Assembly Bill No. 176–Assemblymen Armstrong, Paul Anderson, Silberkraus, Edwards; Dickman, Ellison, Kirner, Oscarson and Titus

CHAPTER.....

AN ACT relating to transportation; requiring the regional transportation commission in certain counties to establish and administer the Nevada Yellow Dot Program; setting forth the requirements of the Program; requiring the commission in those counties to establish a campaign to raise public awareness of the Program; conferring immunity from civil liability for damages for a first responder under certain circumstances; revising provisions relating to casualty insurance for certain uses of motor vehicles; providing for the regulation of transportation network companies by the Nevada Transportation Authority; establishing requirements concerning drivers and motor vehicles operated by drivers who provide transportation services; prohibiting a local government from imposing any additional tax, fee or requirement for providing transportation services; exempting a transportation network company or driver who provides transportation services from certain provisions of law governing motor carriers; transferring responsibility for certain fees, assessments and excise taxes from the Public Utilities Commission of Nevada to the Authority; requiring an investigation and comparison of certain types of background checks; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill: (1) requires the regional transportation commission in a county whose population is 700,000 or more (currently Clark County) to establish and administer the Nevada Yellow Dot Program in coordination with each regional transportation commission in this State; (2) requires the regional transportation commission in a county whose population is 700,000 or more (currently Clark County) to disseminate information about the Program to the public and to public safety agencies; (3) authorizes that commission to obtain grants or sponsorships for the Program; and (4) provides that first responders are immune from civil liability for damages as a result of any act or omission taken by the first responder relating to a collision or other emergency in connection with the Program.

Sections 3-46 of this bill provide for the permitting by the Nevada Transportation Authority of transportation network companies and the regulation by the Authority of the provision of transportation services. **Section 19** of this bill defines a "transportation network company" as an entity that uses a digital network or software application service to connect passengers to drivers who can provide transportation services to passengers. **Section 20** of this bill defines "transportation services" as the transportation by motor vehicle of one or more passengers between points chosen by the passenger or passengers and prearranged with a driver through

the use of the digital network or software application service of a transportation network company. **Section 21** of this bill provides that it is the purpose and policy of the Legislature in enacting this bill to ensure the safety, reliability and cost-effectiveness of the transportation services provided by drivers affiliated with transportation network companies in this State.

Sections 4-14 of this bill establish certain requirements concerning the provision of insurance for the payment of tort liabilities arising from the operation of a motor vehicle by a driver who provides transportation services.

Section 25 of this bill prohibits any person from doing business in this State as a transportation network company unless the person holds a valid permit issued by the Authority pursuant to the provisions of **sections 4-14 and 16-46** of this bill. **Section 25** also: (1) empowers the Authority to regulate, pursuant to the provisions of this bill, all transportation network companies and drivers who operate or wish to operate within this State; and (2) prohibits the Authority from applying any provision of chapter 706 of NRS, relating to motor carriers, to a transportation network company or driver who operates within the provisions of **sections 4-14 and 16-46** of this bill. **Section 26** of this bill provides for the submission to the Authority of an application for a permit. **Section 27** of this bill requires the Authority to issue a permit to an applicant upon a determination by the Authority that the applicant meets all the applicable requirements for the issuance of the permit. **Section 27** of this bill further provides that a permit issued by the Authority authorizes a transportation network company to: (1) connect passengers to a driver who can provide transportation services through the use of a digital network or software application service; and (2) make its digital network or software application service available to one or more drivers to receive connections from the company. **Section 27** of this bill provides that a permit issued by the Authority does not authorize a transportation network company to engage in any activity regulated pursuant to chapter 706 of NRS, relating to motor carriers. Additionally, **section 27** provides that a person who is regulated pursuant to chapter 706 of NRS may be issued a permit to operate a transportation network company if the person meets the requirements for the issuance of a permit.

Section 29 of this bill authorizes a transportation network company to enter into agreements with one or more drivers to receive connections to potential passengers from the company. **Section 29** also establishes the minimum qualifications for drivers and requires a transportation network company to conduct an investigation of the background of each driver, which must include a criminal background check, a search of a database containing information from the sex offender website maintained by each state and a review of the complete driving history of the driver. Further, **section 29** sets forth the conditions for which a transportation network company must terminate an agreement with a driver.

Section 30 of this bill: (1) provides that a transportation network company may, on behalf of a driver, charge a fare for the provision of transportation services by the driver; and (2) places certain requirements on the company concerning the fares and the information which must be provided to passengers concerning the amount and the calculation of fares.

Section 31 of this bill: (1) prohibits a transportation network company from allowing any driver who operates a motor vehicle that is not in compliance with all federal, state and local laws governing the operation and maintenance of a motor vehicle to be connected to potential passengers; and (2) requires annual inspections of each motor vehicle operated by a driver.

Section 32 of this bill prohibits discrimination on account of national origin, religion, age, disability, sex, race, color, sexual orientation or gender identity or expression by a transportation network company or driver. **Section 33** of this bill

requires a transportation network company to provide to passengers certain information relating to the identification of a driver. **Section 34** of this bill requires a transportation network company to provide an electronic receipt to each passenger. **Section 35** of this bill allows a transportation network company to enter into certain contracts with the Department of Health and Human Services. **Section 36** of this bill imposes on transportation network companies certain recordkeeping requirements. **Section 37** of this bill imposes on transportation network companies certain reporting requirements.

Section 38 of this bill establishes certain requirements relating to the provision of transportation services by a driver. **Section 38** also prohibits a driver from soliciting passengers or providing transportation services except to persons who have arranged for such transportation services through the digital network or software application service of a transportation network company. **Section 39** of this bill prohibits a driver from consuming, using or being under the influence of any intoxicating liquor or controlled substance during any period when the driver is providing transportation services or is logged into the digital network or software application service of a transportation network company. With certain exceptions, **section 40** of this bill prohibits a transportation network company from releasing the personally identifiable information of passengers.

