

STATE OF NEVADA



ALAINA BURTENSHAW
Chairman

GEORGE ASSAD
Commissioner

DAWN GIBBONS
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE October 4, 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, Chief of Enforcement Jeremy Jones, Deputy Attorney General Louis Csoka. Present in Reno: Commissioner Dawn Gibbons

3. Pledge of Allegiance

Chairman Alaina Burtenshaw led a recital of the pledge.

4. Public Comment

None

5. Approval of Agenda

Applications Manager Liz Babcock requested Items 79 and 80 be taken together. Approved 3-0

6. Approval of the Minutes of the August 31, 2017 Agenda Meeting

Approved 3-0

7. Briefings from the Commissioners

Commissioner Assad requested a moment of silence for the victims of the shooting in Las Vegas. Commissioner Assad questioned the advisory opinion hearing on Oct. 24 and requested a workshop rather than an advisory opinion hearing. Chairman Burtenshaw stated the intent was to identify the interest in the advisory opinion. Commissioner Assad requested the hearing be noticed as a public meeting. Commissioner Gibbons expressed her sympathies to the Las Vegas community. Chairman Burtenshaw swore in Jeremy Jones, Tim Case, David Gravel and recognized Erin Bell for 10 years of service.

8. Briefing from the Deputy Commissioner

None

9. Report of Legal Counsel

Deputy Attorney General Csoka recognized Enforcement staff and the work they have done the past month.

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Items 10 through 77 were considered collectively. Approved 3-0

10. **Citation 19548** issued to Kory L. Walker for violations of NRS 706.386 and NRS 706.758. (AB)
11. **Citation 19606** issued to Gilbert Esquivel for violations of NRS 706.386 and NRS 706.758. (AB)
12. **Impound 3137 and Citations 19614 and 19615** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 19614 and 19615 issued to Alemayehu Tegegn for violations of NRS 706.386 and NRS 706A.280. (AB)
13. **Impound 3034 and Citations 19669 and 19670** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 19669 and 19670 issued to Daniel Allen Jr. for violations of NRS 706.386 and NRS 706A.280. (AB)
14. **Impound 3009 and Citation 19836** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 19836 issued to Catherine Watson for violations of NRS 706.386 and NRS 706.758. (AB)
15. **Impound 3010 and Citations 19846 and 19847** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 19846 and 19847 issued to Generosa Bisbal, Jr. for violations of NRS 706.386 and NRS 706A.280. (AB)
16. **Citations 19954 and 19955** issued to Melaku Mengistu for violations of NAC 706.228, NAC 706.311, and NAC 706.13775. (AB)
17. **Citation 19997** issued to Fekremariam Berlie for violations of NAC 706.228 and NAC 706.354. (AB)
18. **Citation 20128** issued to Anastasia Falzarano for violations of NRS 706.386 and NRS 706.758. (AB)
19. **Impound 3102** The impoundment pursuant to NRS 706.476 of a vehicle registered to Devonte Forby. (AB)
20. **Impound 3138** The impoundment pursuant to NRS 706.476 of a vehicle registered to Hertz Vehicles, LLC. (AB)
21. **Impound 3150** The impoundment pursuant to NRS 706.476 of a vehicle registered to Hertz Vehicles, LLC. (AB)
22. **Impound 3164** The impoundment pursuant to NRS 706.476 of a vehicle registered to U-Haul of Arizona. (AB)
23. **Citation 19549** issued to Benyam Tesfaye for violations of NAC 706.228 and NAC 706.360. (DG)
24. **Impound 3161 and Citation 19575** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 19575 issued to Marcetta Edwards-Frazier for violations of NRS 706.386 and NRS 706.758. (DG)

