

BRIAN SANDOVAL
Governor

STATE OF NEVADA



BRUCE BRESLOW
Director B&I

ANN WILKINSON
Chairman

GEORGE ASSAD
Commissioner

KEITH SAKELHIDE
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE June 2, 2016 GENERAL SESSION

AGENDA

1. Call to Order

Chairman Wilkinson called the meeting to order at 9:35 a.m.

2. Roll Call

Present in Las Vegas: Commissioner George Assad, Commissioner Keith A. Sakelhide, Administrative Attorney James Day, Financial Analyst Yvonne Shelton, Financial Analyst Lidia Aronova, Senior Deputy Attorney General David Newton. Present in Reno: Chairman Ann Wilkinson, Deputy Commissioner Christopher A. Schneider

3. Pledge of Allegiance

Administrative Attorney James Day led a recital of the Pledge.

4. Public Comment

Jason Recabarren, Owner, New Charters Nevada offered the statement that he hired Patricia Garrett and has no problem with her background. Patricia Garrett offered a statement regarding her driver permit application.

5. Approval of Agenda

Administrative Attorney Day requested Items 85, 90, 92 and 100 be removed as they have been reset for proceedings. Financial Analyst Yvonne Shelton clarified the date on Item 66 should read June 30, 2016. Approved 3-0

6. Approval of the Minutes of the April 28, 2016 Agenda Meeting

Approved 3-0

7. Briefings from the Commissioners

Chairman Wilkinson offered her congratulations to Administrative Attorney Day on his appointment as an Administrative Law Judge and thanked him for his outstanding service to the Authority. Commissioner Assad echoed Chairman Wilkinson's comments. Commissioner Sakelhide also offered his congratulations and thanks to Administrative Attorney Day.

8. Briefing from the Deputy Commissioner

Deputy Commissioner Schneider thanked Administrative Attorney Day for his service and reported the Authority's goal is to start printing driver permits in August.

9. Report of Legal Counsel

Senior Deputy Attorney General Newton stated the Tyson matter still shows as active and that he has contacted the court and opposing counsel and they have agreed to stipulate to a dismissal. He also expressed his gratitude and congratulations to Administrative Attorney Day.

Administrative Attorney Day thanked Staff for their kind comments and their support during his tenure with the Authority.

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Items 10 through 51, were considered collectively. Approved 3-0

- 10. Citation 17507** issued to Peter McNamara for a violation of NAC 706.234. (AW)
- 11. Impound 2743 and Citation 18329.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 18329 issued to Johnny Spicer/Big John Tours for violations of NRS 706.386 and NRS 706.758. (GA)
- 12. Impounds 2636 and 2685.** The impoundment pursuant to NRS 706.476 of two vehicles registered to Jonathan Oetzel. (GA)
- 13. Impound 2709.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Hertz Vehicles, LLC. (GA)
- 14. Impound 2666 and Citation 17521.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17521 issued to Timothy Tureson for violations of NRS 706.386 and NRS 706.758. (GA)
- 15. Impound 2661 and Citation 17785.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17785 issued to Robert Tucker/Tahoe Independent Taxi for violations of NRS 706.386 and NRS 706.758. (GA)
- 16. Citation 18089** issued to Christopher Oetzel for violations of NRS 706.386 and NRS 706.758. (GA)
- 17. Impound 2712 and Citation 18306.** The impoundment pursuant to NRS 706.476 of the vehicle registered to and Citation 18306 issued to Joseph Miller for violations of NRS 706.386 and NRS 706.758. (GA)
- 18. Citations 18309 and 18310** issued to Edward Gomez for violations of NRS 706.386, NRS 706.758 and AB 176, Sec. 38 (78th Nevada Legislative Session 2015). (GA)