Section 41 of this bill provides for the investigation of complaints against a transportation network company or driver. **Section 42** of this bill: (1) authorizes the Authority to impose certain penalties for any violation of the provisions of **sections 4-14 and 16-46** of this bill by a transportation network company or driver; and (2) provides that a person who violates any provision of **sections 4-14 and 16-46** of this bill is not subject to a criminal penalty.

Section 43 of this bill provides that this bill does not exempt any person from any other laws governing the operation of a motor vehicle upon the highways of this State, except that a transportation network company or a driver who provides transportation services within the scope of a permit issued by the Authority is not subject to the provisions of existing law governing motor carriers or public utilities.

Section 44 of this bill prohibits a local government from: (1) imposing any tax or fee on a transportation network company, a driver who has entered into an agreement with such a company or a vehicle operated by such a driver or for transportation services provided by such a driver; (2) requiring a transportation network company or driver to obtain from the local government any certificate, license or permit to provide transportation services; or (3) imposing any other requirement on the operation of a motor vehicle by a transportation network company or driver which is not of general applicability. **Section 44** does not prohibit a local government from requiring a transportation network company or driver to obtain from the local government a business license or to pay any business license fee in the same manner that is generally applicable to any other business that operates within the jurisdiction of the local government. **Section 44** does not prohibit an airport from requiring a transportation network company or driver to obtain a permit or certification to operate at the airport, pay a fee to operate at the airport or comply with any other requirement to operate at the airport. **Section 44** also states that **sections 4-14 and 16-46** of this bill do not exempt any person from the requirement to obtain a state business license and requires a transportation network company to notify each driver of the requirement.

Section 45 of this bill requires each transportation network company to provide the Authority with reports at certain times containing certain information about damages resulting from accidents involving drivers who are providing transportation services or logged into the digital network or software application service of the company and available to receive requests for transportation services.

Section 45 also requires the Authority to collect these reports, determine whether the limits of coverage required pursuant to **section 11** of this bill are sufficient and report to the Legislative Commission or Director of the Legislative Counsel Bureau.

Sections 47-53 and 58 of this bill revise the provisions of Assembly Bill No. 175 of this session to make the Authority, rather than the Public Utilities Commission of Nevada, responsible for carrying out the provisions of that bill relating to fees, assessments and excise taxes for transportation network companies.

Section 54 of this bill provides that: (1) a transportation network company may commence operations within this State immediately upon being issued a permit; (2) any regulation adopted by the Authority pursuant to **sections 4-14 and 16-46** of this bill on or before July 1, 2017, shall not be effective for at least 30 days after filing with the Secretary of State; (3) the Authority must begin to accept applications for permits within 30 days after the effective date of **section 26** of this bill; and (4) the Authority shall not issue a permit until July 1, 2015.

Section 55 of this bill requires the Nevada Transportation Authority to investigate and compare specific types of background checks to determine the efficacy, efficiency and effect on public safety and report the results of its investigation to the Legislative Commission.

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

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

Section 1. Chapter 277A of NRS is hereby amended by adding thereto a new section to read as follows:

1. In a county whose population is 700,000 or more, the commission shall establish and administer the Nevada Yellow Dot Program for the purpose of improving traffic safety.

2. The commission specified in subsection 1 shall coordinate with each commission in this State regarding the design, implementation and funding of the Program.

3. The Program must:

(a) Be available to any person in this State who wishes to participate in the Program by obtaining the materials described in paragraphs (b) and (c):

(1) At the main office or any branch office of each commission in this State;

(2) At the main office or any branch office of the Nevada Highway Patrol, the Department of Transportation or other location designated by the commission in a county whose population is 700,000 or more; or

(3) By mail, upon request.

(b) Provide to a participant a distinctive round yellow decal to be placed on a specified location of a vehicle in which the

participant is regularly a driver or passenger, to notify first responders that important medical information concerning an occupant of the vehicle may be found in the glove compartment of the vehicle if the occupant is involved in a collision or other emergency.

(c) Provide to a participant a brightly colored and distinctively marked envelope and information card to be completed by the participant and kept in the glove box of a vehicle upon which the decal described in paragraph (b) has been affixed. The information card must include, without limitation, spaces for the participant to include:

(1) The participant's name;

(2) A recent photograph of the participant;

(3) Emergency contact information;

(4) Any allergies or medical conditions of the participant;

(5) The name and contact information of the participant's physician and a preferred hospital, if any; and

(6) Information, if any, regarding the participant's health insurance.

4. In designing materials for the Program, the commission in a county whose population is 700,000 or more shall consider any materials used by similar programs in other states to ensure, to the extent practicable, uniformity with those materials.

5. In a county whose population is 700,000 or more, the commission shall establish and carry out a public information campaign to raise public awareness of the Program. In carrying out that campaign, that commission shall disseminate information concerning the Program to public safety agencies in this State.

6. In a county whose population is 700,000 or more, the commission may apply for and accept any gift, donation, bequest, grant or other source of money to carry out the Program, including, without limitation, any private or corporate sponsorship for the Program.

7. A first responder is not liable for any civil damages as a result of any act or omission taken by the first responder relating to a collision or other emergency, not amounting to gross negligence, including, without limitation, failure to observe a decal, failure or inability to locate an information card, or reliance on incomplete, incorrect or outdated information on an information card.

8. As used in this section, "first responder" means any police, fire or emergency medical personnel acting in the normal course of duty.

Sec. 2. (Deleted by amendment.)

