



JOE LOMBARDO

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
1263 S. Stewart Street
Carson City, Nevada 89712

TRACY LARKIN THOMASON, P.E.

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO REGULATIONS WITHIN THE NEVADA ADMINISTRATIVE CODE (NAC) FOR THE NEVADA DEPARTMENT OF TRANSPORTATION (NDOT)

This Notice also serves as notice for the purposes of the Open Meeting Law, NRS 241.020

A public workshop has been scheduled for **Tuesday, June 2 at 10:00 a.m.** to solicit comments from interested persons regarding the proposed regulatory changes. The public may attend this workshop at:

Nevada Department of Transportation
4615 W. Sunset Road
Las Vegas, Nevada 89118

Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

Or join virtually via Microsoft Teams

(<https://teams.microsoft.com/meet/228788024798690?p=jWPnc9RCUIOb1MMB0c> , Meeting ID: 228 788 024 798 690, Passcode: VR9Xp38H)

Dial in by phone: +1 702-780-6673,,687093455# / Phone conference ID: 687 093 455#

The workshop will be livestreamed and archived on the Department's YouTube channel at: [youtube.com/NVDOT](https://www.youtube.com/NVDOT)

PURPOSE OF THE WORKSHOP

The purpose of this workshop is to solicit comments from interested persons regarding proposed additions to regulations administered by the Department. The workshop provides an opportunity for the public and stakeholders to offer comments, data, views, or arguments related to the proposed regulatory action.

WRITTEN COMMENTS

Persons wishing to comment on the proposed action of the Department may submit written or emailed comments. Emailed and written comments must be received by the Department on or before Wednesday, May 13, 2026.

Mail comments to:

Maya Bourgeois
Nevada Dept. of Transportation
1263 S Stewart St
Carson City, NV 89712

Comments may be submitted by email to: MBourgeois@dot.nv.gov

DRAFT PROPOSED REGULATION OF THE DEPARTMENT OF TRANSPORTATION

The following document contains the initial draft regulation proposed by the Department of Transportation (“Department”) for a definition of “critical infrastructure” as used in NRS 239C.210(2)(b). The Department will solicit comments from the industry on the proposed regulation pursuant to NRS 233B.0608(1) to determine whether the regulation would likely impose a direct and significant economic burden upon a small business or directly restrict the formation, operation, or expansion of a small business. The Department will consider all comments and address the industry’s concern(s), if any.

Purpose: The purpose of this regulation is to provide a definition of the term “critical infrastructure” as it is used in NRS 239C.210 to determine which Department assets, facilities, systems, or networks, whether physical or virtual, must be protected from disclosure in accordance with NRS 239C.210.

Authority: NRS 408.215(4).

Explanation: Material in *blue bold italics* is new language; material in **[bold brackets]** is to be omitted from current regulation. All comments received from the small business impact notice will be considered but not all may be addressed. The matters to be addressed will be referenced in this draft as *italics* for revised and matters in brackets **[omitted material]** is language to be omitted.

Section 1. *Chapter 408 of NAC is hereby amended by adding thereto a new section to be designated NAC 408.XXX, as follows:*

Sec. 2. *NAC 408.XXX “Critical Infrastructure” defined. “Critical infrastructure” means Department assets, facilities, systems, or networks, whether physical or virtual, that are under the jurisdiction of the Department and whose incapacitation or destruction would result in a significant impairment to the State of Nevada’s transportation security, economic continuity, public health, or welfare and includes, without limitation: (NRS 408.215, NRS 239C.010, NRS 239C.210)*

(1) Routes, facilities, or other assets designated in the Department’s Transportation Policies;

(2) Structures that meet the definition of a bridge as established by the American Association of State Highway and Transportation Officials (AASHTO);

(3) Structures that meet the definition of a tunnel as established by AASHTO;

(4) Stormwater assets and water treatment facilities;

(5) Railroads and railroad crossings;

(6) Electrical, telecommunication, fiber optic, radio, and water utility systems and associated data;

(7) Buildings, data centers, above-ground structures, and vertical facilities owned, operated, or leased by the Department;

(8) Routes providing access to or from Harry Reid International Airport and Reno-Tahoe International Airport.

(9) Systems or devices that interact with or monitor any physical infrastructure in subsection (1) through (8) of this chapter;

(10) Virtual and on premises systems, devices, networks, or other Information Technology (IT) that facilitate Department cyber operations or cyber security; and

(11) Any similar critical infrastructure-related assets as may be designated.

Sec. 3. *Chapter 408 of NAC is hereby amended by adding thereto a new section to be designated NAC 408.XXX, as follows:*

Sec. 4. *NAC 408.XXX All data, information, and records pertaining to “critical infrastructure” as defined in this chapter are deemed restricted and are exempt from public disclosure in accordance with NRS 239C.210.*

Sec. 5. *Chapter 408 of NAC is hereby amended by adding thereto a new section to be designated NAC 408.XXX, as follows:*

Sec. 6. *NAC 408.XXX The provisions of [Sections 2 and 4] are hereby declared to be severable. If any provision or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the regulation which can be given effect without the invalid provision or application.*

Sec. 7. This regulation shall become effective upon filing with the Secretary of State in accordance with NRS 233B.070.

AGENDA

- 1. Call to order the public workshop**
- 2. Introduction of presenters for the Department**
- 3. Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.

DISCUSSION ITEM/RULEMAKING WORKSHOP – FOR POSSIBLE ACTION

- 4. Regulation Presentation – INFORMATIONAL ONLY**
Department staff will provide a detailed overview of each proposed regulation.
- 5. Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.
- 6. Adjournment** – In accordance with Nevada’s Open Meeting Law, the Department may consider agenda items taken out of order. The Department may combine two or more agenda items for consideration. The Department may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The Department may continue the meeting as deemed necessary.

The Department, at its discretion, may take public comment during times other than the designated Public Comment agenda items. The Department reserves the right to limit public comment to three minutes. Comment may not be restricted based on viewpoint.

This Notice of Workshop has been properly noticed and posted online at Public Involvement and Information | Nevada Department of Transportation (dot.nv.gov/doing-business/public-involvement-information), <https://notice.nv.gov/>, and in the following locations:

Nevada State Library Archives
100 North Stewart Street
Carson City, Nevada 89701

Nevada Department of Transportation
1263 South Stewart Street
Carson City, Nevada 89712

Nevada Department of Transportation
4615 W. Sunset Road
Las Vegas, Nevada 89118

Nevada Department of Transportation
1951 Idaho Street
Elko, Nevada 89801

NOTE: The Department is pleased to make reasonable accommodations and will assist people with disabilities who wish to attend its meetings and hearings. If special arrangements are necessary, please contact Justin Hopkins at jhopkins@dot.nv.gov or by calling 702-385-6509.

Dated: 04/30/2026