



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE September 11, 2015 HEARING FOR THE ADOPTION OF REGULATIONS

**Grant Sawyer State Office Building, Room 4412
555 E. Washington Ave.
Las Vegas, Nevada 89101**

By videoconference:
**Legislative Building, Room 3137
401 S. Carson St.
Carson City, Nevada 89701**

AGENDA

1. Call to Order

Chairman Andrew J. MacKay called the meeting to order at 9:00 a.m.

2. Roll Call

Present in Las Vegas: Chairman Andrew J. MacKay, Commissioner George Assad, Commissioner Keith A. Sakelhide, Administrative Attorney James Day, Chief of Enforcement Michael Bradford, Senior Deputy Attorney General David Newton.

3. Pledge of Allegiance

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

4. Public Comment

Timothy Burr, Lyft, thanked the Authority for the detailed approach and expediency taken to promulgate the new regulations. Josh Griffin, Uber, thanked the Authority. An unidentified member of the public indicated his support for the TNC's.

5. Approval of Agenda

Approved 3-0

Moment of silence in remembrance of September 11, 2001.

DISCUSSION-ACTION ITEM / RULEMAKING ADOPTION HEARING

- 6. Docket 15-06024.** The purpose of the rulemaking adoption hearing is to receive comments from all interested persons regarding the adoption of certain regulations to a new chapter of the Nevada Administrative Code for purposes of implementing Assembly Bill No. 175 and Assembly Bill No. 176 of the 78th (2015) Nevada Legislative Session. The proposal has been designated as Docket 15-06024 by the Authority and as File No. R029-15 by the Nevada Legislative Counsel Bureau. Please see the Notice of Intent to Act Upon a Regulation and Notice of Hearing for the Adoption of Regulations (attached and incorporated herein by reference) for further details regarding this item.

Administrative Attorney Day detailed the procedural history of the rule-making docket, and summarized the written comments the Authority received since the last workshop. Joe Chicowski, taxi driver for Lucky Cab, offered his support of the TNC's. Keith Oesterling, made a statement in support of the legislation, as he felt it would help keep drunk drivers off the road. Aleta Dupree, stated her support of ride share. Stanley Washington, World Ride Hailing Association, offered a statement of support. Kimberly Maxson-Rushton, Esquire, representing the Livery Operators Association (LOA) offered a statement that the proposed regulations lack detailed safety requirements and asked that the application process be amended. T. Ann Perez, Clark County Business Licensing, stated they are currently in the process to require the TNC's and their drivers obtain a business license and detailed dates for upcoming meetings. James Kent, Esquire, agreed with the comments made by Ms. Maxson-Rushton, and offered his concerns. Commissioner Sakelhide detailed the limitations placed on the Authority by the legislative mandate. A brief discussion ensued. In Carson City: Jeanne O'doane, Whittlesea Taxi, echoed the comments made by both Ms. Maxson-Rushton and Mr. Kent. She also questioned the enforcement issue, increased officer presence etc.

- 7. Docket 15-06024.** The Authority will discuss and potentially adopt certain regulations as more fully described in Item 6 above and the Notice of Intent to Act Upon a Regulation and Notice of Hearing for the Adoption of Regulations (attached and incorporated herein by reference).

Commissioner Sakelhide stated the discussion would be as follows: Sections for discussion, sections to be added and a general discussion.

Chairman MacKay asked Section 16 be pulled for discussion and detailed the initial budgeting process. Commissioner Assad questioned the business license aspect and enforcement of such. Commissioner Assad requested the addition of pre-employment drug testing. Chairman MacKay detailed the legislative intent with regard to drug testing. A discussion ensued. Chairman MacKay gave a statement in of support of the proposed regulations. Commissioner Assad restated his concerns for safety. Commissioner Sakelhide stated the Authority was tasked with proposing regulations that comport with the legislation that was passed.

Approved 3-0

8. Public Comment

Kimberly Maxson-Rushton, Esquire voiced her disagreement with the drug testing policy adopted by the Authority and asked the Authority to reconsider Section 39. She also expressed concerns with the hours of service, dynamic pricing, vehicle age and maintenance.

9. Adjournment

Meeting adjourned at 10:35 a.m.

To access a complete video of the proceedings, please go to:

LCB Publishing Point for 9-11-15 Adoption Hearing

http://nvleg.granicus.com/MediaPlayer.php?publish_id=c4b5786c-58c4-11e5-b65c-f04da2064c47