Sec. 2.5. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1A.110, 49.095, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 130.312, 159.044, 172.075, 172.245, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 242.105, 244.264, 244.335, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281A.350, 281A.440, 281A.550, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 293.5002, 293.503, 293.558, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 372A.080, 378.290, 378.300, 379.008, 386.655, 387.626, 387.631, 388.5275, 388.528, 388.5315, 388.750, 391.035, 392.029, 392.147, 392.264, 392.271, 392.652, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 398.403, 408.3885, 408.3886, 412.153, 416.070, 422.290, 422.305, 422A.320, 422A.350, 425.400, 427A.1236, 427A.872, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 433.534, 433A.360, 439.270, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 445A.665, 445B.570, 449.209, 449.245, 449.720, 453.1545, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 467.137, 481.063, 482.170, 482.5536, 483.340, 483.363, 483.800, 484E.070, 485.316, 503.452, 522.040,

534A.031, 561.285, 571.160, 584.583, 584.655, 598.0964, 598.0979, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.353, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.212, 634.214, 634A.185, 635.158, 636.107, 637.085, 637A.315, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641A.191, 641B.170, 641C.760, 642.524, 643.189, 644.446, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.430, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.280, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 692A.117, 692C.190, 692C.420, 693A.480, 693A.615, 696B.550, 703.196, 704B.320, 704B.325, 706.1725, 710.159, 711.600, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 ***and section 36 of this act*** and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can

redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.

4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in a readily available medium because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 3. Chapter 690B of NRS is hereby amended by adding thereto the provisions set forth as sections 4 to 14, inclusive, of this act.

Sec. 4. ***As used in sections 4 to 14, inclusive, of this act, the words and terms defined in sections 5 to 8, inclusive, of this act have the meanings ascribed to them in those sections.***

Sec. 5. ***"Driver" has the meaning ascribed to it in section 18 of this act.***

Sec. 6. ***"Transportation network company" has the meaning ascribed to it in section 19 of this act.***

Sec. 7. ***"Transportation network company insurance" means a policy of insurance that includes coverage specifically for the use of a vehicle by a driver pursuant to sections 4 to 14, inclusive, of this act.***

Sec. 8. ***"Transportation services" has the meaning ascribed to it in section 20 of this act.***

Sec. 9. ***The provisions of sections 4 to 14, inclusive, of this act do not apply to a person who is regulated pursuant to chapter 704 or 706 of NRS unless the person holds a permit issued pursuant to section 27 of this act.***

Sec. 10. ***Before allowing a natural person to be connected to a potential passenger using the digital network or software application service of a transportation network company to provide transportation services as a driver, a transportation network company shall, in writing:***

1. Disclose the insurance coverage and limits of liability that the transportation network company provides for a driver while the driver is providing transportation services.

2. Notify the person that:

(a) His or her insurance for the operation of a motor vehicle required pursuant to NRS 485.185 may not provide coverage for the use of a motor vehicle to provide transportation services.

(b) If comprehensive or collision coverage was purchased in addition to such insurance, the comprehensive or collision coverage may not apply to any damage which results from the use of the motor vehicle while a driver is providing transportation services or logged into the digital network or software application service of a transportation network company and available to receive requests for transportation services.

3. Disclose to the person that, if there is a lien against a vehicle used by a driver to provide transportation services, the driver must notify the lienholder that the vehicle is being used to provide transportation services.

4. Disclose to the person that the use of a vehicle to provide transportation services may violate the contract between a driver and a lienholder.

Sec. 11. *1. Every transportation network company or driver shall continuously provide, during any period in which the driver is providing transportation services, transportation network company insurance provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State or a broker licensed pursuant to chapter 685A of NRS or procured directly from a nonadmitted insurer, as defined in NRS 685A.0375:*

(a) In an amount of not less than $1,500,000 for bodily injury to or death of one or more persons and injury to or destruction of property of others in any one accident that occurs while the driver is providing transportation services;

(b) In an amount of not less than $50,000 for bodily injury to or death of one person in any one accident that occurs while the driver is logged into the digital network or software application service of the transportation network company and available to receive requests for transportation services but is not otherwise providing transportation services;

(c) Subject to the minimum amount for one person required by paragraph (b), in an amount of not less than $100,000 for bodily injury to or death of two or more persons in any one accident that occurs while the driver is logged into the digital network or software application service of the transportation network company and available to receive requests for transportation services but is not otherwise providing transportation services; and

(d) In an amount of not less than $25,000 for injury to or destruction of property of others in any one accident that occurs while the driver is logged into the digital network or software application service of the transportation network company and available to receive requests for transportation services but is not otherwise providing transportation services,

➥ for the payment of tort liabilities arising from the maintenance or use of the motor vehicle.

2. The transportation network company insurance required by subsection 1 may be provided through one or a combination of insurance policies provided by the transportation network company or the driver, or both.

3. Every transportation network company shall continuously provide, during any period in which the driver is providing transportation services, transportation network company insurance provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State or a broker licensed pursuant to chapter 685A of NRS or procured directly from a nonadmitted insurer, as defined in NRS 685A.0375, which meets the requirements of subsection 1 as primary insurance if the insurance provided by the driver:

(a) Lapses; or

(b) Fails to meet the requirements of subsection 1.

4. Notwithstanding the provisions of NRS 485.185 and 485.186 which require the owner or operator of a motor vehicle to provide insurance, transportation network company insurance shall be deemed to satisfy the requirements of NRS 485.185 or 485.186, as appropriate, regardless of whether the insurance is provided by the transportation network company or the driver, or both, if the transportation network company insurance otherwise satisfies the requirements of NRS 485.185 or 485.186, as appropriate.

5. In addition to the coverage required pursuant to subsection 1, a policy of transportation network company insurance may include additional coverage, including, without limitation, coverage for medical payments, coverage for uninsured or underinsured motorists, comprehensive coverage and collision coverage.

6. An insurer who provides transportation network company insurance shall not require a policy of insurance for the operation of a motor vehicle required pursuant to NRS 485.185 or 485.186,

as appropriate, to deny a claim before the transportation network company insurance provides coverage for a claim.

7. An insurer who provides transportation network company insurance has a duty to defend and indemnify the driver and the transportation network company.

8. An insurer who provides transportation network company insurance which includes comprehensive coverage or collision coverage for the operation of a motor vehicle against which a lienholder holds a lien shall issue any payment for a claim under such coverage:

(a) Directly to the person who performs repairs upon the vehicle; or

(b) Jointly to the owner of the vehicle and the lienholder.

9. A transportation network company that provides transportation network company insurance for a motor vehicle is not deemed to be the owner of the motor vehicle.