25. **Citations 19611, 19612 and 20105** issued to Mohammed Muzzam Ali for violations of NRS 706.386, NRS 706.758 and NRS 706A.280. (DG)
26. **Citation 19630** issued to Brenda Street/Nevada Movers for violations of NAC 706.191. (DG)
27. **Impound 3031 and Citations 19677 and 19678** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 19677 and 19678 issued to Daniel Tekeste Esak for violations of NRS 706.386 and NRS 706A.280. (DG)
28. **Citations 19808 and 19809** issued to Yidnekachew Ayekuru for violations of NRS 706.386 and NRS 706A.280. (DG)
29. **Impound 3036 and Citations 19810 and 19811** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 19810 and 19811 issued to Jun Kim/Happy Tours for violations of NRS 706.386, NRS 706.758 and NRS 706A.280. (DG)
30. **Citations 20052 and 20053** issued to Thomas Gallant for violations of NRS 706.386 and NRS 706A.280 (DG)
31. **Impound 3168 and Citation 20055** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 20055 issued to Mauber Andres Silva-Gonzalez for violations of NRS 706.386 and NRS 706.758. (DG)
32. **Impound 3028 and Citations 20060-1 and 20061** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 20060-1 and 20061 issued to Charles T. Green-Bey for violations of NRS 706.386 and NRS 706A.280. (DG)
33. **Impound 3171 and Citation 20152** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 20152 issued to Jung Bae for violations of NRS 706.386 and NRS 706.758. (DG)
34. **Impound 3067** The impoundment pursuant to NRS 706.476 of a vehicle registered to Malco Enterprises of Nevada, Inc. d/b/a Budget Rent-A-Car. (DG)
35. **Impound 3136** The impoundment pursuant to NRS 706.476 of a vehicle registered to Hertz Vehicles, LLC. (DG)
36. **Impound 3139** The impoundment pursuant to NRS 706.476 of a vehicle registered to Mohammed Shafeeque. (DG)
37. **Impound 3149** The impoundment pursuant to NRS 706.476 of a vehicle registered to Hertz Vehicles, LLC. (DG)
38. **Impound 3154** The impoundment pursuant to NRS 706.476 of a vehicle registered to Woinshet Kerse. (DG)
39. **Impound 3163** The impoundment pursuant to NRS 706.476 of a vehicle registered to Kimberly Cathey. (DG)
40. **Citation 20063** issued to Danny Armstrong for a violation of NAC 706.228. (GA)

41. **Impound 3162 and Citations 20129 and 20130** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 20129 and 20130 issued to Gregory T. Dickey for violations of NRS 706.386, NRS 706.758 and NRS 706A.280. (GA)
42. **Impound 3167 and Citation 20201** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 20201 issued to Hanmi Travel Inc./Ho Seong Moon for violations of NRS 706.386 and NRS 706.758. (GA)
43. **Impound 2964** The impoundment pursuant to NRS 706.476 of a vehicle registered to Fox Rent A Car. (GA)
44. **Impound 3065** The impoundment pursuant to NRS 706.476 of a vehicle registered to Jeffrey Hubbs. (GA)
45. **Impound 3170** The impoundment pursuant to NRS 706.476 of a vehicle registered to U-Haul of Arizona. (GA)
46. **Citation 17976** issued to Cal-Nevada Towing for violation of NAC 706.203.
47. **Citation 17977** issued to Kristal Hart for violation of NAC 706.376 and NRS 706.462(3b).
48. **Citation 18254** issued to Amador Stage Lines for a violation of NRS 706.398 (1a).
49. **Citations 19010, 19011 and 19012** issued to Black Tie LV, LLC for violation of NAC 706.381, NAC 706.170, NAC 706.247/49 CFR 391.11, NAC 706.228, NRS 706.463 and NAC 706.247/49 CFR 396.17.
50. **Citation 19017** issued to Nahoom, LLC d/b/a Anytime Party Bus for a violation of NRS 706.463.
51. **Citation 19019** issued to Red Carpet VIP Transportation for a violation of NRS 706.463.
52. **Citation 19028** issued to Columbian Enterprise, LLC d/b/a LV Bus Express for a violation of NRS 706.463.
53. **Citation 19048** issued to Vinnie Premier Transportation for violation of NRS 706.463 and NRS 706.462.
54. **Citation 19572** issued to Alexander Kunichoff for a violation of NAC 706.228 and NAC 706.360.
55. **Citation 19574** issued to Henok Gebremedhin for violations of NAC 706.228 and NAC 706.329.
56. **Citation 19576** issued to Fernando Sastoque/Prestige Transportation, LLC. for a violation of NRS 706.463.4.
57. **Citation 19605** issued to Dergou Fekadu for violation of NAC 706.228.
58. **Citation 19607** issued to Dennis Smith for violation of NAC 706.228 and NAC 706.247/49 CFR 391.41.
59. **Citation 19608** issued to Joseph Townsel for violation of NRS 706.386 and NRS 706.758.
60. **Citation 19609** issued to Asnake Dinku for violation of NAC 706.228.
61. **Citation 19627** issued to Raiser, LLC for violation of NAC 706A.160(2)(c) and NAC 706A.180.

