

NAC 706.022 “Bus” defined. (NRS 706.171) “Bus” means any motor vehicle originally manufactured and currently configured with a capacity of 24 or more passengers, not including the driver, designed, constructed and used for the transportation of passengers, and their baggage.

[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 706.032 “Charter order” defined. (NRS 706.171) “Charter order” means a written order prepared by a common motor carrier of passengers 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 transportation of passenger groups who, in advance of the service, have chartered a bus for their exclusive use under a particular itinerary at a rate consistent with the carrier’s tariff.

2. Except as otherwise provided in paragraph (d) of subsection 3, the term includes transportation services sold to a broker at the tariff rate only, for resale by the broker at per capita rates or at hourly rates in combination with other services or facilities not related to transportation, as long as the cost of the transportation is a de minimis portion of the overall charges due the broker. 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 malls, the place of employment of the 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.

4. A charter bus carrier shall not stage nor stand a vehicle at a commercial location unless the bus is operating pursuant to an on-going charter or the carrier has a written

agreement with the business owner or his/her representative requesting that a bus be available for charter service during specifically identified days and times.

[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)

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

1. “Charter service by limousine” means the exclusive use of a 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 706.080 “Livery vehicle ” defined. (NRS 706.171) “Livery vehicle ” means a motor vehicle used by a fully regulated common motor carrier of passengers to provide transportation services to passengers and passenger groups at a rate previously approved by the Authority. A livery vehicle is a vehicle originally manufactured and currently configured to transport between 9 and 23 passengers excluding 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 706.1015 “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)

NAC 706.124 “Limousine” defined. (NRS 706.171) “Limousine” means a motor vehicle used to provide charter limousine services for compensation that was originally manufactured as having a capacity of less than sixteen persons, excluding the driver.

(Added to NAC by Transportation Serv. Auth. by R078-98, eff. 1-28-99; A by Nev. Transportation Auth. by R127-07, 9-18-2008)

NAC 706.1377 Certificate to provide intrastate charter service by bus. ([NRS 706.171](#), [706.6411](#))

1. An application for:

(a) The initial issuance of a certificate of public convenience and necessity to provide intrastate charter service by bus made pursuant to [NRS 706.386](#) to [706.411](#), inclusive; or

(b) The sale and transfer of an interest in:

(1) Such a certificate;

(2) Fifteen percent or more of the stock of a corporation that holds such a certificate;

(3) A partnership that holds such a certificate; or

(4) A corporate entity that holds such a certificate which would result in a change in the corporate control of that entity,

↪ must, in addition to complying with the provisions of [NAC 706.010](#) to [706.4019](#), inclusive, that are applicable to pleadings, contain the data set forth in subsection 2.

2. An application described in subsection 1 must contain the following data, either in the application or as exhibits attached thereto:

(a) The type of service proposed, a general description of the service and a reference to the authority pursuant to which the service is to be performed.

(b) The specific authority requested and the statutory provision pursuant to which the certificate is requested.

(c) A statement of the rates or fares proposed to be charged and the rules governing the operations of the intrastate charter service by bus pursuant to [NRS 706.321](#) in the form of a tariff prepared pursuant to [NAC 706.138](#) to [706.139](#), inclusive.

(d) The type and number of units of equipment to be used in the proposed service that includes the year, make, model, passenger capacity and, if available, vehicle identification number of each vehicle to be used to provide the intrastate charter service by bus.

(e) A statement describing:

(1) The address of the domicile of the company and the location where the company maintains its business office and records; and

(2) The address and location of the terminal and the equipment to be used by the company.

(f) If the applicant is a corporation or a limited-liability company, a copy of its articles of incorporation or articles of organization, certified by the Secretary of State, and all effective amendments thereto. If the corporation or limited-liability company was incorporated or established in another state, the application must include:

(1) A copy of the certificate issued by the Office of the Secretary of State authorizing the corporation or limited-liability company to transact its business in the State of Nevada; or

(2) Its equivalent, as provided in [NRS 80.120](#).

