

BRIAN SANDOVAL
Governor

STATE OF NEVADA



BRUCE BRESLOW
Director B&I

ALAINA BURTENSHAW
Chairman

GEORGE ASSAD
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE January 19, 2017 GENERAL SESSION

AGENDA

1. Call to Order

Chairman Alaina Burtenshaw called the meeting to order at 9:30 a.m.

2. Roll Call

Present in Las Vegas: Chairman Alaina Burtenshaw, Commissioner George Assad, Administrative Attorney David Newton, Applications Manager Liz Babcock, Financial Analyst Yvonne Shelton, Financial Analyst Lidia Aronova, Deputy Attorney General Louis Csoka. Present in Reno: Deputy Commissioner Christopher A. Schneider

3. Pledge of Allegiance

Hope Dibartolomeo led a recital of the pledge.

4. Public Comment

Cari Walters, D & S Tow, noticed the Authority their intent to file a Petition for Leave to Intervene on the sale and transfer of Capital Towing.

5. Approval of Agenda

Item 48 to be taken out of order. Approved 2-0

6. Approval of the Minutes of the December 15, 2016 Agenda Meeting

Approved 2-0

7. Briefings from the Commissioners

Commissioner Assad thanked staff for the preparation for Agenda. Chairman Burtenshaw echoed those comments.

8. Briefing from the Deputy Commissioner

Deputy Commissioner Schneider - none

9. Report of Legal Counsel

Deputy Attorney General Csoka – none

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Items 10 through 40 were considered collectively. Administrative Attorney Newton noticed the Authority the Complainant on Item 12 may appear for possible discussion. Approved 2-0

- 10. Citation 17609** issued to Suthee Mocarapiromya for a violation of NAC 706.234.
- 11. Citation 17743** issued to Juan Blanco for a violation of NAC 706.228.
- 12. Citation 17793** issued to Maurice Underwood/Reno Movers for a violation of NRS 706.386 and NRS 706.758.
- 13. Citation 17859** issued to Diamond Transportation, Inc. for violations of NRS 706.463 (13 counts).
- 14. Citations 17956, 17957, 17959, 17960, 17961, 17966, 17967 and 18001** issued to Executive Limousine for violations of NAC 706.247/49 CFR 391.21 (26 counts), NAC 706.247/49 CFR 40.25 and 382.413 (5 counts), NAC 706.247/49 CFR 391.23 (7 counts), NAC 706.247/49 CFR 391.27 (4 counts), NAC 706.311 (46 counts), NAC 706.3612 (8 counts), NAC 706.247/49 CFR 396.13, NRS 706.285, NAC 706.247/49 CFR 382.301 (2 counts), NAC 706.353 (2 counts), NAC 706.354 (2 counts) and NAC 706.170.
- 15. Citation 18193** issued to Earth Limousines for a violation of NAC 706.311 (14 counts).
- 16. Citation 18233** issued to Mirza Danish for a violation of NAC 706.329.
- 17. Citation 18517** issued to Milko Kadikov for violations of NAC 706A.280 and NAC 706A.240.
- 18. Citation 18544** issued to HPMF International, d/b/a Tijuana Trolley Charters for a violation of NAC 706.247/49 CFR 40.25 and NAC 706.247/49 CFR 391.23.
- 19. Citation 18547** issued to Tamrat Teddy for violation of NAC 706.228 and NAC 706.360.
- 20. Citation 18548** issued to Antonio Sarmiento-Castro for a violation of NAC 706.228.
- 21. Citation 18549** issued to Svilen Batchvarov for a violation of NAC 706.228.
- 22. Citation 18605** issued to Findlay Credit d/b/a 911 Towing for violations of NAC 706.247/49 CFR 391.51 and NAC 706.311.
- 23. Citation 18877** issued to Camille Vaughn for a violation of NAC 706.234.
- 24. Citation 18878** issued to Nebeyu Mahari for a violation of NAC 706.234.
- 25. Citation 18902** issued to Tamre Agedede for a violation of NAC 706.329.
- 26. Citation 18903** issued to Bereket Amsalu for a violation of NAC 706.228.
- 27. Citation 17970** issued to Arkidian Towing Service, LLC for a violation of NAC 706.206. (GA)

