



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE February 26, 2015 GENERAL SESSION

AGENDA

1. Call to Order

Chairman Andrew J. MacKay called the meeting to order at 9:30 a.m.

2. Roll Call

Present in Las Vegas: Chairman Andrew J. MacKay, Commissioner George Assad, Commissioner Keith A. Sakelhide, Administrative Attorney James Day, Applications Manager Liz Babcock, Financial Analyst Lidia Aronova, Chief of Enforcement Michael Bradford, Senior Deputy Attorney General David Newton. Present in Reno: Deputy Commissioner Marilyn Skibinski

3. Pledge of Allegiance

Chief of Enforcement Michael Bradford led a recital of the Pledge.

4. Public Comment

none

5. Approval of Agenda

Administrative Attorney Day requested Items 10 and 24 be removed, to be heard at a subsequent Agenda meeting. Applications Manager Liz Babcock requested Items 88 and 98 be removed, to be heard at a subsequent Agenda meeting. Approved as modified 3-0

6. Approval of the Minutes of the January 22, 2015 Agenda Meeting

Approved 3-0

7. Briefings from the Commissioners

Commissioner Assad thanked Administrative Attorney Day and Senior Deputy Attorney General Newton for their ongoing efforts and outstanding legal support. Commissioner Sakelhide echoed Commissioner Assad's comments. Chairman MacKay echoed both commissioners' comments and thanked the entire staff, specifically Commissioners Assad and Sakelhide for standing in while he is in Legislature and then gave a brief report on the current proceedings. Chairman MacKay thanked Compliance Auditor Gina Reynolds for her service to the Authority and wished her luck in her next position.

8. Briefing from the Deputy Commissioner

Deputy Commissioner Marilyn Skibinski echoed Chairman MacKay's comments regarding Gina Reynolds. She congratulated a new carrier, Vegas VIP Limousines, reported that Enforcement Investigator Kenny Taylor would be starting March 9, 2015 and that the annual report forms are on the NTA website.

9. Report of Legal Counsel

Senior Deputy Attorney General Newton gave a brief update on the Marquez matter. He also stated it is our understanding that litigation is to be filed in district court, federal court in Las Vegas, by a moving company from Sacramento, regarding the difficulty obtaining certification, however the Authority nor the Attorney General's Office has been served. Chairman MacKay stated a Temporary Restraining Order had been filed to prevent the Authority from enacting the statutory requirements for the issuance of driver permits. It is to be heard before Judge Flannigan Tuesday, March 2, 2015.

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Items 10 through 67, with the exception of Items 10, 24, 31, 54 and 55 Approved 3-0

- 10. Citation 16977** issued to Stephen Barnes for violations of NRS 706.386 and NRS 706.758. (AJM)
Item removed from Agenda prior to consideration.
- 11. Citation 16980** issued to CEL-Jim and Jim's Tire Factory for violation of NRS 706.4479 (4 counts). (AJM)
- 12. Citation 16986** issued to David Hankinson for a violation of NAC 706.376. (AJM)
- 13. Citation 16987** issued to Daniel Fortune for a violation of NAC 706.376. (AJM)
- 14. Citation 17158** issued to Christina Wahlstrom for violations of NAC 706.3762 and NAC 706.3763. (AJM)
- 15. Citation 17252** issued to SEM Enterprises, LLC d/b/a City Auto Towing for violations of NAC 706.420 and NRS 706.4477. (AJM)
- 16. Citation 17324** issued to Elcid John Balilo Dizon and UBER Technologies, Inc. for violations of NRS 706.386 and NRS 706.758. (AJM)
- 17. Citation 17334** issued to Peter McNamara for a violation of NAC 706.234. (AJM)
- 18. Impound 2462 and Citation 17326.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17326 issued to Steve Anderson for violations of NRS 706.386 and NRS 706.758. (AJM)
- 19. Citations 16914 and 16915** issued to Vegas Valley Towing for violations of NAC 706.247/49 CFR 391.51 (7)(i) (3 counts), NAC 706.430/49 CFR 382.301 (a), NAC 706.420 and NAC 706.432 (1). (GA)