(g) If the applicant is a partnership, a copy of the partnership agreement and any amendments thereto.

(h) If the applicant is not a natural person, a list of all owners, including associated stock certificates, membership certificates or associated documents, along with the percentage of ownership interest of each partner, member or owner. If the applicant is a publicly traded corporation, the requirements of this paragraph may be satisfied by attaching to the application a copy of Form 10-K or its equivalent filed with the Securities and Exchange Commission showing the controlling ownership, officers and directors of the corporation.

(i) If the applicant is operating under a fictitious name, a copy of the certificate filed pursuant to [chapter 602](#) of NRS, if applicable.

(j) A copy of the complaint procedures that will be used.

(k) Evidence that the applicant can secure the insurance required by [NAC 706.191](#).

(l) An acknowledgment of the requirements set forth in NAC 706.034(4).

(m) Additional information as is necessary for a full understanding of the application.

3. If any item required pursuant to this section or by statute is omitted or otherwise deficient after acceptance of the application or filing, the Authority will notify the applicant of the omission or deficiency, in writing, at the address of the applicant listed on the application or filing. If the applicant does not cure the omission or deficiency within 15 working days after the issuance of that notification, the Deputy Commissioner shall, at the next regular meeting of the Authority, move that the application or filing be dismissed.

(Added to NAC by Transportation Serv. Auth. by R040-02, eff. 9-20-2002; A by R090-05, 12-29-2005)

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.

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

(h) 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.

(i) 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 (h),

(j) 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 706.210 Lease of vehicle by common motor carrier for use as a limousine or livery vehicle. ([NRS 706.171](#))

1. A common motor carrier authorized to operate a ~~traditional~~ limousine or livery vehicle shall not lease any vehicle that it uses as a ~~traditional~~ limousine or livery ~~limousine~~-vehicle without the prior approval of the Chair or his or her designee.

2. A carrier must submit a request for the approval of such a lease to the Authority at least 10 working days before the execution of the lease. The Chair or his or her designee shall approve or disapprove the lease within 10 working days after receiving the request for the approval of the lease. If the Chair or his or her designee does not approve or disapprove the lease within 10 working days after receiving the request for approval of the lease, the lease shall be deemed to be approved.

3. The Chair or his or her designee shall approve such a lease if:

(a) The vehicle will be leased for not more than 14 days;

(b) The vehicle will be used only in an operation authorized by the certificate of the carrier;

(c) Including the vehicles to be leased by the carrier under the lease:

(1) Not more than one-half of the vehicles of the carrier will be leased; and

(2) The total number of vehicles operated by the carrier does not exceed the number of vehicles the carrier is authorized to operate pursuant to its operating authority;

(d) The driver of the vehicle will be an employee of the carrier who has no ownership interest in the vehicle; and

(e) The carrier demonstrates to the satisfaction of the Chair or his or her designee that the carrier temporarily needs to increase the size of its fleet, including, without limitation, facts which indicate that the carrier expects to experience:

(1) An increase in customer demand; or

(2) A decrease in the size of its permanent fleet.

4. The Chair or his or her designee may approve the lease of a vehicle that does not comply with paragraph (a) of subsection 3 or subparagraph (1) of paragraph (c) of subsection 3 if:

(a) The authorized carrier files a petition for a waiver of the requirement with which the lease does not comply; and

(b) The Chair or his or her designee finds that approval of the lease would be in the public interest.

↪ The Authority shall issue a public notice of the receipt of a petition for a waiver received pursuant to this subsection.

5. If a lease is approved pursuant to this section:

(a) A copy of the lease must be submitted to the Authority not later than the date on which the lease becomes effective; and

(b) A copy of the lease and a copy of the approval of the lease must be:

(1) Carried in the vehicle during the period of the lease; and

(2) Maintained by the carrier for a minimum of 3 years.