- 28. Citation 18419** issued to All About Service Limousine for violations of NAC 706.149 and NRS 706.398. (GA)
- 29. Citation 18422** issued to John P. Rubeo, Jr. for a violation of NRS 706A.240. (GA)
- 30. Impound 2921 and Citation 18515** The Impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 18515 issued to Keith Lorenzo Lawson for violations of NRS 706.386 and NRS 706.758. (GA)
- 31. Citations 18575 and 18813** issued to Negusse Dirrar for violations of NAC 706.228, NAC 706.360 and NAC 706.247/49 CFR 391.41. (GA)
- 32. Impound 2832 and Citation 18776** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 18776 issued to Cliff Xu for violations of NRS 706.386 and NRS 706A.280. (GA)
- 33. Citation 18812** issued to Nyomi Gonzalez for violations of NRS 706.386 and NRS 706.758. (GA)
- 34. Impound 2914 and Citation 18815** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 18815 issued to Christian E. Duncan for violations of NRS 706.386 and NAC 706A.280. (GA)
- 35. Impound 2931 and Citation 18816** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 18816 issued to Jeffrey Hubbs for violations of NRS 706.386 and NRS 706.758. (GA)
- 36. Citations 18852 and 18853** issued to Jariselle Cortijo for violations of NRS 706.386, NRS 706.758, NRS 706A.240 and NRS 706A.280. (GA)
- 37. Impound 2932 and Citation 18905** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 18905 issued to Broderick Alexander Brunlinger for violations of NRS 706.386 and NRS 706.758. (GA)
- 38. Citation 18909** issued to Terry Shavon Lee for violations of NRS 706.386 and NRS 706.758. (GA)
- 39. Impound 2933** The impoundment pursuant to NRS 706.476 of a vehicle registered to Fernando Romero. (GA)
- 40. Impound 2935** The impoundment pursuant to NRS 706.476 of a vehicle registered to Global USA Inc. (GA)

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

- 41. Docket 15-12001** Dick Craig d/b/a Dick Craig Towing seeks to extend the previously granted temporary discontinuance of services provided under CPCN 7033 from January 1, 2017 through July 1, 2017. Staff investigation concluded.

Approved 2-0

42. Docket 16-05009 The Application of Super Towing, LLC for a certificate of public convenience and necessity to provide consent-only tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded. (GA)

Approved 2-0

43. Docket 16-12016 The request for approval of a Management Agreement by Capital Towing, Inc. authorized to provide consent and non-consent tow car service by tow car vehicle under CPCN 7056. Staff investigation concluded. (GA)

Applications Manager Liz Babcock summarized the application and indicated staff support. Clarification was made on the intent to file a PLTI on the application for the Sale and Transfer, not the instant matter of the management agreement. Approved 2-0

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

44. Docket 15-06018 The request for a compliance period extension for the Application of World Crawl Transportation, LLC for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (GA)

James Kent, Esquire and Michael Hofbauer appeared on behalf of the Applicant and offered a statement of explanation for the extension request. Approved 2-0

45. Docket 16-07007 The Application of JHL Charters, LLC d/b/a JHL Charters for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (GA)

Shawanna Johnson, Esquire appeared on behalf of the Applicant. Approved 2-0

46. Docket 16-07029 The Application of Las Vegas Beyond, LLC d/b/a Las Vegas Beyond for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (GA)

Lacy Long appeared on behalf of the Applicant. Approved 2-0

47. Docket 16-07041 The Joint Application of David Daneshforooz for authority to sell and transfer and of Gerald R. Hoist and David R. Otero to purchase and acquire 100% of the corporate stock of Starlight Limousine, Inc. d/b/a Entourage Transportation, Entourage, a carrier authorized to provide charter bus service within the State of Nevada granted under CPCN 2158, Sub 3. Staff investigation concluded. (GA)

James Kent, Esquire, Gerald Hoist and David Otero appeared on behalf of the Applicant. Applications Manager Liz Babcock expressed concerns with the internet advertising and the type of authority being acquired. A brief discussion ensued. Approved 2-0

48. Docket 17-01004 The Joint Application of Eugene F. Bronson for authority to sell and transfer and of Silverado Stages, Inc. to purchase and acquire 100% of the corporate stock of Michelangelo Leasing, Inc. d/b/a Ryan's Express, ("M Leasing") a carrier authorized to provide charter bus service within the State of Nevada granted under CPCN 2210. M Leasing was

granted approval at the July 2016 general session, however, CPCN 2210 has not yet been issued. Staff investigation concluded. (GA)

Jeffrey Silver, Esquire appeared on behalf of the Applicant and offered a statement of explanation. Applications Manager Babcock indicated Michelangelo Leasing is still in the compliance period. Approved 2-0

NAME CHANGES

49. Docket 16-11008 The Petition of Portofino Tours Service, Inc. for approval to a fictitious name of SEEUSATOURS for services provided under Contract Carrier Permit MV 6142. Staff investigation concluded.

Applications Manager Babcock summarized the request. Approved 2-0

PETITION TO DEVIATE FROM REGULATION

50. Docket 16-12018 Petition of All My Son's Moving & Storage to be allowed to use electronic daily vehicle inspection reports and to not have a "wet" signature on those documents pursuant to NAC 706.1305.