Sec. 12. *1. A policy of insurance for the operation of a motor vehicle required pursuant to NRS 485.185 or 485.186, as appropriate, is not required to include transportation network company insurance. An insurer providing a policy which excludes transportation network company insurance does not have a duty to defend or indemnify a driver for any claim arising during any period in which the driver is logged into the digital network or software application service of the transportation network company, available to receive requests for transportation services or providing transportation services.*

2. An insurer who provides a policy of insurance for the operation of a motor vehicle required pursuant to NRS 485.185 or 485.186, as appropriate, may include transportation network company insurance in such a policy. An insurer may charge an additional premium for the inclusion of transportation network company insurance in such a policy.

3. An insurer who:

(a) Defends or indemnifies a driver for a claim arising during any period in which the driver is logged into the digital network or software application service of the transportation network company, available to receive requests for transportation services or providing transportation services; and

(b) Excludes transportation network company insurance from the policy of insurance for the operation of a motor vehicle provided to the driver,

➥ ***has the right of contribution against other insurers who provide coverage to the driver to satisfy the coverage required by section 11 of this act at the time of the loss.***

Sec. 13. ***In any investigation relating to tort liability arising from the operation of a motor vehicle, each transportation network company and driver, and each insurer providing transportation network company insurance to a transportation network company or driver, who is involved in the underlying incident shall cooperate with any other party to the incident and any other insurer involved in the investigation and share information, including, without limitation:***

1. The date and time of an accident involving a driver.

2. The dates and times that the driver involved in an accident logged into the digital network or software application service of the transportation network company for a period of 12 hours immediately preceding and 12 hours immediately following the accident.

3. The dates and times that the driver involved in an accident logged out of the digital network or software application service of the transportation network company for a period of 12 hours immediately preceding and 12 hours immediately following the accident.

4. A clear description of the coverage, exclusions and limits provided under any policy of transportation network company insurance which applies.

Sec. 14. ***1. A driver shall carry proof of coverage under a policy of transportation network company insurance at all times when the driver is logged into the digital network or software application service of the transportation network company, available to receive requests for transportation services or providing transportation services.***

2. A driver shall provide proof of coverage under a policy of transportation network company insurance and disclose whether he or she was logged into the digital network or software application service of the transportation network company, available to receive requests for transportation services or providing transportation services at the time of an accident upon request to a law enforcement officer and to any party with whom the driver is involved in an accident.

Sec. 15. Title 58 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 16 to 46, inclusive, of this act.

Sec. 16. *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 17 to 20, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 17. *"Authority" means the Nevada Transportation Authority.*

Sec. 18. *"Driver" means a natural person who:*

1. Operates a motor vehicle that is owned, leased or otherwise authorized for use by the person; and

2. Enters into an agreement with a transportation network company to receive connections to potential passengers and related services from a transportation network company in exchange for the payment of a fee to the transportation network company.

Sec. 19. *"Transportation network company" or "company" means an entity that uses a digital network or software application service to connect a passenger to a driver who can provide transportation services to the passenger.*

Sec. 20. *"Transportation services" means the transportation by a driver of one or more passengers between points chosen by the passenger or passengers and prearranged through the use of the digital network or software application service of a transportation network company. The term includes only the period beginning when a driver accepts a request by a passenger for transportation through the digital network or software application service of a transportation network company and ending when the last such passenger fully disembarks from the motor vehicle operated by the driver.*

Sec. 21. *It is hereby declared to be the purpose and policy of the Legislature in enacting this chapter to ensure the safety, reliability and cost-effectiveness of the transportation services provided by drivers affiliated with transportation network companies in this State.*

Sec. 22. *The provisions of this chapter do not apply to:*

1. Common motor carriers or contract motor carriers that are providing transportation services pursuant to a contract with the Department of Health and Human Services entered into pursuant to NRS 422.2705.

2. A person who provides a digital network or software application service to enable persons who are interested in sharing expenses for transportation to a destination, commonly known as carpooling, to connect with each other, regardless of whether a fee

is charged by the person who provides the digital network or software application service.

Sec. 23. *Nothing in this chapter shall be construed to deem a motor vehicle operated by a driver to provide transportation services to be a commercial motor vehicle.*

Sec. 24. *Except as otherwise provided in this chapter and the regulations adopted pursuant thereto or by a written contract between a transportation network company and a driver, a company shall not control, direct or manage a driver or the motor vehicle operated by a driver.*

Sec. 25. *1. A transportation network company shall not engage in business in this State unless the company holds a valid permit issued by the Authority pursuant to this chapter.*

2. A driver shall not provide transportation services unless the company with which the driver is affiliated holds a valid permit issued by the Authority pursuant to this chapter.

3. The Authority is authorized and empowered to regulate, pursuant to the provisions of this chapter, all transportation network companies and drivers who operate or wish to operate within this State. The Authority shall not apply any provision of chapter 706 of NRS to a transportation network company or a driver who operates within the provisions of this chapter and the regulations adopted pursuant thereto.

Sec. 26. *A person who desires to operate a transportation network company in this State must submit to the Authority an application for the issuance of a permit to operate a transportation network company. The application must be in the form required by the Authority and must include such information as the Authority, by regulation, determines is necessary to prove the person meets the requirements of this chapter for the issuance of a permit.*

Sec. 27. *1. Upon receipt of a completed application and upon a determination by the Authority that an applicant meets the requirements for the issuance of a permit to operate a transportation network company, the Authority shall issue to the applicant within 30 days a permit to operate a transportation network company in this State.*

2. In accordance with the provisions of this chapter, a permit issued pursuant to this section:

(a) Authorizes a transportation network company to connect one or more passengers through the use of a digital network or software application service to a driver who can provide transportation services.

(b) Authorizes a transportation network company to make its digital network or software application service available to one or more drivers to receive connections to potential passengers from the company in exchange for the payment of a fee by the driver to the company.

(c) Does not authorize a transportation network company or any driver to engage in any activity otherwise regulated pursuant to chapter 706 of NRS other than the activity authorized by this chapter.