20. **Citation 17069** issued to Juan Blanco and S & L Investments for a violation of NRS 706.386. (GA)
21. **Citation 17111** issued to Juan Blanco for violation of NRS 706.758. (GA)
22. **Citation TA 8-00047941** issued to Juan Blanco for violation of NRS 706.386. (GA)
23. **Impound TA-141216-016.** The impoundment pursuant to NRS 706.88395 of a vehicle registered to Scott Anthony Pauli. (GA)
24. **Citations 16743 and 16744** issued to Quality Towing for violations of NAC 706.4275 (10 counts), NAC 706.311 (84 counts) and NAC 706.432 (84 counts). (KAS)
Item removed from Agenda prior to consideration.
25. **Citation 17213** issued to Aynealem Gerbreslasie for violations of NAC 706.228 and NAC 706.329. (KAS)
26. **Citation 17222** issued to Blake Jones for violations of NRS 706.386 and NRS 706.758. (KAS)
27. **Citations 17225 and 17376** issued to Seiji, LLC for violations of NAC 706.247/49 CFR 382.301 (2 counts), NAC 706.247/49 CFR 382.305, NAC 706.247/49 CFR 396.3 and NAC 706.247/49 CFR 391.31. (KAS)
28. **Citation 17232** issued to Stuart Cantara for violations of NRS 706.386 and NRS 706.758. (KAS)
29. **Citation 17340** issued to Allen R. Timothy for violations of NRS 706.386 and NRS 706.758. (KAS)
30. **Citation 17380** issued to Myron Delin Todd for violations of NAC 706.228 and NAC 706.247/49 CFR 391.41. (KAS)
31. **Citation 17382** issued to Mulubrhan Dagnev for violations of NRS 706.386 and NRS 706.758. (KAS)
Item removed from Agenda prior to consideration.
32. **Citation 17383** issued to Miguel Galvan for violations of NRS 706.386 and NRS 706.758. (KAS)
33. **Citation 17385** issued to Nathael Paulos for a violation of NAC 706.228. (KAS)
34. **Citation 17401** issued to Colin Chapman for a violation of NRS 706.386. (KAS)
35. **Impound 1511.** The impoundment pursuant to NRS 706.476 of a vehicle registered to EAN Holdings, LLC. (KAS)
36. **Impound 1513.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Gregory Silva. (KAS)

37. **Impound 2377.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Ethan Erhardt. (KAS)
38. **Impound 2464 and Citation 17335.** The impoundment pursuant to NRS 706.476 of the vehicle registered to and Citation 17335 issued to Arturo Jimenez for violations of NRS 706.386 and NRS 706.758. (KAS)
39. **Impound 2465.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Wesley Hibble. (KAS)
40. **Impound 2473.** The impoundment pursuant to NRS 706.476 of a vehicle registered to PV Holdings. (KAS)
41. **Impound 2474.** The impoundment pursuant to NRS 706.476 of a vehicle registered to EAN Holdings, LLC. (KAS)
42. **Impound 2408 and Citation 17387.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17387 issued to Ronald Balodis for violations of NRS 706.386 and NRS 706.758. (KAS)
43. **Impound 2448 and Citation 16315.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 16315 issued to Elias Gil for violations of NRS 706.386 and NRS 706.758. (KAS)
44. **Citation 16317** issued to Custom Cycle Rescue for a violation of NRS 706.451.
45. **Citation 16318** issued to J.A.W. Towing for a violation of NRS 706.451.
46. **Citation 16319** issued to Larry's Towing and Transport for a violation of NRS 706.451.
47. **Citation 16320** issued to Las Vegas Towing for a violation of NRS 706.451.
48. **Citation 16687** issued to Tri-State Towing and Recovery for a violation of NRS 706.4477.
49. **Citations 16738, 17047, 17048, 17049, 17216 and 17229** issued to J Transportation for violations of NRS 706.167, NRS 706.386 (3 counts), NRS 706.758, NRS 706.398, NAC 706.247/49 CFR 391.41, NAC 706.170 and NAC 706.360 (2 counts).
50. **Citation 16913** issued to Lee's Tour and Travel, Inc. for a violation of NAC 706.247/49 CFR 382.305(a).
51. **Citation 16997** issued to Donald Bailey for a violation of NAC 706.234.
52. **Citation 16998** issued to Pamela Thomas for a violation of NAC 706.234.
53. **Citation 17083** issued to Ashley's Towing for a violation of NAC 706.420.
54. **Citation 17277** issued to Ed's Place Towing for a violation of NRS 706.285.