Applicant requested the item be trailed to the end of the Agenda. Compliance Auditor Desiree Main summarized the request. Approved 2-0

PETITIONS FOR RECONSIDERATION

51. Docket 16-12007—Harold Pagni's Petition for Reconsideration of the denial of driver's permit No. 2784.

Mr. Pagni appeared in Reno and detailed his request. Request approved and meeting to be reset. Approved 2-0

52. Docket 16-12011—Lealon Johnson's Petition for Reconsideration of findings regarding Citation 18399 48345.

Mr. Johnson appeared and detailed the reasoning for missing his hearing. Request approved and Citation hearing to be reset February 15, 2017 at 1:30p.m. Approved 2-0

53. Docket 16-12015 Berhane Petros' Petition for Reconsideration of findings regarding Citation 18315 48427.

Mr. Petros appeared and stated confusion with the fine amounts. A discussion ensued. Petition denied 2-0

54. Docket 16-10026 The Petition for Reconsideration of Francis Eugene Auffert regarding application of NAC 706.229.

Petition denied 2-0

FINANCIAL RATES AND TARIFFS

55. Docket 16-12008 The Application of Discount Movers, Inc. for approval of a tariff rate modification for services conducted under CPCN 3338. Staff investigation concluded.

Financial Analyst Lidia Aronova summarized the request and indicated staff support. Approved 2-0

56. Docket 16-11017 The Application of Executive Limousine Service, Inc. for approval of a tariff rate modification for services conducted under CPCN 1026. Staff investigation concluded. *Financial Analyst Lidia Aronova summarized the request and indicated staff support. Approved 2-0*

APPLICATIONS FOR FULLY REGULATED CARRIERS

57. Docket 14-11041 The Authority will consider a motion filed by AWG Ambassador, LLC d/b/a Point B Transportation (“AWG”) to vacate the prior order and rescind the temporary transfer of operating rights transferring authority from AWG (CPCN 1068, Sub 6) pursuant to NAC 706.359 to Las Vegas Car Service, LLC. Staff investigation concluded. (GA)

Brent Carson, Esquire and Alan Waxler appeared on behalf of AWG. Neil Tomlinson, Esquire appeared on behalf of LV Car Service. Mr. Tomlinson detailed his request for an evidentiary hearing. Mr. Carson offered additional information with regard to the sale and transfer. Approved 2-0

58. Docket 16-07035 The Application of Las Vegas Party Barge, LLC d/b/a Las Vegas Topless Tours for a certificate of public convenience and necessity to provide scenic services within the State of Nevada. Staff investigation concluded. (GA)

Applications Manager Liz Babcock summarized the application and indicated staff support. John Giovignorio appeared on behalf of the Applicant. Approved 2-0

59. Docket 16-11011 In the matter of the Joint Petition of Stardust Limousine, Inc. (CPCN 1117, Sub 4) pursuant to NAC 706.359 requesting approval of the temporary transfer of CPCN 1117, Sub 4, to Bour Enterprises, LLC d/b/a Stardust Transportation pending the approval of the final sale and transfer. Staff investigation concluded. (GA)

Brian Holthus, Esquire and Mulegeta Bour appeared on behalf of the Applicant. Staff supports the application. Approved as modified 2-0

60. Docket 16-11028 The Authority will consider final approval of an interim order granting the temporary transfer of operating rights transferring authority from Lewis Carriages, Inc. d/b/a All Resort Limousine (CPCN 1125) pursuant to NAC 706.359 to Abraham Limo Services, Inc. pending the approval of the final sale and transfer. Staff investigation concluded. (GA)

Brent Carson, Esquire and Dana Warring appeared on behalf of the Applicant. Kimberly Maxson-Rushton, Esquire appeared on behalf of the Livery Operators Association (LOA) with regard to their intervention on the pending sale and transfer. Approved 2-0

ORDERS TO SHOW CAUSE

61. Docket 16-12002-- The Order to Show Cause issued to SW Stretch Limited, as to why Certificate of Public Convenience and Necessity 2051 should not be suspended or revoked. (GA)

James Kent, Esquire and Buddy Ramsey appeared on behalf of the carrier. A discussion ensued. Item tabled until counsel for carrier notifies Authority.

DISCUSSION ITEMS

62. Docket 17-01007 Request to allow non-consent tow carriers to add METRO tow rates to their tariff without having to file for tariff modification or pay associated noticing fees.

Jim Gibson, Auto Return Service, detailed the request. Applications Manager Liz Babcock stated the Authority does not set tariff rates, so staff has concerns with locking in a particular rate. A discussion ensued with regard to noticing.

Approved to add a law enforcement fee to the model tow tariff 2-0

APPLICATIONS FOR DRIVER PERMITS

(Closed sessions may be held for items 63 through 65 to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030.)

63. 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. (KAS)
Mr. Medina appeared. Permit approved 2-0

64. Permit 2740 - The Authority will determine whether to grant the application of Ortez Winfrey for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.
Denied 2-0

65. Permit 2464 Driver Ismael Habib, Permit 2464, who was previously approved because he was supposed to get on a payment plan and pay off his fines. He was to pay \$50 a month. His last payment made was in September, 2016.
Permit revoked 2-0

66. Public Comment

none

67. Adjournment

Meeting adjourned at 12:00 p.m.