3. Nothing in this chapter prohibits the issuance of a permit to operate a transportation network company to a person who is regulated pursuant to chapter 706 of NRS if the person submits an application pursuant to section 26 of this act and meets the requirements for the issuance of a permit.

Sec. 28. *A transportation network company shall appoint and keep in this State a registered agent as provided in NRS 14.020.*

Sec. 29. *1. A transportation network company may enter into an agreement with one or more drivers to receive connections to potential passengers from the company in exchange for the payment of a fee by the driver to the company.*

2. Before a transportation network company allows a person to be connected to potential passengers using the digital network or software application service of the company pursuant to an agreement with the company, the company must:

(a) Require the person to submit an application to the company, which must include, without limitation:

(1) The name, age and address of the applicant.

(2) A copy of the driver's license of the applicant.

(3) A record of the driving history of the applicant.

(4) A description of the motor vehicle of the applicant and a copy of the motor vehicle registration.

(5) Proof that the applicant has complied with the requirements of NRS 485.185.

(b) At the time of application and not less than once every 3 years thereafter, conduct or contract with a third party to conduct an investigation of the criminal history of the applicant, which must include, without limitation:

(1) A review of a commercially available database containing criminal records from each state which are validated using a search of the primary source of each record.

(2) A search of a database containing the information available in the sex offender registry maintained by each state.

(c) At the time of application and not less than once every year thereafter, obtain and review a complete record of the driving history of the applicant.

3. A transportation network company may enter into an agreement with a driver if:

(a) The applicant is at least 19 years of age.

(b) The applicant possesses a valid driver's license issued by the Department of Motor Vehicles unless the applicant is exempt from the requirement to obtain a Nevada driver's license pursuant to NRS 483.240.

(c) The applicant provides proof that the motor vehicle operated by him or her is registered with the Department of Motor Vehicles unless the applicant is exempt from the requirement to register the motor vehicle in this State pursuant to NRS 482.385.

(d) The applicant provides proof that the motor vehicle operated by him or her is operated and maintained in compliance with all applicable federal, state and local laws.

(e) The applicant provides proof that he or she currently is in compliance with the provisions of NRS 485.185.

(f) In the 3 years immediately preceding the date on which the application is submitted, the applicant has not been found guilty of three or more violations of the motor vehicle laws of this State or any traffic ordinance of any city or town, the penalty prescribed for which is a misdemeanor.

(g) In the 3 years immediately preceding the date on which the application is submitted, the applicant has not been found guilty of any violation of the motor vehicle laws of this State or any traffic ordinance of any city or town, the penalty prescribed for which is a gross misdemeanor or felony.

(h) In the 7 years immediately preceding the date on which the application is submitted, the applicant has not been found guilty of any violation of federal, state or local law prohibiting driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance.

(i) In the 7 years immediately preceding the date on which the application is submitted, the applicant has not been found guilty of any crime involving an act of terrorism, an act of violence, a sexual offense, fraud, theft, damage to property of another or the use of a motor vehicle in the commission of a felony.

(j) The name of the applicant does not appear in the database searched pursuant to subparagraph (2) of paragraph (b) of subsection 2.

4. A transportation network company shall terminate an agreement with any driver who:

(a) Fails to submit to the transportation network company a change in his or her address, driver's license or motor vehicle registration within 30 days after the date of the change.

(b) Fails to immediately report to the transportation network company any change in his or her driving history or criminal history.

(c) Refuses to authorize the transportation network company to obtain and review an updated complete record of his or her driving history not less than once each year and an investigation of his or her criminal history not less than once every 3 years.

(d) Is determined by the transportation network company to be ineligible for an agreement pursuant to subsection 3 on the basis of any updated information received by the transportation network company.

Sec. 30. *1. In accordance with the provisions of this chapter, a transportation network company which holds a valid permit issued by the Authority pursuant to this chapter may, on behalf of a driver, charge a fare for transportation services provided to a passenger by the driver.*

2. If a fare is charged, the company must disclose the rates charged by the company and the method by which the amount of a fare is calculated:

(a) On an Internet website maintained by the company; or

(b) Within the digital network or software application service of the company.

3. If a fare is charged, the company must offer to each passenger the option to receive, before the passenger enters the motor vehicle of a driver, an estimate of the amount of the fare that will be charged to the passenger.

4. A transportation network company may accept payment of a fare only electronically. A transportation network company or a driver shall not solicit or accept cash as payment of a fare.

5. A transportation network company shall not impose any additional charge for a driver who provides transportation services to a person with a physical disability because of the disability.

6. The Authority may adopt regulations establishing a maximum fare that may be charged during an emergency, as defined in NRS 414.0345.

Sec. 31. *1. A transportation network company shall not allow a driver to be connected to potential passengers using the digital network or software application service of the company if*

the motor vehicle operated by the driver to provide transportation services:

(a) Is not in compliance with all federal, state and local laws concerning the operation and maintenance of the motor vehicle.

(b) Has less than four doors.

(c) Is designed to carry more than eight passengers, including the driver.

(d) Is a farm tractor, mobile home, recreational vehicle, semitractor, semitrailer, trailer, bus, motorcycle or tow car.

2. A transportation network company shall inspect or cause to be inspected every motor vehicle used by a driver to provide transportation services before allowing the driver to use the motor vehicle to provide transportation services and not less than once each year thereafter.

3. The inspection required by subsection 2 must include, without limitation, an inspection of the foot and emergency brakes, steering, windshield, rear window, other glass, windshield wipers, headlights, tail lights, turn indicator lights, braking lights, front seat adjustment mechanism, doors, horn, speedometer, bumpers, muffler, exhaust, tires, rear view mirrors and safety belts of the vehicle which ensures the proper functioning of each component.

Sec. 32. *1. A transportation network company shall adopt a policy which prohibits discrimination against a passenger or potential passenger on account of national origin, religion, age, disability, sex, race, color, sexual orientation or gender identity or expression.*

2. A driver shall not discriminate against a passenger or potential passenger on account of national origin, religion, age, disability, sex, race, color, sexual orientation or gender identity or expression.