6. A carrier may not lease vehicles for more than 45 days in any calendar year.

7. The approval of a lease pursuant to this section does not relieve the carrier of the obligation to comply with all other laws that otherwise apply with respect to the operation of the limousine or livery vehicle.

(Added to NAC by Transportation Serv. Auth. by R040-02, eff. 9-20-2002; A by Nev. Transportation Auth. by R127-07, 9-18-2008)

NAC 706.229 Requirements for employee who drives a limousine or a livery vehicle; list of persons not qualified to drive a limousine or a livery vehicle. ([NRS 706.171](#), [706.173](#), [706.462](#))

1. In addition to the applicable requirements set forth in 49 C.F.R. §§ 391.1, 391.2, 391.11(a), 391.11(b)(1) to 391.11(b)(4), inclusive, 391.11(b)(6), 391.11(b)(7), 391.11(b)(8), 391.13, 391.15, 392.2, 392.3, 392.4, 392.5 and 392.9 and 49 C.F.R. Parts 40, 382, 390, 393 and 397, a certificate holder shall not allow an employee to drive a limousine or a livery vehicle unless the employee:

(a) Is at least 21 years of age and has a valid Nevada driver's license or is a border state employee, as that term is defined in [NRS 483.035](#);

(b) Possesses a valid driver's permit issued by the Authority;

(c) Provides to the certificate holder, on or before the date on which the employee becomes employed by the certificate holder as the driver of a ~~traditional~~ limousine or livery vehicle ~~limousine~~:

(1) A certificate from a licensed physician which demonstrates that the employee is physically qualified to operate a commercial motor vehicle in accordance with 49 C.F.R. § 391.43; and

(2) A copy of the driving record of the employee which is obtained from the Department and which demonstrates that the employee has not, within the 3 years

immediately preceding the date on which the employee becomes so employed by the certificate holder:

(I) Been convicted of driving under the influence of an intoxicating liquor or a controlled substance;

(II) Been convicted of reckless driving;

(III) Been convicted of failing to stop and remain at the scene of a crash; or

(IV) Failed to keep a written promise to appear in court for any offense; and

(d) Within the 3 years immediately preceding the date on which the employee submitted to the certificate holder an application to be a driver of a limousine or a livery vehicle:

(1) Has not failed to appear for a hearing before the Authority which resulted in the employee being found to have violated a provision of this chapter or [chapter 706](#) of NRS;

(2) Has not been found by the Authority to have violated the provisions of this chapter or [chapter 706](#) of NRS more than five times; and

(3) Has not failed to pay on or before the due date any fine assessed against the employee by the Authority.

2. Each employee shall update annually the documents required pursuant to paragraph (c) of subsection 1.

3. A certificate holder shall retain a copy of each document submitted by an employee pursuant to this section for at least 3 years after his or her employment has terminated.

4. The Authority will create and maintain a list of persons who are not qualified to drive a limousine or a livery limousine pursuant to paragraph (d) of subsection 1.

(Added to NAC by Transportation Serv. Auth. by R040-02, eff. 9-20-2002; A by Nev. Transportation Auth. by R111-10, 12-16-2010; R012-12, 6-29-2012; R060-13, 12-23-2013, eff. 1-1-2014)

NAC 706.354 Charter orders. ([NRS 706.171](#))

1. A charter order must include:

(a) The name of the person or group who contracted for the service.

(b) The date of the request for service.

(c) The date on which the service will be provided.

(d) The approximate number of passengers.

(e) The route.

(f) The itinerary.

(g) The charge for the service.

(h) An identification of the equipment to be used.

3. A charter order must be completed by the carrier prior to the initiation of charter service transportation.

2. A copy of the charter order must be:

(a) Carried on the vehicle and be available for inspection during the period of the service; and

(b) Maintained in the files of the carrier for 3 years.