19. **Impound 2740 and Citation 18314.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 18314 issued to Tracy Visconti/College Hunks for violations of NRS 706.386 and NRS 706.758. (GA)
20. **Impound 2742 and Citations 18327 and 18328.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 18327 and 18328 issued to Cedric McCoy Jr. for violations of NRS 706.386, NRS 706.758 and AB 176, Sec. 38 (78th Nevada Legislative Session 2015). (GA)
21. **Impound 2529 and Citation 17784.** The impoundment pursuant to NRS 706.476 of the vehicle registered to and Citation 17784 issued to Leslie Kynett for violations of NRS 706.386 and NRS 706.758. (KAS)
22. **Impound 2662 and Citation 17786.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17786 issued to Charles Hansen for violations of NRS 706.386 and NRS 706.758. (KAS)
23. **Citation 17789** issued to Richard Kistler/Lakeshore Taxi for violations of NRS 706.386 and NRS 706.758. (KAS)
24. **Citation 18088** issued to Ricardo Gonzalez-Cava for violations of NAC 706.329 and NAC 706.247/49 CFR 391.41. (KAS)
25. **Citation 18092** issued to Luis Horna for violations of NRS 706.386 and NRS 706.758. (KAS)
26. **Impound 2660 and Citation 17510.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17510 issued to Ivan Istomin for violations of NRS 706.386 and NRS 706.758. (KAS)
27. **Impound 2577 and Citation 17514.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17514 issued to Gregory Miller/Lake Shore Taxi for violation of NRS 706.386 and NRS 706.758. (KAS)
28. **Impound 2664 and Citation 17724.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17724 issued to Joy Osawe for violations of NRS 706.386 and NRS 706.758. (KAS)
29. **Impound 2642 and Citation 17783.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17783 issued to Sunset Limousine Services, LLC for violations of NRS 706.386 and NRS 706.758. (KAS)
30. **Citation 18320** issued to Raymond Kelmon for violations of NRS 706.386 and NRS 706.758. (KAS)
31. **Impound 2744 and Citation 18330.** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 18330 issued to Mohamad Answar King for violation of NRS 706.386 and AB 176, Sec. 38 (78th Nevada Legislative Session 2015). (KAS)
32. **Impound 2578.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Lakeshore Taxi, LLC. (KAS)

33. **Impound 2638.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Penske Truck Leasing. (KAS)
34. **Impound 2643.** The impoundment pursuant to NRS 706.476 of a vehicle registered to Charae Kynett. (KAS)
35. **Impound 2754.** The impoundment pursuant to NRS 706.476 of a vehicle registered to U-Haul of Arizona. (KAS)
36. **Citation 18122** issued to Ismael Taha Habib for violations of NAC 706.228 and NAC 706.329. (KAS)
37. **Citation 18146** issued to Custom Towing for a violation of NAC 706.4275. (KAS)
38. **Citation 18303** issued to Personal Sedan Service for a violation of NAC 706.209. (KAS)
39. **Citations 18202, 18203, 18204 and 18205** issued to CH Destinations, Inc. for violations of NAC 706.381, NAC 706.170, NRS 706.462, NRS 706.465, NAC 706.247/49 CFR 382.301, NAC 706.247/49 CFR 391.51 and NAC 706.203.
40. **Citation 18307** issued to David Pollard for a violation of NAC 706.228.
41. **Citation 18311** issued to Michael Biosi for violation of NAC 706.228 and NAC 706.329.
42. **Citation 18317** issued to Jeffrey Brandt for a violation of NAC 706.228.
43. **Citation 18319** issued to Walter Amaya for a violation of NAC 706.228.
44. **Citation 18376** issued to Paul Nyaruba for a violation of NAC 706.228.
45. **Citation 17508** issued to Masud Karim for a violation of NAC 706.376.
46. **Citation 17509** issued to Jose Aguilar for a violation of NAC 706.247/49 CFR 391.41.
47. **Citations 17592 and 17593** issued to Owens Brothers Transportation for violations of NAC 706.335 (49 counts), NAC 706.311 (7 counts) and NAC 706.247/49 CFR 382.305.
48. **Citation 17777** issued to Malick Lo for a violation of NAC 706.376.
49. **Citation 17779** issued to Ole Azu for violation of NAC 706.376 and NAC 706.329.
50. **Citation 17787** issued to Scott Howells for a violation of NAC 706.234.
51. **Citation 18123** issued to issued to Robert Petranovich for a violation of NAC 706.329.

**APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY TO PROVIDE TOW CAR SERVICE**

- 52. Dockets 15-09040** The expired temporary discontinuance granted from September 21, 2015 through March 20, 2016 of services provided by Las Vegas Tow, LLC d/b/a National Towing under CPCN 7299 and Staff recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.
Financial Analyst Yvonne Shelton detailed the procedural history of the docket. Commissioner Sakelhide requested a 233b Cease and Desist letter be issued for failure to maintain insurance. Order to Show Cause Approved 3-0
- 53. Dockets 15-11013** The expired temporary discontinuance granted from January 5, 2016 through June 1, 2016 of services provided by Paisa Towing, LLC d/b/a Paisa Towing under CPCN 7335 and Staff recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.
Financial Analyst Yvonne Shelton detailed the procedural history of the docket. Order to Show Cause Approved 3-0
- 54. Docket 16-03025** Paul M. Sprada d/b/a AA Buffalo One Towing seeks to extend the previously granted temporary discontinuance of services provided under CPCN 7185, Sub 1, from April 30, 2016 through June 30, 2016. Staff investigation concluded.
Financial Analyst Yvonne Shelton detailed the procedural history of the docket. Approved 3-0
- 55. Docket 16-04030** The temporary discontinuance from April 22, 2016 through October 22, 2016 of consent only tow car services provided by Super Express, Inc., LLC d/b/a Chykko's Towing under CPCN 7308. Staff investigation concluded.
Approved 3-0

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

- 56. Docket 16-05013** The temporary discontinuance from May 11, 2016 through October 31, 2016 of charter bus services provided by Vision Airlines, Inc. d/b/a Vision Air under CPCN 2059, Sub 1. Staff investigation concluded.
Approved 3-0

VOLUNTARY CANCELLATIONS

- 57. Docket 16-05007** The voluntary cancellation of Quilter Services of Las Vegas, LLC d/b/a Quilt Tours of Las Vegas CPCN 2124. Staff investigation concluded.
Approved 3-0

NAME CHANGES

- 58. Docket 16-04035** The Petition of Inside Vegas, LLC for approval to change their fictitious name from d/b/a My Driver in Vegas to d/b/a Disco Bus Las Vegas for services provided under CPCN 2191. Staff investigation concluded.
Approved 3-0

APPLICATIONS FOR VAN POOL

- 59. Docket 16-02012** The Application of Barrick Gold Exploration, Inc. for approval of an employer van pool. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the request. Approved 3-0
- 60. Docket 16-05012** The Application of Intellisource, LLC, for approval of an employer van pool. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the request. Approved 3-0

FINANCIAL RATES AND TARIFFS

- 61. Docket 16-01027** The Application of 24/7 Limousines, LTD d/b/a 24/7 Limousines for approval of a tariff rate modification for services conducted under CPCN 1039, Sub 3. Staff investigation concluded.
Items 61, 62 and 63 were considered collectively. Financial Analyst Yvonne Shelton summarized the requests, detailed the concerns and indicated staff did not support the applications. Request denied 3-0
- 62. Docket 16-01028** The Application of Las Vegas Transportation, Inc. operated by 24/7 Limousines, LTD d/b/a 24/7 Las Vegas Transportation, for approval of a tariff rate modification for services conducted under CPCN 1065, Sub 2. Staff investigation concluded.
Items 61, 62 and 63 were considered collectively. Financial Analyst Yvonne Shelton summarized the requests, detailed the concerns and indicated staff did not support the applications. Request denied 3-0
- 63. Docket 16-01030** The Application of 24/7 Entertainment, LLC d/b/a 24/7 Entertainment Limousines for approval of a tariff rate modification for services conducted under CPCN 1102. Staff investigation concluded.
Items 61, 62 and 63 were considered collectively. Financial Analyst Yvonne Shelton summarized the requests, detailed the concerns and indicated staff did not support the applications. Request denied 3-0
- 64. Docket 16-04029** The Application of Roadway Company, d/b/a Roadway Towing and Recovery for approval of a tariff rate modification for services conducted under CPCN 7128. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the request and indicated staff support. Approved 3-0
- 65. Docket 16-05006** The Application of Vegas Heavy Haul, Inc. d/b/a Big Valley Towing for approval of a tariff rate modification for services conducted under CPCN 7238, Sub 2. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the request and indicated staff support. Approved as modified 3-0