3. A transportation network company shall provide to each passenger an opportunity to indicate whether the passenger requires transportation in a motor vehicle that is wheelchair accessible. If the company cannot provide the passenger with transportation services in a motor vehicle that is wheelchair accessible, the company must direct the passenger to an alternative provider or means of transportation that is wheelchair accessible, if available.

Sec. 33. *For each instance in which a driver provides transportation services to a passenger, the transportation network company which connected the passenger to the driver shall provide to the passenger, before the passenger enters the motor*

vehicle of a driver, a photograph of the driver who will provide the transportation services and the license plate number of the motor vehicle operated by the driver. The information required by this section must be provided to the passenger:

1. On an Internet website maintained by the company; or

2. Within the digital network or software application service of the company.

Sec. 34. *A transportation network company which connected a passenger to a driver shall, within a reasonable period following the provision of transportation services by the driver to the passenger, transmit to the passenger an electronic receipt, which must include, without limitation:*

1. A description of the point of origin and the destination of the transportation services;

2. The total time for which transportation services were provided;

3. The total distance traveled; and

4. An itemization of the fare, if any, charged for the transportation services.

Sec. 35. *A transportation network company may enter into a contract with any agency of the Department of Health and Human Services to provide assistance in transportation pursuant to the programs administered by the agency.*

Sec. 36. *1. A transportation network company shall maintain the following records relating to the business of the company for a period of at least 3 years after the date on which the record is created:*

(a) Trip records;

(b) Driver records and vehicle inspection records;

(c) Records of each complaint and the resolution of each complaint; and

(d) Records of each accident or other incident that involved a driver and was reported to the transportation network company.

2. Each transportation network company shall make its records available for inspection by the Authority upon request and only as necessary for the Authority to investigate complaints. This subsection does not require a company to make any proprietary information available to the Authority. Any records provided to the Authority are confidential and must not be disclosed other than to employees of the Authority.

Sec. 37. *1. Each transportation network company shall:*

(a) Keep uniform and detailed accounts of all business transacted in this State and provide such accounts to the Authority upon request;

(b) On or before May 15 of each year, provide an annual report to the Authority regarding all business conducted by the company in this State during the preceding calendar year; and

(c) Provide the information determined by the Authority to be necessary to verify the collection of money owed to the State.

2. The Authority shall adopt regulations setting forth the form and contents of the information required to be provided pursuant to subsection 1.

3. If the Authority determines that a transportation network company has failed to include information in its accounts or report required pursuant to subsection 1, the Authority shall notify the company to provide such information. A company which receives a notice pursuant to this subsection shall provide the specified information within 15 days after receipt of such a notice.

4. All information required to be provided pursuant to this section must be signed by an officer or agent of, or other person authorized by, the transportation network company under oath.

Sec. 38. *1. A driver shall not solicit or accept a passenger or provide transportation services to any person unless the person has arranged for the transportation services through the digital network or software application service of the transportation network company.*

2. With respect to a passenger's destination, a driver shall not:

(a) Deceive or attempt to deceive any passenger who rides or desires to ride in the driver's motor vehicle.

(b) Convey or attempt to convey any passenger to a destination other than the one directed by the passenger.

(c) Take a longer route to the passenger's destination than is necessary, unless specifically requested to do so by the passenger.

(d) Fail to comply with the reasonable and lawful requests of the passenger as to speed of travel and route to be taken.

3. A driver shall not, at the time the driver picks up a passenger, refuse or neglect to provide transportation services to any orderly passenger unless the driver can demonstrate to the satisfaction of the Authority that:

(a) The driver has good reason to fear for the driver's personal safety; or

(b) The driver is prohibited by law or regulation from carrying the person requesting transportation services.

Sec. 39. *1. A driver is prohibited from consuming, using or being under the influence of any intoxicating liquor or controlled substance during any period in which the driver is providing transportation services on behalf of the transportation network company and any period in which the driver is logged into the digital network or software application service of the transportation network company and available to receive requests for transportation services but is not providing transportation services.*

2. Each transportation network company shall:

(a) Provide notice of the provisions of subsection 1:

(1) On an Internet website maintained by the company; or

(2) Within the digital network or software application service of the company; and

(b) Provide for the submission to the company of a complaint by a passenger who reasonably believes that a driver is operating a motor vehicle in violation of the provisions of subsection 1.

3. Upon receipt of a complaint submitted by a passenger who reasonably believes that a driver is operating a motor vehicle in violation of the provisions of subsection 1, a transportation network company shall immediately suspend the access of the driver to the digital network or software application service of the company and conduct an investigation of the complaint. The company shall not allow the driver to access the digital network or software application service of the company or provide transportation services in affiliation with the company until after the investigation is concluded.

4. If a transportation network company determines, pursuant to an investigation conducted pursuant to subsection 3, that a driver has violated the provisions of subsection 1, the company shall terminate the agreement entered into with the driver and shall not allow the driver to access the digital network or software application service of the company.

5. Each transportation network company shall maintain a record of each complaint described in subsection 3 and received by the company for a period of not less than 3 years after the date on which the complaint is received. The record must include, without limitation, the name of the driver, the date on which the complaint was received, a summary of the investigation conducted by the company and the results of the investigation.

Sec. 40. *1. Except as otherwise provided in this section, a transportation network company shall not disclose to any person*

the personally identifiable information of a passenger who received services from the company unless:

(a) The disclosure is otherwise required by law;

(b) The company determines that disclosure is required to protect or defend the terms of use of the services or to investigate violations of those terms of use; or

(c) The passenger consents to the disclosure.

2. A transportation network company may disclose to a driver the name and telephone number of a passenger for the purposes of facilitating correct identification of the passenger and facilitating communication between the driver and the passenger.

Sec. 41. *Each transportation network company shall:*

1. Provide notice of the contact information of the Authority on an Internet website maintained by the company or within the digital network or software application service of the company; and

2. Create a system to receive and address complaints from consumers which is available during normal business hours in this State.

