

Emergency Regulation
Nevada Transportation Authority
June 25, 2015

Explanation – Matter in *italics* is new; matter in brackets [omitted material] is material to be omitted

Filing of an Emergency Administrative Regulation

AUTHORITY: Section 46 of Assembly Bill No. 176 of the 2015 Legislative Session

Sec. 1. *Title 58 of the Nevada Administrative Code (NAC) is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 7, inclusive, of this regulation.*

Sec. 2. *References to Assembly Bills (“AB”) are those bills enacted during the 78th (2015) Nevada Legislative Session.*

Sec. 3. *Definitions. As used in sections 3 through 7, inclusive, unless the context otherwise requires, the words and terms defined in 3 through 7, inclusive, have the meanings ascribed to them in those sections. (AB 176, Sec. 16)*

Sec. 4. *“Authority” defined. “Authority” means the Nevada Transportation Authority created pursuant to NRS 706.1511. (AB 176, Sec. 17)*

Sec. 5. *“Driver” defined. “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. (AB 176, Sec. 18)*

Sec. 6. *“Transportation network company” or “company” defined. “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. (AB 176, Sec. 19)*

Sec. 7. *Application for a transportation network company permit.*

- 1. An application for:
 - (a) The initial issuance of a permit to act as a transportation network company pursuant to the provisions of AB 175 and AB 176;*
 - (b) The sale and transfer of an interest in:
 - (1) A permit;*
 - (2) Fifteen percent or more of the stock of a corporation that holds a permit;*
 - (3) A partnership that holds a permit; or*
 - (4) A corporate entity that holds a permit which would result in a change in the corporate control of the carrier,***

↳ *must contain the following data, either in the application or as exhibits attached thereto:*

(c) A statement and general description of the type of service to be performed by the applicant, including the rates or fares to be charged and rules governing service.

(d) A statement of the qualifications and experience of the personnel who will manage and operate the proposed service.

(e) A statement describing the technology which will be used to provide the proposed service.

(f) If the applicant is a corporation or limited-liability company, a copy of its articles of incorporation or articles of organization. If the corporation or limited-liability company was incorporated or established in another state, the application must include:

(1) A copy of the certificate issued by the Office of the Secretary of State authorizing the corporation or limited-liability company to transact its business in the State of Nevada; or

(2) Its equivalent, as provided in NRS 80.120.

(g) If the applicant is a partnership, a copy of the partnership agreement and any amendments made thereto.

(h) A copy of the state business license issued pursuant to chapter 76 of NRS in the applicant's name.

(i) A copy of the insurance policy meeting all the requirements set forth in AB 175 and AB176 identifying the Nevada Transportation Authority as a named insured.

(j) A portion of the application fee consisting of a \$200.00 initial fixed payment. The Authority may assess additional scalable portions of the application fee to be determined based on number of drivers and vehicles.

(k) Additional information as is necessary for a full understanding of the application.

2. If any item required pursuant to this section or by statute is omitted or otherwise deficient after acceptance of the application or filing, the Authority will notify the applicant of the omission or deficiency, in writing, at the address of the applicant listed on the application or filing. If the applicant does not cure the omission or deficiency within 15 working days after the issuance of that notification, the Deputy Commissioner may, at the next regular meeting of the Authority, move that the application or filing be dismissed.