

## **SB 53 Overview**

The Office of Science, Innovation and Technology (OSIT) has been charged with coordinating the State's broadband strategy. This bill implements policies that will help support and incentivize investment in the state's fiber infrastructure that is essential to providing broadband services throughout the state.

### **Definitions**

1. **Fiber Optics** – is a way to transmit communications and data over hair-thin strands of glass using light. It is cheaper, faster and more reliable than copper, and the best way to enable long distance communications and Internet service.
2. **Conduit** – pipe or tube that protects fiber optic cable.
3. **Broadband** – In simple terms, it refers to high-speed Internet access

### **Problem**

1. **400,000** Nevada children attend schools that do not meet the Federal Communications Commission's minimum standards for broadband connectivity.
2. Bandwidth needs are growing about **50% per year** in schools with digital learning.
3. **Telehealth** – Poor connectivity and high costs for those services make it difficult to utilize telemedicine equipment and transmit medical files.
4. **Public Safety** – There are areas in the state lack radio or cellular coverage for devices used by law enforcement and first responders.
5. **Economic Development** – Broadband is now considered an essential service for economic growth and ensures the delivery of important community services.
6. **High cost** of deployment – Challenging terrain, large areas with low density and broad areas of federal land contribute to the high costs of deployment.
7. As technology improves and adoption increases, the need for greater bandwidth also increases. Nevada's existing infrastructure **will not meet** its future needs.

**SB 53 Summary** – SB 53 implements two policies that will support and incentivize investment in Nevada's fiber infrastructure. These policies compliment Governor Sandoval's *Nevada Connect Kids Initiative* announced during his State of the State.

1. **Dig Once**- requires the State to add excess conduit into any road construction project, something that is not currently permitted.
2. **Fiber Trading**- allows telecommunications providers to access excess conduit added as a result of Dig Once in exchange for helping the State expand fiber lines or fiber assets elsewhere in Nevada.

**Benefits** – Innovative transportation solutions such as adoption of a Dig Once and fiber trade agreements can reduce broadband deployment time and costs, incentivize deployment in rural communities and improve broadband access throughout the state.

**Connection to Nevada Connect Kids Initiative** – The federal government, through its E-rate program, subsidizes the buildout of fiber connections to schools. Compared to other states, Nevada's school districts draw down fewer E-rate dollars. OSIT, through the *Nevada Connect Kids Initiative*, will assist school districts apply for E-rate funds and will technical, procurement, and project management support as needed. The Dig Once and Fiber Trading policies proposed in SB 53 will lower the cost of fiber infrastructure projects helping stretch local, state, and federal dollars further allowing us to improve connectivity at more schools.

## **Bill Summary**

**Section 1** of this bill revises and expands the duties of the Director of OSIT. It requires the Director to develop a strategic plan for the use of broadband services in the state, allows the Director to apply for state and federal funding to expand broadband services and infrastructure in the state, and provides that OSIT and NDOT will engage in regular broadband planning with telecommunication entities, and administer a fiber trade policy.

**Section 2** of this bill concerns the protection of data and maps involving information systems in the state when they are subject to a public records request. Currently, the law provides that certain data concerning “information systems” related to homeland security may be deemed confidential and may only be inspected or released to public safety personnel, public health personnel, and the Legislative auditor. This bill would expand the definition of Information System to include not just computers and software related to the protection of homeland security, information concerning facilities and assets used in communication services related to the protection of homeland security – including drawings, maps or plans of those facilities and assets.

**Section 4** of this bill changes the definition of “transportation facility” in NRS section 338. It expands the definition to include conduit or other infrastructure for conveying telecommunications cable, line, fiber or wire and incorporates the transport of information. This reflects how current and future technology will become an integral part of transportation in the 21st century, such as autonomous vehicles and smart traffic systems.

**Sections 5 through 30** gives NDOT the authority to:

1. Install excess conduit in road projects as part of a state “dig once” policy. This will minimize future excavations and incentivize greater investment and expansion of fiber optic communications in the state.
2. Allow NDOT to enter into fiber trade agreements with telecommunication entities, whereby these entities could have access to the excess conduits and state rights-of-way provided they give something of equal or greater value back to the Department. Any monetary compensation would be credited back to the State Highway Fund.
3. If there are multiple users intending to place fiber into the conduit in a roadway project, the cost of any trenching for that fiber construction will be shared between the Department and any other users.
4. Establishes the types of in-kind compensation that may be paid to NDOT, how that value will be calculated, and trade values.
5. It would create a Telecommunication Advisory Council comprised of 6 members, who would oversee and approve any trade agreements. Members would include representatives from OSIT, NDOT, DOE, EITS, Department of Public Safety and Nevada Office of Rural Health.