



DEPARTMENT OF BUSINESS AND INDUSTRY  
**NEVADA TRANSPORTATION AUTHORITY**

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Grant Sawyer Building, 555 East Washington Avenue Las Vegas, NV 89101  
Department of Business & Industry, 555 East Washington Avenue #4900 Las Vegas, NV 89101  
Nevada Transportation Authority, 2290 South Jones Boulevard, Suite #110, Las Vegas, NV 89146  
Nevada Transportation Authority, 1755 East Plumb Lane, Suite #216, Reno, NV 89502  
Nevada Transportation Authority website: <http://www.nta.nv.gov>

**MINUTES OF THE SEPTEMBER 14, 2015 SPECIAL GENERAL SESSION  
OF THE NEVADA TRANSPORTATION AUTHORITY**

**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 9:30am.*

**2. Roll Call**

*Present: 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**

*The attendees recited the Pledge.*

**4. Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.

*Kimberly Maxson-Rushton reported that she had filed an opposition to the application items appearing on the Agenda, and requested the opportunity to provide further public comment during each application item.*

## **5. Approval of Agenda – FOR POSSIBLE ACTION**

Senior Deputy Attorney General David Newton opined that the Agenda complies with the Open Meeting Law. The Agenda was approved by a vote of 3-0.

### **APPLICATIONS FOR TRANSPORTATION NETWORK COMPANY PERMITS**

#### **6. Docket 15-08015** The Application of Lyft, Inc. for a permit to operate as a transportation network company within the State of Nevada. Staff investigation concluded. (KAS) - **FOR POSSIBLE ACTION**

Commissioner Sakelhide summarized the matter. Mike Hillerby, Timothy Burr and Kelly Kay appeared on behalf of the Applicant. Mr. Hillerby summarized the Application. Mr. Burr provided an overview of the Applicant's business history and operations, technology, processes, and driver demographics. Ms. Kay summarized the Application, noting that the Applicant requires passengers to include someone of at least 18 years of age, and that drivers be at least 23 years of age. Ms. Kay and Mr. Burr also described the driver background check process, offering a rationale for non-fingerprint based background checks and noting that Lyft had only been pre-approving about 1 in 5 Nevada driver applicants. Ms. Kay offered further information regarding insurance, reporting, and drug policy. The Lyft representatives addressed questions from the Commissioners regarding drug testing, on-boarding standards, rates, and other issues.

Liz Babcock, NTA Applications Manager, summarized her review of the Application and noted concerns regarding insurance and hours of service. Ms. Babcock expressed support for the application conditional upon input from the Insurance Division. Ms. Kay addressed the concerns regarding insurance.

Ms. Maxson-Rushton offered public comment, and her written objection was accepted as written public comment. Among other concerns, Ms. Maxson-Rushton noted that the Lyft terms and conditions include a disclaimer regarding identity of drivers. Lyft representatives addressed the concerns raised by Ms. Maxson-Rushton.

Commissioner Sakelhide moved for approval of the Application, conditional upon: 1) The Applicant working with Authority Staff to resolve any issues that may be identified by the Insurance Division; and 2) Removal or clarification of the disclaimer regarding driver identity. The Authority approved the Application with the noted conditions by a vote of 3-0.

#### **7. Docket 15-08017** The Application of Rasier, LLC dba Uber Technologies, LLC for a permit to operate as a transportation network company within the State of Nevada. Staff investigation concluded. (AJM) - **FOR POSSIBLE ACTION**

Chairman MacKay summarized the matter. Nancy Allred, John Griffin, Steve Siger, and Steve Thompson appeared on behalf of the Applicant. Mr. Griffin thanked the Authority and its Staff. Mr. Thompson summarized the Application and provided an overview of the Applicant's business history and operations, technology, and processes. In response to a question from Commissioner Sakelhide, Mr. Thompson stated that the Applicant does not cap surge pricing. Mr. Siger and Mr. Thompson addressed questions from the Commissioners regarding safety concerns, pricing and operations.

Liz Babcock, NTA Applications Manager, summarized her review of the Application and noted concerns regarding base rates and sample driver lists. Ms. Allred reported that those issues had been addressed in submissions earlier in the day. Ms. Babcock expressed support for the Application.

Ms. Maxson-Rushton offered public comment, and her written objection was accepted as written public comment. Among other concerns, Ms. Maxson-Rushton noted that the Uber terms and conditions reference state law other than Nevada. Uber representatives addressed the concerns raised by Ms. Maxson-Rushton.

*Michael Peters and Stanley Washington offered public comment.*

*Chairman MacKay moved for approval of the Application. The Authority approved the Application by a vote of 3-0.*

- 8. Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.

*James S. Kent offered concerns about the differing regulatory environment for TNCs vis-à-vis Chapter 706 carriers.*

*Stanley Washington offered comment, including reference to a TNC driver organization.*

- 9. Adjournment**

*Chairman MacKay adjourned the meeting at 1:46p.m.*