Sec. 42. *1. If the Authority determines that a transportation network company or driver has violated the terms of a permit issued pursuant to this chapter or any provision of this chapter or any regulations adopted pursuant thereto, the Authority may, depending on whether the violation was committed by the company, the driver, or both:*

(a) If the Authority determines that the violation is willful and endangers public safety, suspend or revoke the permit issued to the transportation network company;

(b) If the Authority determines that the violation is willful and endangers public safety, impose against the transportation network company an administrative fine in an amount not to exceed $100,000 per violation;

(c) Prohibit a person from operating as a driver; or

(d) Impose any combination of the penalties provided in paragraphs (a), (b) and (c).

2. To determine the amount of an administrative fine imposed pursuant to paragraph (b) or (d) of subsection 1, the Authority shall consider:

(a) The size of the transportation network company;

(b) The severity of the violation;

(c) Any good faith efforts by the transportation network company to remedy the violation;

(d) The history of previous violations by the transportation network company; and

(e) Any other factor that the Authority determines to be relevant.

3. Notwithstanding the provisions of NRS 193.170, a person who violates any provision of this chapter is not subject to any criminal penalty for such a violation.

Sec. 43. *1. Except as otherwise provided in subsection 2, the provisions of this chapter do not exempt any person from any law governing the operation of a motor vehicle upon the highways of this State.*

2. A transportation network company which holds a valid permit issued by the Authority pursuant to this chapter, a driver who has entered into an agreement with such a company and a vehicle operated by such a driver are exempt from:

(a) The provisions of chapter 704 relating to public utilities; and

(b) The provisions of chapter 706 of NRS,

➥ to the extent that the services provided by the company or driver are within the scope of the permit.

Sec. 44. *1. Except as otherwise provided in subsection 2, a local governmental entity shall not:*

(a) Impose any tax or fee on a transportation network company operating within the scope of a valid permit issued by the Authority pursuant to this chapter, a driver who has entered into an agreement with such a company or a vehicle operated by such a driver or for transportation services provided by such a driver.

(b) Require a transportation network company operating within the scope of a valid permit issued by the Authority pursuant to this chapter to obtain from the local government any certificate, license or permit to operate within that scope or require a driver who has entered into an agreement with such a company to obtain from the local government any certificate, license or permit to provide transportation services.

(c) Impose any other requirement upon a transportation network company or a driver which is not of general applicability to all persons who operate a motor vehicle within the jurisdiction of the local government.

2. Nothing in this section:

(a) Prohibits a local governmental entity from requiring a transportation network company or driver to obtain from the local government a business license or to pay any business license fee in

the same manner that is generally applicable to any other business that operates within the jurisdiction of the local government.

(b) Prohibits an airport or its governing body from requiring a transportation network company or a driver to:

(1) Obtain a permit or certification to operate at the airport;

(2) Pay a fee to operate at the airport; or

(3) Comply with any other requirement to operate at the airport.

(c) Exempts a vehicle operated by a driver from any tax imposed pursuant to NRS 354.705, 371.043 or 371.045.

3. The provisions of this chapter do not exempt any person from the requirement to obtain a state business license issued pursuant to chapter 76 of NRS. A transportation network company shall notify each driver of the requirement to obtain a state business license issued pursuant to chapter 76 of NRS and the penalties for failing to obtain a state business license.

Sec. 45. *1. Each transportation network company shall provide to the Authority reports containing information relating to motor vehicle accidents involving drivers affiliated with the company which occurred in this State while the driver was providing transportation services or logged into the digital network or software application service of the company and available to receive requests for transportation services. The reports required by this subsection must contain the information identified in subsection 2 and be submitted:*

(a) For all accidents that occurred during the first 6 months that the company operates within this State, on or before the date 7 months after the company was issued a permit.

(b) For all accidents that occurred during the first 12 months that the company operates within this State, on or before the date 13 months after the company was issued a permit.

2. The reports submitted pursuant to subsection 1 must include, for the period of time specified in subsection 1:

(a) The number of motor vehicle accidents which occurred in this State involving such a driver;

(b) The highest, lowest and average amount paid for bodily injury or death to one or more persons that occurred as a result of such an accident; and

(c) The highest, lowest and average amount paid for damage to property that occurred as a result of such an accident.

3. The Authority shall collect the reports submitted by transportation network companies pursuant to subsection 1 and determine whether the limits of coverage required pursuant to

section 11 of this act are sufficient. The Authority shall submit a report stating whether the limits of coverage required pursuant to section 11 of this act are sufficient and containing the information, in an aggregated format which does not reveal the identity of any person, submitted by transportation network companies pursuant to subsection 1 since the last report of the Authority pursuant to this subsection:

(a) To the Legislative Commission on or before December 1 of each odd-numbered year.

(b) To the Director of the Legislative Counsel Bureau for transmittal to the Nevada Legislature on or before December 1 of each even-numbered year.

Sec. 46. ***The Authority shall adopt such regulations as are necessary to carry out the provisions of this chapter.***

Sec. 47. Section 14 of Assembly Bill No. 175 of this session is hereby amended to read as follows:

Sec. 14. Title 58 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 15 to ~~[46,]~~ ***28,*** inclusive, of this act.

Sec. 48. Section 25 of Assembly Bill No. 175 of this session is hereby amended to read as follows:

Sec. 25. A person who desires to operate a transportation network company in this State must submit to the ~~[Commission]~~ ***Authority*** an application for the issuance of a permit to operate a transportation network company. The application must be in the form required by the ~~[Commission,]~~ ***Authority,*** must be accompanied by the fee required by section 27 of this act and must include such information as ~~[reasonably required by]~~ the ~~[Commission]~~ ***Authority,*** by regulation ~~[.]~~ ***, determines is necessary to prove the person meets the requirements of this chapter for the issuance of a permit.***

Sec. 49. Section 26 of Assembly Bill No. 175 of this session is hereby amended to read as follows:

Sec. 26. 1. Upon receipt of a completed application and payment of the required fee and upon a determination by the ~~[Commission]~~ ***Authority*** that an applicant meets the requirements for the issuance of a permit to operate a transportation network company, the ~~[Commission]~~ ***Authority*** shall issue to the applicant within ~~[120]~~ ***30*** days a permit to operate a transportation network company in this State.