- 62. **Citation 19629** issued to Preventive Measures Security Firm, LLC for a violation of NAC 706.191.
- 63. **Citation 19675** issued to HPMF, Inc. for a violation of NAC 706.360.
- 64. **Citation 19676** issued to Eagle Limo for a violation of NAC 706.209.
- 65. **Citation 19826** issued to Yohannes Abraha Habte for violation of NAC 706.228.
- 66. **Citation 19838** issued to Derrik Ragazzo for a violation of NAC 706A.280.
- 67. **Citation 19995** issued to Michael Fitz-Patrick for violation of NAC 706.360 and NAC 706.247/49 CFR 391.41.
- 68. **Citation 19999** issued to Down On The Corner Towing for violations of NRS 706.285 and NAC 706.167.
- 69. **Citation 20000** issued to Girgis Abdelmasih for a violation of NAC 706A.240.
- 70. **Citation 20056** issued to Samuel Azeke for violation of NAC 706.228.
- 71. **Citations 20057 and 20062** issued to Joel Montoya-Cortes for violations of NAC 706.228 (2 counts).
- 72. **Citation 20058-1 and 20059-1** issued to Michael Torcello for violation of NRS 706.386 and NRS 706A.280.
- 73. **Citation 20103** issued to VIP Limousines of Nevada for violation of NAC 706.311.1(a).
- 74. **Citation 20126** issued to Kirubel Beyene for a violation of NAC 706.234.
- 75. **Citation 20127** issued to Bryan Pimentel for a violation of NAC 706A.350.
- 76. **Citation 20131** issued to Karl Kilponen for violation of NAC 706.360.
- 77. **Citation 20151** issued to Naimi Dariush for violation of NAC 706.228.

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

- 78. **Docket 17-02005** The Application of Zane Investigations, Inc. d/b/a A2Z Tow and Transport for a certificate of public convenience and necessity to provide non-consent tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded. (GA)
Commissioner Assad summarized the application. Mark Zane appeared on behalf of the Applicant. Applications Manager Liz Babcock addressed staffs concerns with tariff. Approved 3-0
- 79. **Docket 17-03018** The Joint Application of Mark Meyer for authority to sell and transfer and Michael Loria to purchase and acquire 50% of the corporate stock of 1st Response Towing, Inc. d/b/a The Tow Truck Company, a carrier authorized to provide tow car service within the State of Nevada granted under CPCN 7136, Sub 3. Staff investigation concluded. (GA)
Items 79 and 80 were considered collectively. Approved 3-0
- 80. **Docket 17-03019** The Joint Application of Mark Meyer for authority to sell and transfer and Michael Loria to purchase and acquire 50% of the corporate stock of 1st Response Towing, Inc., a carrier

authorized to provide tow car service within the State of Nevada granted under CPCN 7304. Staff investigation concluded. (GA)

Items 79 and 80 were considered collectively. Approved 3-0

- 81. Docket 17-03037** The Application of Tow 4 Less, LLC d/b/a Tow 4 Less 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. (AB)

Chairman Burtenshaw summarized the application and indicated staff support. Approved 3-0

- 82. Docket 17-07019** The Application of Jose Bautista Moran d/b/a Moran's Towing Service 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. (AB)

Chairman Burtenshaw summarized the application and indicated staff support. Jose Moran appeared on behalf of the Applicant. Approved 3-0

- 83. Docket 17-08028** The temporary discontinuance from August 28, 2017 through February 28, 2018 of non-consent tow car services provided by Robert Van Camp & Mikki Van Camp d/b/a Van Camp Towing & Road Service under CPCN 7158. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

- 84. Docket 17-09029** The temporary discontinuance from September 21, 2017 through March 21, 2018 of non-consent tow car services provided by Luz Eleno Marquez d/b/a Marquez Towing under CPCN 7338. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

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

- 85. Docket 17-01012** The Joint Application of DKBM, Enterprises, Inc. d/b/a Regal Transportation for authority to sell and transfer and Hevle, LLC d/b/a Las Vegas Transporters to purchase and acquire the authority to provide charter bus service within the State of Nevada granted under CPCN 2168, Sub 1. Staff investigation concluded. (GA)

Commissioner Assad summarized the application and indicated staff support. Jeff Hevle appeared on behalf of the Applicant. Approved 3-0

