 is a member of the Assembly Standing Committee on Growth and
23 Infrastructure during the current or immediately preceding regular
24 session;

25 (i) One member appointed by the Majority Leader of the Senate
26 who is a member of the Senate Standing Committee on Growth and
27 Infrastructure during the current or immediately preceding regular
28 session;

29 (j) One member who is a representative of the Administrative
30 Office of the Courts, appointed by the Chief Justice of the Supreme
31 Court of Nevada;

32 (k) One member who represents tribal governments in Nevada,
33 appointed by the Inter-Tribal Council of Nevada, Inc., or its
34 successor organization;

35 (l) Two members who are full- or part-time faculty members in
36 the Nevada System of Higher Education and have expertise in
37 traffic safety or trauma care, appointed by the Director of the
38 Department of Transportation;

39 (m) One member appointed by each metropolitan planning
40 organization to represent the appointing organization;

41 (n) One member appointed by the Nevada Association of
42 Counties;

43 (o) One member appointed by the Nevada League of Cities; and

44 (p) One member who represents local law enforcement agencies,
45 appointed by the Nevada Sheriffs' and Chiefs' Association.



1 2. *The Director of the Department of Transportation shall*
2 *appoint as nonvoting members of the Advisory Committee two*
3 *members who represent navigation providers.*

4 3. The Director of the Department of Transportation may
5 appoint as nonvoting members of the Advisory Committee such
6 other persons as the Director deems appropriate.

7 ~~3.~~ 4. The term of office of each member appointed to the
8 Advisory Committee is 2 years. Such members may be reappointed
9 for additional terms of 2 years in the same manner as the original
10 appointments. Any vacancy occurring in the appointed voting
11 membership of the Advisory Committee must be filled in the same
12 manner as the original appointment not later than 30 days after the
13 vacancy occurs.

14 ~~4.~~ 5. The members of the Advisory Committee shall elect
15 from their voting membership a Chair and a Vice Chair. The term of
16 office of the Chair and the Vice Chair is 2 years. If a vacancy occurs
17 in the office of Chair or Vice Chair, the members of the Advisory
18 Committee shall elect a Chair or Vice Chair, as applicable, from
19 among its voting members to serve for the remainder of the
20 unexpired term.

21 ~~5.~~ 6. The Advisory Committee shall meet at least once each
22 calendar quarter and may meet at such further times as deemed
23 necessary by the Chair.

24 ~~6.~~ 7. A majority of the voting members of the Advisory
25 Committee constitutes a quorum for the transaction of business. If a
26 quorum is present, the affirmative vote of a majority of the voting
27 members of the Advisory Committee present is sufficient for any
28 official action taken by the Advisory Committee.

29 ~~7.~~ 8. Each member of the Advisory Committee serves
30 without compensation and is not entitled to receive a per diem
31 allowance or travel expenses.

32 ~~8.~~ 9. The Department shall provide administrative support to
33 the Advisory Committee.

34 ~~9.~~ 10. The Advisory Committee shall review, study and make
35 recommendations regarding:

36 (a) Evidence-based best practices for reducing or preventing
37 deaths and injuries related to motor vehicle crashes on roadways in
38 this State;

39 (b) Data on motor vehicle crashes resulting in death or serious
40 bodily injury in this State, including, without limitation, factors that
41 cause such crashes and measures known to prevent such crashes;

42 (c) Policies intended to reduce or prevent deaths and injuries
43 related to motor vehicle crashes on roadways in this State; and

44 (d) Any other matter submitted by the Chair.



1 ~~[10.]~~ 11. The Advisory Committee shall prepare and submit to
2 the Governor and to the Director of the Legislative Counsel Bureau
3 for transmittal to the Legislature an annual report concerning the
4 activities of the Advisory Committee that addresses, without
5 limitation, any issue reviewed or studied and any recommendations
6 made by the Advisory Committee pursuant to subsection ~~[9.]~~ 10.

7 ~~[11.]~~ 12. The Advisory Committee may establish such working
8 groups, task forces and similar entities from within or outside its
9 membership as necessary to address specific issues or otherwise to
10 assist in its work.

11 ~~[12.]~~ 13. As used in this section ~~[,“metropolitan”]~~:

12 (a) *“Metropolitan* planning organization” means an entity that
13 has been designated as a metropolitan planning organization
14 pursuant to 23 U.S.C. § 134 and 49 U.S.C. § 5303.