(Added to NAC by Pub. Service Comm'n, eff. 9-1-87)

NAC 706.379 Inspection of vehicles by carrier; standards for maintenance of vehicles; special equipment for certain vehicles; withdrawal of substandard vehicles. ([NRS 706.171](#), [706.173](#))

1. A common or contract motor carrier authorized to operate a taxicab, limousine, livery vehicle, bus or other vehicle shall regularly inspect each vehicle operated and keep a record of the inspection as required pursuant to subsection 5 of [NAC 706.381](#).

2. Except as otherwise provided in this section, each vehicle must be maintained in conformance with the following standards:

(a) The system that comprises the front suspension must be in good repair and proper working order.

(b) The engine and drivetrain of the vehicle, including other parts necessary to connect the engine and drivetrain to each other or to other parts of the vehicle, must be in good repair and proper working order so that, during normal operation, the engine does not die, miss, backfire or show noticeable loss of power.

(c) The engine, drivetrain and accessories of the vehicle must not emit loud noises that disturb the passengers of or distract the driver of the vehicle.

(d) The vehicle must be equipped with an air filter or adequate flame arrester covering the air intake of the fuel delivery system.

(e) The vehicle must not pull to the left or the right or tend to drift under normal driving conditions.

(f) The engine, drivetrain, radiator and other accessories must not allow a noticeable amount of fluid to leak.

(g) The engine must not emit an excessive amount of smoke from the crankcase or system for exhaust.

(h) Each window of the vehicle must be operable, free from obstruction and afford the driver a view that is unimpaired.

(i) The linings of the brakes must be of sufficient thickness to prevent the metal portion of the brake shoe or pad from coming into contact with the brake drum or disc. Under normal braking conditions, the vehicle must not pull to the left or to the right and the wheels of the vehicle must not lock.

(j) The vehicle must be equipped with systems for heating and air-conditioning that provide to passengers a reasonable level of comfort and which conform to reasonable standards of efficiency.

(k) The vehicle must be equipped with seat belts which must be maintained in a clean and operable condition at all times.

3. In addition to the standards set forth in subsection 2, each taxicab that is placed into service after March 1, 1999, must be equipped with:

(a) A mirror located on the outside of the front door on the passenger's side of the taxicab.

(b) A bar, rod or other support to maintain the lid of the trunk of the taxicab in an open position. One end of the bar, rod or support must be affixed permanently to the taxicab.

(c) Straps to tie down the lid of the trunk.

(d) Windows that are not tinted more darkly than recommended or specified by the manufacturer of the taxicab.

4. In addition to the standards set forth in subsections 2 and 3, each taxicab, limousine and livery vehicle that is placed into service after March 1, 1999, must be equipped with:

(a) A lock on each door of the taxicab or limousine that may be operated remotely by the driver of the taxicab or limousine with controls located on the driver's door or in another location within easy reach of the driver.

(b) A lever, switch or other device which opens the trunk of the taxicab or limousine from inside the trunk.

5. In addition to the standards set forth in subsections 2, 3 and 4, each limousine and livery vehicle that is placed into service after March 1, 1999:

(a) Must be certified by its manufacturer as suitable for use as a limousine or livery vehicle, as appropriate, if the manufacturer makes such certifications; and

(b) Must have been modified for use as a limousine or livery vehicle, as appropriate, by a builder of coaches or other modifier of motor vehicles who is certified as such by the manufacturer of the vehicle, if the manufacturer makes such certifications.

6. A restored theme or antique vehicle is not required to meet the standards set forth in paragraph (j) of subsection 2 or subsection 4.

