

NAC 706.022 “Bus” defined. (NRS 706.171) “Bus” means any motor vehicle that was originally manufactured and is currently configured with a capacity of 2416 or more persons, including the driver, designed, constructed and used for the transportation of passengers, their baggage and light express.

[Pub. Service Comm’n, Gen. Order 5 Rule 121, eff. 12-1-62] — (NAC A 9-1-87; A by Transportation Serv. Auth. by R078-98, 1-28-99; R040-02, 9-20-2002; A by Nev. Transportation Auth. by R061-13, 1-16-2015)

NAC 706.XXX “Kelly Transportation” or “Kellying” defined. (NRS 706.171)
“Kelly Transportation” or “Kellying” means the transportation of passengers who walk up to an authorized carrier’s vehicle or driver and request transportation services without having an existing reservation with that carrier.

NAC 706.032 “Charter order” defined. (NRS 706.171) “Charter order” means a written order prepared by a fully regulated common motor carrier authorized to provide charter service by limousine or charter service by bus setting out a request from a customer for the services of the carrier.

(Added to NAC by Pub. Service Comm’n, eff. 9-1-87; A by Transportation Serv. Auth. by R040-02, 9-20-2002; R090-05, 12-29-2005)

NAC 706.034 “Charter service by bus” defined. (NRS 706.171)

1. “Charter service by bus” means the prearranged transportation of persons who have acquired the exclusive use of a bus for a particular itinerary under a single contract and at a fixed charge for the bus, which is consistent with the tariff filed by the carrier, for the duration of the charter.

2. Except as otherwise provided in paragraph (d) of subsection 3, the term includes services sold to a broker at an hourly rate only, for resale by the broker in combination with other services or facilities not related to transportation at per capita rates or at hourly rates, as necessary. As used in this subsection, “in combination with other services or facilities not related to transportation” means transportation purchased by a purchaser or broker and resold by the purchaser or broker for the purpose of transporting passengers, under a single contract, for a particular itinerary between a definite point of origin and a location where services or facilities other than, or unrelated to, transportation are provided by the purchaser or broker for its benefit or for the benefit of a third party, including, without limitation, malls, the place of employment of passengers or other similar locations or facilities.

3. The term does not include:

- (a) Scenic tours;
- (b) Special services;
- (c) Airport transfer services;
- (d) Service which will be resold by the broker for scenic tours or airport transfer services; or

(e) The carriage of property or cargo not belonging to the group of passengers being transported.

(f) The solicitation of customers or the staging at or acceptance of walk up or “Kelly” customers at any airport or at any property which is a resort hotel as defined in NRS 463.01865 or which holds a nonrestricted gaming license as defined in NRS 463.0177. This limitation is inapplicable at any property where the carrier has a written agreement to serve as the exclusive or preferred provider of passenger transportation services.

[Pub. Service Comm’n, Gen. Order 5 part Rule 116, eff. 12-1-62] — (NAC A 9-1-87; 11-15-88; A by Transportation Serv. Auth. by R040-02, 9-20-2002; R090-05, 12-29-2005; A by Nev. Transportation Auth. by R111-10, 12-16-2010)

OPTION 1

NAC 706.1015 “Prearranged” defined. (NRS 706.171) “Prearranged” means transportation that is scheduled through or reported to the central dispatch of a fully regulated carrier before the provision of service.

(Added to NAC by Transportation Serv. Auth. by R040-02, eff. 9-20-2002)

OPTION 2

NAC 706.1015 “Prearranged” defined. (NRS 706.171) “Prearranged” means transportation that is scheduled through or reported to the central dispatch of a common motor carrier of passengers before the provision of service.

(Added to NAC by Transportation Serv. Auth. by R040-02, eff. 9-20-2002)

~~NAC 706.XXXX “Mini Bus Limousine” defined (NRS 706.171) “Mini Bus Limousine” means a motor vehicle engaged in the general transportation of persons for compensation that was originally manufactured and currently configured as having a capacity of 16 or more persons but less than 24 persons, including the driver.~~

NAC 706.080 “Livery limousine” defined. (NRS 706.171) “Livery limousine” means a motor vehicle engaged in the general transportation of persons for compensation that was originally manufactured as having:

1. A capacity of 9 or more persons but less than 2416 persons, including the driver; or
2. A capacity of 2416 or more persons, including the driver, but is currently configured with a capacity of less than 2416 persons, including the driver.