15 (b) *“Navigation provider” has the meaning ascribed to it in*
16 *section 6 of this act.*

17 **Sec. 6.** Chapter 597 of NRS is hereby amended by adding
18 thereto a new section to read as follows:

19 *1. A city, county, regional transportation commission, the*
20 *Department of Transportation or any other public authority may,*
21 *at any time, transmit a written or electronic notification to a*
22 *navigation provider regarding a current or anticipated road*
23 *closure, road hazard, lane closure, construction project, accident*
24 *or other road condition which impacts a highway in this State*
25 *under the jurisdiction of the city, county, regional transportation*
26 *commission, Department of Transportation or other public*
27 *authority. If the navigation provider has appointed a registered*
28 *agent located in this State, the notification must be transmitted to*
29 *the registered agent, unless the navigation provider posts on its*
30 *Internet website or within the navigation application an*
31 *alternative method of providing the notification.*

32 *2. A city, county, regional transportation commission, the*
33 *Department of Transportation or any other public authority may*
34 *include in a notification transmitted pursuant to subsection 1*
35 *information concerning the route recommended by the city,*
36 *county, regional transportation commission, Department of*
37 *Transportation or other public authority for directing traffic*
38 *around the road condition. A navigation provider is not required*
39 *to incorporate a recommended route which is included in a*
40 *notification pursuant to this subsection into the real-time traffic*
41 *and road closure data used to provide turn-by-turn directions in*
42 *real time to an end user of the navigation application.*

43 *3. Except as otherwise provided in subsections 2 and 4, a*
44 *navigation provider who receives a notification transmitted*
45 *pursuant to subsection 1 shall incorporate the information*



1 contained in the notification regarding the existence of a road
2 condition into the navigation application not later than:

3 (a) Forty-eight hours after the notification is received by the
4 navigation provider; or

5 (b) The time at which the road condition contained in the
6 notification occurs, if the road condition does not occur until more
7 than 48 hours after the notification was received.

8 4. A navigation provider is not required to incorporate the
9 information contained in the notification regarding the existence
10 of a road condition into the navigation application pursuant to
11 subsection 3 if the road condition resolves before the time by
12 which the navigation provider would be required to incorporate
13 the information pursuant to subsection 3.

14 5. A navigation provider who violates subsection 3 remains in
15 violation of that subsection until:

16 (a) The navigation provider incorporates the information
17 contained in the notification regarding the existence of a road
18 condition into the navigation application; or

19 (b) The road condition contained in the notification ceases to
20 exist or is otherwise resolved.

21 6. A navigation provider who violates the provisions of
22 subsection 3 is subject to a civil penalty of \$500 per day of the
23 violation, and each day's continuance of the violation constitutes a
24 separate and distinct violation.

25 7. As used in this section:

26 (a) "City" means an incorporated city.

27 (b) "Highway" means any street, road, alley, thoroughfare or
28 way of any kind, paved or unpaved, which is used or open to the
29 use of the public for the purpose of vehicular travel.

30 (c) "Navigation application":

31 (I) Means an Internet website, online service or mobile
32 application which:

33 (I) Offers turn-by-turn directions in real time to an end
34 user; and

35 (II) Incorporates real-time data concerning traffic and
36 road closures into the direction and navigation services provided
37 to the end user.

38 (2) Does not include a service which:

39 (I) Has less than 10,000,000 active users per month;

40 (II) Does not offer direction and navigation services for
41 end users with respect to the highways in this State; or

42 (III) Does not incorporate real-time data concerning
43 traffic and road closures into the direction and navigation services
44 provided to the end user with respect to the highways in this State.



1 (d) *“Navigation provider” means a person who operates a*
2 *navigation application.*

3 (e) *“Public authority” means a state or local governmental*
4 *agency that maintains a highway or to which a highway is*
5 *dedicated.*

6 (f) *“Regional transportation commission” means a regional*
7 *transportation commission created pursuant to NRS 277A.170.*

8 **Sec. 7.** 1. This section becomes effective upon passage and
9 approval.

10 2. Sections 1 to 6, inclusive, of this act become effective:

11 (a) Upon passage and approval for the purpose of adopting any
12 regulations and performing any other preparatory administrative
13 tasks that are necessary to carry out the provisions of this act; and

14 (b) On October 1, 2025, for all other purposes.