APPLICATIONS FOR FULLY REGULATED CARRIERS

- 66. Docket 15-04021** Evergreen Trails, Inc. d/b/a Horizon Coach Lines seeks to extend the previously granted temporary discontinuance of services provided under CPCNs 2016, Sub 3, and 2115, Sub 1 from April 14, 2016 through ~~May 31, 2016~~ June 30, 2016. Staff investigation concluded.

Financial Analyst Yvonne Shelton summarized the request and detailed the issues the carrier is facing. Approved 3-0

- 67. Docket 16-05020** In the matter of the Joint Petition of Ignacio Garijo d/b/a Winnemucca Cab Company (CPCN 1009) pursuant to NAC 706.359 requesting approval of the temporary transfer of CPCN 1009 to Rory Upshaw pending the application and approval of the final sale and transfer. (GA)

Mr. Rory Upshaw was present in Reno. Financial Analyst Yvonne Shelton summarized the request, detailed the issues the carrier is facing and indicated staff remains neutral. The PLTI date is June 27, 2016. Mr. Upshaw offered a statement of his qualifications and indicated he would be filing for the Sale and Transfer within the next thirty days. Commissioner Sakelhide questioned the possible filing of a Management Agreement. A brief discussion ensued. Item tabled to a future Agenda 3-0

DISCUSSION ITEM

- 68.** At the request of Authority Staff, the Authority will discuss the current policy regarding compliance period extensions for approved applications, specifically, to address the limit of extensions to one 120 day extension and any further extensions to be approved by the Authority for good cause.

Financial Analyst Yvonne Shelton summarized Staff's proposal to amend the compliance period as follows: the initial compliance period to be extended to 120 days, to grant an automatic 90 day extension for good cause, if necessary, and any further extension requests would be remanded back to the Authority. This would facilitate less paperwork and give the applicant ample opportunity to comply with the Order. Request approved 3-0

- 69. Public Comment**

none

1:15 PM AFTERNOON SESSION

- 70. Public Comment**

none

APPLICATIONS FOR DRIVER PERMITS

(Closed sessions may be held for items 71 through ~~101~~ 100 to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030.)

- 71. Docket 16-05002.** The Authority will consider the Petition of Patricia Garrett for reconsideration of the Authority's denial of her driver permit application (No. 1935) at the July 2015 general session. *Patricia Garrett appeared and requested a set aside and permit proceeding to be reset. Proceeding set for June 7, 2016.*
- 72. Permit 2283** The Authority will determine whether to grant the application of Nabil Mezher for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA) *Nabil Mezher appeared and offered a statement. Permit approved 3-0*
- 73. Permit 2346** The Authority will determine whether to grant the application of Victor Chavez for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (KAS) *Victor Chavez appeared and stated he had a medical issue which prevented him from appearing and requested a set aside and permit proceeding to be reset. Proceeding set for June 7, 2016.*
- 74. Permit 2349** The Authority will determine whether to grant the application of Joshua Markle for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (KAS) *Permit denied 3-0*
- 75. Permit 2344** The Authority will determine whether to grant the application of Christian Burke for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (KAS) *Christian Burke appeared and stated a misunderstanding as to who was to acquire the disposition information. Item tabled pending receipt of paperwork to the next subsequent Agenda. Approved to table 3-0*
- 76. Permit 2352** The Authority will determine whether to grant the application of Jesus Morillo, Jr. for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (KAS) *Permit denied 3-0*
- 77. Permit 2343** The Authority will determine whether to grant the application of Darren E. Rutherford for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (KAS) *Permit denied 3-0*
- 78. Permit 2350** The Authority will determine whether to grant the application of Zeinu Burka for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (KAS) *Permit denied 3-0*
- 79. Permit 2453** The Authority will determine whether to grant the application of Geele Aboker for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA) *Permit denied 3-0*
- 80. Permit 2451** The Authority will determine whether to grant the application of Fayez Zarka for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA) *Permit denied 3-0*
- 81. Permit 2434** The Authority will determine whether to grant the application of Jason Booker for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA) *Permit denied 3-0*