Approved with noted modifications 3-0

- 55. **Citation 17278** issued to Lostra Brothers Towing for a violation of NRS 706.285.
Approved with noted modifications 3-0
- 56. **Citation 17279** issued to Khaled Manzoor for a violation of NAC 706.3747.
- 57. **Citation 17330** issued to Kazi Mohammed for a violation of NAC 706.376.
- 58. **Citation 17331** issued to Aminiasi Taukiueva for a violation of NAC 706.376.
- 59. **Citation 17392** issued to Ashley's Towing for violation of NAC 706.311 and NAC 706.420.
- 60. **Citation 17394** issued to Mesquite Towing Company, Inc. for a violation of NRS 706.451.
- 61. **Citation 17395** issued to Red Rock Towing for a violation of NRS 706.451.
- 62. **Citation 17396** issued to Rush In Towing for a violation of NRS 706.451.
- 63. **Citation 17397** issued to Speedy Recovery, Inc. for a violation of NRS 706.451.
- 64. **Citation 17409** issued to Day and Night Towing for a violation of NRS 706.451.
- 65. **Citation TA 8-00039799** issued to Girma Gurara for a violation of NRS 706.8827.
- 66. **Citation TA 8-00040700** issued to Armen Saakyan for a violation of NRS 706.8827.
- 67. **Impound 2463 and Citation 17332.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17332 issued to Michael Greene for violation of NRS 706.386 and NRS 706.758.

**APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY TO PROVIDE CHARTER BUS SERVICE**

- 68. **Docket 14-08009** The Application of Y & L Transportation, LLC d/b/a Y & L Transportation for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (GA)
Commissioner Assad briefly summarized the application and indicated his support. Applications Manager Liz Babcock indicated staff support. Annielean Young appeared on behalf of the Applicant. Approved 3-0
- 69. **Docket 14-11029** The joint Application of John Snyder for authority to sell and transfer and Daniel Nunes to purchase and acquire 100% of the corporate stock of Starlight Limousine, Inc. d/b/a Starlight Transportation, a carrier authorized to provide charter bus service within the State of Nevada, granted under CPCN 2158. Staff investigation concluded. (GA)
Commissioner Assad briefly summarized the application and indicated his support. Applications Manager Liz Babcock indicated staff support. Dan Nunes appeared on behalf of the Applicant. Approved 3-0

- 70. Docket 15-01009** The Joint Application of Beau McMinn for authority to sell and transfer and of David Kim to purchase and acquire 100 shares of common stock of DKBM Enterprise, Inc. a carrier authorized to provide charter bus service granted under CPCN 2168. Staff investigation concluded. (GA)

Commissioner Assad briefly summarized the application and indicated his support. Applications Manager Liz Babcock indicated staff support. Approved 3-0

EXEMPTION REQUESTS

- 71. Docket 14-06023** Hanatour USA, Inc. d/b/a Hanatour Las Vegas seeks a declaration of exemption pursuant to NAC 706.147 from the requirement to obtain a CPCN to provide intrastate commercial passenger transportation/tours in Nevada.

Exemption request withdrawn per Administrative Attorney Jim Day.

- 72. Docket 14-09024** Tahoe Rim Trail Association seeks a declaration of exemption pursuant to NAC 706.147 from the requirement to obtain a CPCN to provide intrastate commercial passenger transportation/tours in Nevada.

Chairman MacKay summarized the request. Administrative Attorney Day stated Tahoe Rim Trail had been fully notified their presence was necessary, however no one was present in Reno or Las Vegas. Exemption denied 3-0

- 73. Docket 15-01014** Las Vegas Razor Adventures, LLC seeks a renewed declaration of exemption pursuant to NAC 706.147 from the requirement to obtain a CPCN to provide intrastate commercial passenger transportation/tours in Nevada.

Chairman MacKay summarized the request. Applications Manager Liz Babcock indicated the request stems from a change in office location. Approved 3-0

- 74. Docket 15-02015** Blowin Sand Rodz Rental & Tours, LLC d/b/a Vegas Off Road Tours seeks a declaration of exemption pursuant to NAC 706.147 from the requirement to obtain a CPCN to provide intrastate commercial passenger transportation/tours in Nevada.