- 86. Docket 17-03035** The Application of Limousine of Nevada, LLC d/b/a Crown Transportation for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (DG)

Commissioner Gibbons summarized the application and indicated staff support. Dan Winder, Esquire and TsionTweolde appeared on behalf of the Applicant. Applications Manager Babcock stated staff supports the application. Approved 2-0 Commissioner Assad abstained

- 87. Docket 17-04022** The Application of Expeditors of Lindale, Inc. for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (GA)

Commissioner Assad summarized the application and indicated he felt the application was better suited to a contract carrier. Dave Brown, President appeared on behalf of the Applicant. A discussion ensued with regard to the type of authority requested. Approved 2-1 Commissioner Assad opposed

- 88. Docket 17-06017** The Application of ProTour and Travel Services, LLC for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (DG)
Commissioner Gibbons summarized the application and indicated staff support. Cara Brown, Esquire and Irene Chau appeared on behalf of the Applicant. Approved 3-0
- 89. Docket 17-06021** The Application of Mega Express, Inc. for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (GA)
Commissioner Assad summarized the application and indicated staff support. Approved 3-0
- 90. Docket 17-07017** The Joint Application of Alemayehu T. Kassa for authority to sell and transfer and Mulugeta M. Mekonen to purchase and acquire 50 % of LVAM, LLC, a carrier authorized to provide charter bus service within the State of Nevada granted under CPCN 2200. Staff investigation concluded. (GA)
Commissioner Assad summarized the application and indicated staff support. Dan Winder, Esquire, and Kristina Miletovic Esquire appeared on behalf of the Applicants. Approved 3-0
- 91. Docket 17-09014** The temporary discontinuance from August 30, 2017 through February 28, 2018 of charter bus services provided by Reno Tahoe Charters, LLC d/b/a Reno Tahoe Party Bus under CPCN 2138. This Request requires retroactive approval. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

VOLUNTARY CANCELLATIONS

- 92. Docket 17-08018** The voluntary cancellation of Above & Beyond Care, LLC CPCN 1123. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0
- 93. Docket 17-08022** The voluntary cancellation of Sunshine Movers, LLC d/b/a Sunshine Movers, CPCN 3353, Sub 1. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

APPLICATIONS FOR WAREHOUSE PERMITS

- 94. Docket 17-06028** The Application of Oasis Moving & Storage, Inc. for a Warehouse Permit. Staff investigation concluded.
Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 3-0

PETITION TO DEVIATE FROM REGULATION

- 95. Docket 17-09009** The Petition to Deviate from Regulation NAC 706.210(2) for services conducted by AWG Ambassador, LLC granted under CPCN 1041, Sub 5. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request. Item tabled to the next subsequent Agenda.

PETITIONS FOR RECONSIDERATION

- 96. 17-09017** Petition for Reconsideration filed by Bryan L. Fields, requesting reconsideration of fines assessed pursuant to Citation 19774.
Mr. Fields appeared telephonically and offered a statement of explanation. Administrative Attorney Newton detailed the current fines and penalties assessed. Amended fines to be \$4,000.00 with \$3,500.00 held in abeyance for 1 year for the NRS 706.386 violation and \$1,000.00 with \$1,000.00 held in abeyance for 1 year for the NRS 706 .758 violation. Approved 3-0
- 97. 17-09018** Petition for Reconsideration filed by Jerry R. Strozzi, requesting reconsideration of failure to appear pursuant to Citation 17616.
Mr. Strozzi appeared in Reno and offered a statement of explanation. Hearing to be reset. Approved 3-0

FINANCIAL RATES AND TARIFFS

- 98. Docket 17-07029** The Application of Carney's Full Service Movers, Inc. for approval of a tariff rate modification for services conducted under CPCN 3258, Sub 2. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the request and indicated staff support but for the mileage rates. Robert Carney and Diane Carney appeared in Reno. Mr. Carney offered a statement of explanation for the increase and method of calculation. A brief discussion ensued. Item tabled to the next subsequent Agenda.
- 99. Docket 17-08031** The Application of Cramer Automotive, Inc. for approval of a tariff rate modification for services conducted under CPCN 7089, Sub 1. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the request and indicated staff support. Approved 3-0
- 100. Docket 17-09002** The Application of Custom Towing, Inc. for approval of a tariff rate modification for services conducted under CPCN 7057, Sub 1. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the request and indicated staff support. Approved 3-0
- 101. Docket 17-09006** The Application of Mesquite Towing Company, LLC d/b/a Mesquite Towing Company for approval of a tariff rate modification for services conducted under CPCN 7233. Staff investigation concluded.
Financial Analyst Lidia Aronova summarized the request and indicated staff support. Moila Gomez and Paulina Gomez appeared on behalf of the Applicant. Approved 3-0

102. Public Comment

none

1:15 PM AFTERNOON SESSION

103. Public Comment

Item 15 – Mr. Generosa Bisbal, Jr. appeared and indicated he would like to file a Petition for Reconsideration on his citation.