(Added to NAC by Transportation Serv. Auth. by R078-98, eff. 1-28-99; A by R040-02, 9-20-2002; A by Nev. Transportation Auth. by R127-07, 9-18-2008; R061-13, 1-16-2015)

NAC 706.036 “Charter service by limousine” defined. (NRS 706.171)

1. “Charter service by limousine” means the exclusive use of a traditional limousine, ~~or~~ livery limousine, or mini bus limousine for the prearranged transportation of passengers and their baggage under a charter order at an hourly rate for a minimum of 1 hour.

2. The term does not include:

(a) Scenic tours;

(b) Special services;

(c) Airport transfer services;

(d) Service which will be resold by the broker for scenic tours or airport transfer services; or

(e) The carriage of property or cargo not belonging to a group of passengers being transported.

(Added to NAC by Pub. Service Comm’n, eff. 9-1-87; A by Transportation Serv. Auth. by R078-98, 1-28-99; R040-02, 9-20-2002)

NAC 706.191 Insurance. (NRS 706.171, 706.291, 706.303)

1. All common and contract carriers shall maintain a contract of insurance against liability for injury to persons and damage to property in the following minimum amounts:

(a) Carriers authorized to transport persons only or persons and property:

	Limit for bodily injuries to or death of per one person	Limit for bodily injuries to or death per occurrence of all persons injured or killed in any one crash	Limit for loss or damage in any one crash to property of others, excluding cargo
Horse-drawn vehicles and taxicabs	\$250,000	\$500,000	\$50,000
7 passengers or less, including the driver, other than a taxicab	\$1,500,000 \$1,000,000	\$1,500,000 \$2,000,000	\$1,500,000 \$500,000
8 to 15 passengers, inclusive, including the driver	\$1,500,000 \$1,000,000	\$1,500,000 \$3,000,000	\$1,500,000 \$500,000
16 to 23 passengers or more ,	\$5,000,000	\$5,000,000	5,000,000

including the driver	<u>\$1,000,000</u>		<u>\$500,000</u>
	<u>\$5,000,000</u>	<u>\$5,000,000</u>	
<u>24 passengers or more, including the driver</u>	<u>\$1,000,000</u>	<u>\$7,000,000</u>	<u>\$500,000</u>
Freight only	750,000	750,000	750,000

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Any of these amounts may be a single combined limit.

(b) Except as otherwise provided in subsection 3, carriers authorized to transport the following commodities:

	Limit for bodily injuries to or death of one person	Limit for bodily injuries to or death of all persons injured or killed in any one crash, subject to a maximum of \$300,000 for bodily injuries to or death of each person	Limit for loss or damage in any one crash to property of others, excluding cargo
Hazardous substances as defined in 49 C.F.R. § 171.8, as that section existed on April 1, 2000, liquefied compressed gas or compressed gas in cargo tanks, portable tanks or hoppers with capacities of more than 3,500 liquid gallons	\$300,000	\$2,500,000	\$5,000,000
Oil as listed in 49 C.F.R. § 172.101 and hazardous materials and substances as defined in 49 C.F.R. § 171.8 and listed in 49 C.F.R. § 172.101, as those sections existed on April 1, 2000	300,000	2,500,000	1,000,000
Class A or Class B explosives, poisonous gas or radioactive materials as defined in 49 C.F.R. § 172.101	300,000	2,500,000	5,000,000

2. Each common or contract motor carrier shall maintain insurance in the following minimum amounts to compensate shippers or consignees for loss of or damage to property belonging to shippers or consignees and coming into the possession of a common or contract motor carrier in connection with his or her services:

(a) For loss of or damage to property carried on any one motor vehicle, \$15,000.

(b) For loss of or damage to property occurring at any one time and place, or an aggregate of such losses or damages to property, \$30,000.

3. If the minimum amount of insurance required to be maintained pursuant to Title 49 of the Code of Federal Regulations is increased above the amount listed in this section, the common or contract carrier shall maintain insurance in an amount that is equal to or greater than the federally required minimum amount.