Chairman MacKay summarized the request. The Applicant was not present, item tabled to be heard at a subsequent Agenda meeting. Approved to be tabled 3-0

NAME CHANGES

- 75. Docket 14-10014** The Petition of Ed's Place Towing & Recovery, LLC to change their name to add d/b/a American Towing for services provided under CPCN 7203, Sub 3. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

- 76. Docket 15-01008** The Petition of DKBM Enterprises, Inc. to change their name from d/b/a Ruckus Transportation to d/b/a Regal Transportation for services provided under CPCN ~~2158~~ 2168. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

PETITION FOR LOGO APPROVAL

- 77. Docket 13-04037** The Petition of VIP Vegas Limousines, LTD d/b/a V Limousines for final approval of a logo for operations conducted under CPCN 1124 within the State of Nevada. *Commissioner Assad briefly summarized and indicated his support. Approved 3-0*

APPLICATIONS FOR WAREHOUSE PERMITS

- 78. Docket 14-04017** The Application of Big Box Storage Nevada, Inc. for discussion regarding failure to meet compliances for a Warehouse Permit. Staff investigation concluded. *Jason Earl appeared on behalf of the Applicant, updated their current status and requested the item be tabled to the next subsequent Agenda. Approved to be tabled 3-0*
- 79. Docket 15-01024** The Application of Slater Transfer and Storage, Inc. for a Warehouse Permit. Staff investigation concluded. *Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 3-0*

- 80. Public Comment**
none

1:30 PM AFTERNOON SESSION

- 81. Public Comment**
none

APPLICATIONS FOR DRIVER PERMITS

- 82. Docket 15-02003 (Permit 1371)** The Authority will consider the Petition for Reconsideration filed by Applicant James Gordon regarding the denial of his application for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM) *Mr. Gordon appeared in Reno with his legal counsel, Michelle Baumgarner, Esquire and stated he misunderstood the hearing date. Chairman MacKay indicated he would be inclined to reinstate the temporary permit and reset the hearing for Monday, March 9, 2015 at 9:30 a. m. Approved 3-0*
- 83. Docket 15-02024 (Permit 1633)** The Authority will consider the Petition for Reconsideration filed by Applicant Michael P. Purdy regarding the denial of his application for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM) *Mr. Purdy appeared in Reno with his legal counsel, Michelle Baumgarner, Esquire and stated he misunderstood the hearing date. Chairman MacKay indicated he would be inclined to reinstate the temporary permit and reset the hearing for Monday, March 9, 2015 at 10:00 a.m. Approved 3-0*
- 84. Permit 1385** The Authority will determine whether to grant the application of Kristel M. Hart for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM) *Kristel Hart appeared in Reno with her legal counsel, Michelle Baumgarner, Esquire. Ms. Baumgarner and Ms. Hart each offered a statement of clarification. Chairman MacKay stated his concerns with granting the permit and recommended denial. Michelle Baumgarner, Esquire*

requested a continuance of the hearing, Chairman MacKay stated a continuance was denied. Chairman MacKay stated the temporary permit would be revoked but the permit application remains open to be re-evaluated after additional information is submitted at the next subsequent Agenda meeting. Permit revoked and application to remain open, approved 2-1 Commissioner Assad opposed

- 85. Permit 1636** The Authority will determine whether to grant the application of Eric A. Thomas for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)

Mr. Thomas appeared in Reno and indicated he was not represented by legal counsel. Chairman MacKay stated the required information was provided and recommended approval of the permit.

- 86. Permit 1649** The Authority will determine whether to grant the application of Charles O. Mitchell for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (AJM)

Mr. Mitchell appeared in Reno with his legal counsel, Michelle Baumgarner, Esquire. Chairman MacKay stated the required information was provided and recommended the denial of the drivers permit. Michelle Baumgarner, Esquire requested a continuance of the hearing, Chairman MacKay stated a continuance was denied. Permit denied 3-0

Administrative Attorney Day requested clarification with regard to the amount of detail required to be included in the denial orders. A brief discussion ensued and a determination made to keep the infraction details brief.

FINANCIAL RATES AND TARIFFS

- 87. Docket 12-01018-F** At the request of Authority Staff, the Authority will consider, pursuant to NAC 706.305 and NRS 706.331, whether to order modifications to the tariff of JMR & CLS, Inc. d/b/a Tri-State Towing & Recovery (CPCN 7141) including but not limited to, Category C Hookup Night rates.

Financial Analyst Lidia Aronova summarized the hearing results, rate reductions and indicated staff support. Senior Deputy Attorney General Newton requested two unannounced operational inspections within the next year. Approved as modified 3-0

- 88. Dockets 14-09006, 14-09007, 14-09008, 14-09015, 14-09017, 14-09018** The requests of Earth Limousines, LLC, Mammoth Transportation Services, LLC, Seiji, LLC, 24/7 Limousines, LTD, Las Vegas VIP Limousines, LLC, and Exotic Limousines, Inc., respectively, for an extension of the compliance period and a possible substitution of the e-hail provider.