- 82. Permit 2457** The Authority will determine whether to grant the application of Malik Alamudeen for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Permit denied 3-0
- 83. Permit 2458** The Authority will determine whether to grant the application of Adan Fray for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Permit denied 3-0
- 84. Permit 1930** The Authority will determine whether to grant the application of David Wasihun for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Permit denied 3-0
- 85. Permit 2441** The Authority will determine whether to grant the application of Manuel Mazorra-Cuesta for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Item removed from Agenda prior to consideration, set aside granted, new proceeding set for June 7, 2016.
- 86. Permit 2447** The Authority will determine whether to grant the application of Oscar Perez for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Permit denied 3-0
- 87. Permit 2444** The Authority will determine whether to grant the application of Richard Brown for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Permit denied 3-0
- 88. Permit 2461** The Authority will determine whether to grant the application of Michael Ellis for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Permit denied 3-0
- 89. Permit 2466** The Authority will determine whether to grant the application of Kinley Daniels for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (KAS)
Permit denied 3-0
- 90. Permit 2465** The Authority will determine whether to grant the application of Walter Amaya for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (KAS)
Item removed from Agenda prior to consideration, Mr. Amaya has set up a payment plan with the Controller's Office.
- 91. Permit 2450** The Authority will determine whether to grant the application of Dawit Zeru for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (KAS)
Permit denied 3-0
- 92. Permit 2331** The Authority will determine whether to grant the application of Taurean Medina for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Item removed from Agenda prior to consideration, set aside granted, new proceeding set for June 7, 2016.
- 93. Permit 2413** The Authority will determine whether to grant the application of Carlos Alvarado for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Carlos Alvarado appeared and offered a statement. A brief discussion ensued with regard to Mr. Alvarado's past actions. Permit denied 3-0

- 94. Permit 2442** The Authority will determine whether to grant the application of Hector Garcia for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Hector Garcia appeared and offered a lengthy statement. A brief discussion ensued with regard to Mr. Garcia's ability to obtain records. Permit tabled to the next subsequent Agenda 3-0
- 95. Permit 2443** The Authority will determine whether to grant the application of Jason Dwight for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
*CLOSED SESSION - Jason Dwight appeared in Reno and offered a statement. Mr. Dwight indicated he is no longer employed as a driver.
OPEN SESSION – Determination that a permit cannot be granted without employment as a driver or a bona fide offer of employment.*
- 96. Permit 2462** The Authority will determine whether to grant the application of Thomas M. Hufford for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
*CLOSED SESSION -Thomas Hufford appeared in Reno and offered a statement regarding his actions.
OPEN SESSION –Permit denied 3-0*
- 97. Permit 2460** The Authority will determine whether to grant the application of Gary W. Cantrell for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
*CLOSED SESSION - Gary Cantrell appeared in Reno and offered a statement regarding his actions and submitted a written statement (marked Item 97closed session).
OPEN SESSION – Permit denied 3-0*
- 98. Permit 2452** The Authority will determine whether to grant the application of Lonnie Crosby for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.
Mr. Crosby appeared and indicated he has entered into a written payment plan but he has yet to receive it in the mail. Email confirmation of payment plan received.
- 99. Permit 2410** The Authority will determine whether to grant the application of Derek Lowery for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Derek Lowery appeared and stated he had ordered copies of the police reports and had previously provided a letter of recommendation from his employer. Item tabled to next subsequent Agenda. 3-0
- 100. Permit 2039** The Authority will determine whether to grant the application of Robert Litheredge for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (GA)
Item removed from Agenda prior to consideration, set aside granted, new proceeding set for June 7, 2016.
- 101. Public Comment**
Tony Clark, 24/7 Limousines, appeared and offered an apology for failing to appear this morning.
- 102. Adjournment**
Meeting adjourned at 3:05 p.m.