2. In accordance with the provisions of this chapter, a permit issued pursuant to this section:

(a) Authorizes a transportation network company to connect one or more passengers through the use of a digital network or software application service to a driver who can provide transportation services.

(b) Authorizes a transportation network company to make its digital network or software application service available to one or more drivers to receive connections to potential passengers from the company in exchange for the payment of a fee by the driver to the company.

(c) Does not authorize a transportation network company or any driver to engage in any activity otherwise regulated pursuant to chapter 706 of NRS other than the activity authorized by ~~[sections 15 to 46, inclusive, of]~~ this ~~[act.]~~ ***chapter.***

3. Nothing in this chapter prohibits the issuance of a permit to operate a transportation network company to a person who is regulated pursuant to chapter 706 of NRS if the person submits an application pursuant to section 25 of this act and meets the requirements for the issuance of a permit.

Sec. 50. Section 27 of Assembly Bill No. 175 of this session is hereby amended to read as follows:

Sec. 27. 1. The ~~[Commission]~~ ***Authority*** shall charge and collect a fee in an amount established by the ~~[Commission]~~ ***Authority*** by regulation from each applicant for a permit to operate a transportation network company in this State. The fee required by this subsection is not refundable. The ~~[Commission]~~ ***Authority*** shall not issue a permit to operate a transportation network company in this State unless the applicant has paid the fee required by this subsection.

2. For each year after the year in which the ~~[Commission]~~ ***Authority*** issues a permit to a transportation network company, the ~~[Commission]~~ ***Authority*** shall levy and collect an annual assessment from the transportation network company at a rate determined by the ~~[Commission]~~ ***Authority*** based on the gross operating revenue derived from the intrastate operations of the transportation network company in this State.

3. The annual assessment levied and collected by the ~~[Commission]~~ ***Authority*** pursuant to subsection 2 must be used by the ~~[Commission]~~ ***Authority*** for the regulation of transportation network companies.

Sec. 51. Section 28 of Assembly Bill No. 175 of this session is hereby amended to read as follows:

Sec. 28. 1. In addition to any other fee or assessment imposed pursuant to this chapter, an excise tax is hereby imposed on the use of a digital network or software application service of a transportation network company to connect a passenger to a driver for the purpose of providing transportation services at the rate of 3 percent of the total fare charged for transportation services, which must include, without limitation, all fees, surcharges, technology fees, convenience charges for the use of a credit or debit card and any other amount that is part of the fare. The ~~[Commission]~~ ***Authority*** shall charge and collect from each transportation network company the excise tax imposed by this subsection.

2. The excise tax collected by the ~~[Commission]~~ ***Authority*** pursuant to subsection 1 must be deposited with the State Treasurer in accordance with the provisions of section 53 of this act.

Sec. 52. Section 53 of Assembly Bill No. 175 of this session is hereby amended to read as follows:

Sec. 53. The State Treasurer shall deposit any money the State Treasurer receives from the ~~[Public Utilities Commission of]~~ Nevada ***Transportation Authority*** pursuant to ~~[section]~~ ***sections*** 28 ~~[of this act, the Authority pursuant to section]~~ ***and*** 51 of this act and the Taxicab Authority pursuant to section 52 of this act:

1. For the first $5,000,000 of the combined amount of such money received in each biennium, for credit to the State Highway Fund.

2. For any additional amount of such money received in each fiscal year, for credit to the State General Fund.

Sec. 53. Section 58 of Assembly Bill No. 175 of this session is hereby amended to read as follows:

Sec. 58. 1. This section and sections ~~[2]~~ ***14, 15, 17, 18, 19, 25*** to ~~[50,]~~ ***28,*** inclusive, ***50, 53*** and ~~[53 to 57, inclusive,]~~ ***54*** of this act become effective upon passage and approval.

2. Sections 51 and 52 of this act become effective on the 90th day after the effective date described in subsection 1.

3. Section 1 of this act becomes effective on October 1, 2015.

Sec. 54. 1. Notwithstanding any regulation adopted by the Nevada Transportation Authority pursuant to sections 16 to 46, inclusive, of this act, a transportation network company, as defined in section 19 of this act, which is issued a permit by the Nevada Transportation Authority pursuant to section 27 of this act on or before July 1, 2017, may commence operations in this State immediately upon being issued a permit.

2. Notwithstanding the effective date of any regulation adopted by the Nevada Transportation Authority pursuant to sections 16 to 46, inclusive, of this act on or before July 1, 2017, a transportation network company must not be required to comply with the provisions of the regulation until 30 days after the regulation is filed with the Secretary of State.

3. The Nevada Transportation Authority shall accept applications for a permit to operate a transportation network company within 30 days after the effective date of section 26 of this act.

4. Notwithstanding the provisions of section 27 of this act, the Nevada Transportation Authority shall not, before July 1, 2015, issue a permit to operate a transportation network company.

Sec. 55. 1. The Nevada Transportation Authority shall investigate and compare the efficacy, efficiency and effect on public safety of background checks performed pursuant to paragraph (b) of subsection 2 of section 29 of this act and background checks performed by submitting the fingerprints of a person by the Central Repository for Nevada Records of Criminal History to the Federal Bureau of Investigation for its report.

2. The Nevada Transportation Authority shall, on or before the date 6 months after the effective date of this section, report the results of its investigation to the Legislative Commission.

Sec. 56. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 57. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 58. Sections 2 to 13, inclusive, 16, 20 to 24, inclusive, 29 to 49, inclusive, 55, 56 and 57 of Assembly Bill No. 175 of this session are hereby repealed.

Sec. 59. 1. This section, sections 2 to 46, inclusive, 54, 55 and 56 of this act become effective upon passage and approval.

2. Sections 47 to 53, inclusive, and 58 of this act become effective upon passage and approval of Assembly Bill No. 175 of this session.

3. Sections 1 and 57 of this act become effective on January 1, 2016.