4. A common or contract carrier shall file with the Authority evidence of the necessary insurance for each vehicle to be operated by the carrier as often as necessary to ensure that such evidence is current.

[Pub. Service Comm'n, Gen. Order 5 Rule 410, eff. 12-1-62] — (NAC A 9-1-87; 11-22-89; A by Transportation Serv. Auth. by R040-02, 9-20-2002)

NAC 706.147 Provider of free shuttle service: Consideration as common motor carrier. (NRS 706.036, 706.171)

1. The Authority will consider a provider of free shuttle service to passengers who may or may not have baggage to be a common motor carrier unless all of the following conditions are met:

(a) The provider's business is not the transportation of property or passengers and any transportation furnished is incidental to its business.

(b) The provider indicates in any advertisement including information on free transportation that the transportation will only be furnished to its customers. Such information must be incidental to an advertisement of the business.

(c) The provider ensures that transportation is provided only to its customers.

(d) Except as otherwise provided in this paragraph, transportation is furnished only if the provider's place of business is the point of origin or the point of destination of each customer's trip. If the provider is a health insurer licensed to transact insurance in this State, the provider may provide transportation, other than emergency transportation, to an insured between a medical facility where medical services covered by the health insurer have been or will be rendered and another medical facility or the residence of the insured.

(e) The driver is prohibited from soliciting gratuities, either directly or indirectly, or from placing a container for gratuities in the vehicle used to provide the free shuttle service. The driver may accept unsolicited gratuities.

(f) The driver, other employee or independent contractor of the free shuttle provider is prohibited from soliciting passengers at sites other than the provider's place of business, including, without limitation, inducing or attempting to induce persons by communication or other action to be transported. The term includes, without limitation:

- (1) Initiating conversation with potential passengers;
- (2) Shouting information;
- (3) Waving signs;
- (4) Waving arms or hands;
- (5) Flashing lights;
- (6) Ringing bells;
- (7) Blowing horns;
- (8) Blocking access to other motor carriers;
- (9) The provision of brochures or other written materials outside of permanently mounted racks or stands; or
- (10) Except as otherwise provided in subsections 2 and 3, any other activity designed to attract passengers,
↳ unless the passenger has arranged for the transportation by reservation or the driver is seeking a specific passenger who has requested that the driver's vehicle be dispatched to the location.

(gf) The driver is not compensated based upon the number of persons transported in a given period.

(hg) The vehicle used to provide the free shuttle service is owned by and registered to:

- (1) The provider, at the place of business of the provider;
- (2) A subsidiary of the provider, at the place of business of the subsidiary;
- (3) An affiliate that controls the provider, at the place of business of the affiliate; or
- (4) A certificate holder, at the place of business of the certificate holder.

(ih) The driver is employed by the person to whom the vehicle used to provide the free shuttle service is registered, as set forth in paragraph (g), or an affiliate of that person.

(ji) The vehicle used to provide the free shuttle service is properly marked on each side of the vehicle with the name or logo of the provider. Such markings must be at least 2 inches high and be visible from a distance of at least 50 feet.

2. The Authority will not consider the placement of the name of the business on the side of the vehicle used to provide the free shuttle service as an advertisement for transportation.

3. As used in this section:

- (a) "Affiliate" has the meaning ascribed to it in [NRS 692C.030](#).

(b) “Subsidiary” has the meaning ascribed to it in [NRS 692C.100](#).

(Added to NAC by Pub. Service Comm’n, eff. 9-16-92; A by Transportation Serv. Auth. by R071-98, 10-28-98; R078-98, 1-28-99; R040-02, 9-20-2002)

NAC 706.XXX Charter Bus Carrier Operating Authority (NRS 706.171) No Charter Bus carrier may stage or stand a vehicle at any location except while currently chartered or awaiting a preexisting charter client (a client with a confirmed reservation prior to the vehicle’s initial arrival at the location). No transportation services may be provided on a kelly or walk up basis, or through solicitation. This limitation is inapplicable at any property where the carrier has a written agreement to serve as the exclusive or preferred provider of passenger transportation services.