Item removed from Agenda prior to consideration.

- 89. Docket 15-01027** The Application of Sunrise Plaza Transportation of Nevada for final approval of a tariff rate modification for services conducted under CPCN 2028, Sub 1. Staff investigation concluded.

Financial Analyst Lidia Aronova summarized the application and indicated staff support. Bob Terakawa and Brian Boggess, Esquire appeared on behalf of the Applicant. Approved 3-0

- 90. Docket 15-02004** The Application of Mai Niv Enterprises, Inc. d/b/a ABC Towing for approval of a tariff rate modification for tow car services conducted under CPCN 7242, Sub 1. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the application and indicated staff support. Idan Etzoni appeared on behalf of the Applicant. Approved 3-0
- 91. Docket 15-02005** The Application of Seiji, LLC d/b/a Seiji Limousine for approval of a tariff rate modification for services conducted under CPCN 1111, Sub 2. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the application and indicated staff support. Lori Jones appeared on behalf of the Applicant. Approved 3-0
- 92. Docket 15-02006** The Application of Lucky Limousine, LLC for approval of a tariff rate modification for services conducted under CPCN 1057, Sub 3. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the application and indicated staff support. John Herrick appeared on behalf of the Applicant. Approved 3-0
- 93. Docket 15-02007** The Application of Lucky Trans, LLC for approval of a tariff rate modification for services conducted under CPCN 2078, Sub 3. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the application and indicated staff support. John Herrick appeared on behalf of the Applicant. Approved 3-0
- 94. Docket 15-02012** The Application of Las Vegas Limousines, LLC d/b/a Las Vegas Limousines for approval of a tariff rate modification for services conducted under CPCN 2258, Sub 8. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the application and indicated staff support. John Marushok appeared on behalf of the Applicant. Approved 3-0
- 95. Docket 15-020013 02013** The Application of Airline Shuttle, LLC d/b/a Airline Shuttle for approval of a tariff rate modification for services conducted under CPCN 2050, Sub 7. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the application, and indicated staff support. John Marushok appeared on behalf of the Applicant. Approved as modified 3-0
- 96. Dockets 15-02017 and 15-02018** The Application of SuperShuttle Las Vegas, LLC for approval of tariff rate modifications for services conducted under CPCNs 1089, Sub 3, and 2055, Sub 3, respectively. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the application, detailed items to be removed and to be heard at a subsequent agenda and indicated staff support. Jim Gleich, Trevor Halleran, General Manager and Kimberly Maxson-Rushton, Esquire appeared on behalf of the Applicant. Approved as modified 3-0
- 97. Docket 15-02020** The Application of Open Top Sightseeing Las Vegas, LLC d/b/a Big Bus Tours for approval of a tariff rate modification for services conducted under CPCN 2004, Sub 12. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the application and indicated staff support. Kimberly Maxson-Rushton, Esquire appeared on behalf of the Applicant. Approved 3-0

APPLICATIONS FOR FULLY REGULATED CARRIERS

- 98. Docket 13-09015** The Application of Astillita Productions, Inc. d/b/a Acme Moving Co. for a certificate of public convenience and necessity to operate as a household goods mover in the State of Nevada. Staff investigation concluded. (AJM)
Item removed from Agenda prior to consideration.
- 99. Docket 14-01026** The Application of Medlife Transportation, LLC for a certificate of public convenience and necessity to provide non-emergency medical transportation service within the State of Nevada. Staff investigation concluded. (GA)
Commissioner Assad briefly summarized the procedural history. Applications Manager Liz Babcock stated there were two Intevenors, which have subsequently withdrawn and that the Applicant amended the application with a PLTI date of March 20, 2015. Relee Georgescu, Daniella Spinidon and Kimberly Maxson-Rushton, Esquire appeared on behalf of the Applicant. Ms. Rushton requested the expansion language be modified. Approved as modified 3-0

ORDERS TO SHOW CAUSE

- 100. Docket 14-12020** The Order to Show Cause issued to James R. Ballard d/b/a D & J Classic Auto Transport as to why CPCN 7258 should not be revoked. (AJM)
Chairman MacKay summarized the procedural history of the docket. CPCN revocation Approved 3-0
- 101. Public Comment**
none
- 102. Adjournment**
Meeting adjourned at 4:10 p.m.