APPLICATIONS FOR FULLY REGULATED CARRIERS

- 104. Docket 16-09019** The Request of Starving Students, seeking to extend the previously granted temporary discontinuance of services provided under CPCN 3241, Sub 1, from September 21, 2017 through March 21, 2018. Staff investigation concluded.
Applications Manager Liz Babcock summarized the procedural history and indicated staff support. David Harper appeared and offered a statement of explanation. Approved 3-0

- 105. Docket 17-01023** The Application of Ronald M. Perlman d/b/a Reno Tahoe Limousine for an expansion of operating authority granted under CPCN 1101, Sub 1. Staff investigation concluded. (GA)
James Kent, Esquire appeared on behalf of the Applicant and offered a statement in support of the full expansion request. Commissioner Assad recommended an additional three vehicles. Ron and Danell Perlman appeared in Reno. A discussion ensued.
Approved for eight additional vehicles 2-1 Commissioner Assad opposed.
- 106. Docket 17-04005** The Application of Five Star Limo, LLC d/b/a Five Star Limo for an expansion of operating authority granted under CPCN 1113, Sub 1. Staff investigation concluded. (AB)
Chairman Burtenshaw summarized the application and indicated support for the removal of the “kellying” language. Alicia Ashcraft, Esquire and Daniel Akopian appeared on behalf of the Applicant. Kimberly Maxson-Rushton, Esquire appeared and entered a protest on behalf of the Livery Operators Association. A lengthy discussion ensued. Approved 2-1 Commissioner Assad opposed.
- 107. Docket 17-05020** In the matter of the Joint Petition of VLS, LLC d/b/a Vegas Limousine Service, Vegas Royalty Limos, pursuant to NAC 706.359 requesting approval of the temporary transfer of CPCN 1059, Sub 2, to Bour Enterprises, LLC pending the application and approval of the final sale and transfer. (AB)
Chairman Burtenshaw summarized the application and indicated staff approval. Approved 3-0
- 108. Docket 17-09019** The temporary discontinuance from October 1, 2017 through March 31, 2018 of airport transfer, scenic tour, and special services provided by Nevada Coaches, Inc. d/b/a Showtime Tours under CPCN 2044, Sub 2. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Kimberly Maxson-Rushton, Esquire appeared on behalf of the Applicant. Approved 3-0

APPLICATIONS FOR TRANSPORTATION NETWORK COMPANY PERMITS

- 109. Docket 16-06038** The Application of Tango Car, LLC d/b/a Tango Car and/or Tango for a permit to operate as a transportation network company within the State of Nevada. Staff investigation concluded. (AB)
Chairman Burtenshaw summarized the application. Applications Manager Liz Babcock summarized the process of approval. James Kent, Esquire and Richard Samuels appeared on behalf of the Applicant. Mr. Kent questioned the compliance period with regard to insurance. Commissioner Assad requested a demonstration of the application. Marc Gordon, Yellow Checker Star questioned the type of vehicle to be used. A brief discussion ensued. Item tabled to the next subsequent Agenda.

APPLICATIONS FOR DRIVER PERMITS

(Closed sessions may be held for items 110 through 111 to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030.)

- 110. Permit 4687** The Authority will determine whether to grant the application of Charles Burns for issuance of a driver’s permit pursuant to NRS 706.462. Staff investigation concluded. (FTA 9/1/17)
Permit to be issued.
- 111. Permit 1385** The Authority will determine whether to grant the application of Kristel Hart for issuance of a driver’s permit pursuant to NRS 706.462. Staff investigation concluded. (FTA 9/1/17)
Michelle Baumgartner appeared and requested a continuance. Item tabled to the next subsequent Agenda.

112. Public Comment

None

113. Adjournment

Meeting adjourned at 2:15 p.m.