7. If an employee of the Authority does not withdraw a vehicle from service pursuant to [NAC 706.381](#), but the carrier knows or should have reason to know the vehicle does not conform to the standards prescribed in subsections 2 to 5, inclusive, the carrier shall withdraw the vehicle from service at the end of the operating day and the vehicle may not be placed back into service until any defective condition has been corrected and the vehicle is in compliance with subsections 2 to 5, inclusive. If the vehicle does not conform to the standards prescribed in subsections 2 to 5, inclusive, and the carrier knows or should have reason to know the vehicle poses an immediate and substantial threat to the safety of the public or passengers of the vehicle, the carrier shall immediately withdraw the vehicle from service until any defective condition has been corrected and the vehicle is in compliance with subsections 2 to 5, inclusive, and no longer poses an immediate and substantial threat to the safety of the public or passengers. Failure of the carrier to take these actions may result in the

suspension or revocation of the carrier's permit or certificate. Notice of repair of the vehicle must be made pursuant to [NAC 706.381](#) before the vehicle may be operated.

8. As used in this section, "drivetrain" has the meaning ascribed to it in [NRS 482.3666](#).

(Added to NAC by Pub. Service Comm'n, eff. 9-1-87; A by Transportation Serv. Auth. by R071-98, 10-28-98; R078-98, 1-28-99; A by Nev. Transportation Auth. by R127-07, 9-18-2008)

NAC 706.380 Daily withdrawal of vehicles; return to service. ([NRS 706.171](#), [706.173](#)) A common or contract motor carrier authorized to operate a taxicab, limousine, livery vehicle or bus shall withdraw a vehicle from service at the end of the day and not place it back into service unless the vehicle:

1. Is structurally sound and operates with a minimum of noise and vibration;
2. Does not have any cracked, broken or badly dented fenders; and
3. Is painted so as to provide reasonable protection against structural deterioration.

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

NAC 706.381 Inspection of vehicles by Authority; removal of vehicles from service; maintenance of records. ([NRS 706.166](#), [706.171](#), [706.173](#))

1. A taxicab, limousine, livery vehicle, bus or any other vehicle operated by a common or contract motor carrier may be inspected at any time during regular business hours by an authorized employee of the Authority. Before placing a new vehicle into service, the carrier must notify the Authority in writing and make the vehicle available for inspection by an authorized employee of the Authority. Before placing a newly acquired but previously owned vehicle into service, the carrier must notify the Authority in writing and the vehicle must pass an inspection by an authorized employee of the Authority.

2. If the authorized employee of the Authority finds that a vehicle is in a condition which violates any provision of subsections 2 to 5, inclusive, of [NAC 706.379](#) and does not pose a threat to the safety of the public or passengers of the vehicle, he or she shall remove the vehicle from service effective at the end of the operating day and place a sticker on the windshield indicating that the vehicle is so removed from service.

3. If the authorized employee of the Authority finds that a vehicle is in a condition which violates any provision of subsections 2 to 5, inclusive, of [NAC 706.379](#) and poses an immediate and substantial threat to the safety of the public or passengers of the vehicle, he or she shall immediately remove the vehicle from service by placing a sticker on the windshield indicating the vehicle is immediately removed from service. If passengers are aboard, the passengers must be safely unloaded and provided safe shelter until the driver of the vehicle obtains a substitute vehicle to

transport the passengers to the original destination. A substitute vehicle must be provided immediately by the carrier. The driver must also contact the carrier so that the vehicle may be towed to the carrier's facility or another facility for repair. If passengers are not aboard the vehicle, the driver shall remove the vehicle from the road to a safe location and contact the carrier so that the vehicle may be towed to the carrier's facility or another facility for repair.

4. A vehicle removed from service pursuant to subsections 2 and 3 must remain out of service until the defect is repaired and a notice of repair is filed by the carrier with the Authority on a form provided by a representative of the Authority.

5. An authorized carrier shall maintain current records for each driver and of the inspection, maintenance and repairs of each vehicle. Each driver's record must contain all citations, all the information required to be maintained pursuant to 49 C.F.R. § 391.51 and 49 C.F.R. Part 382, and other matters relevant to the driver's performance and his or her record of training. These records must be maintained and made available for inspection by the Authority pursuant to [NAC 706.203](#).

(Added to NAC by Pub. Service Comm'n, eff. 9-1-87; A by Transportation Serv. Auth. by R071-98, 10-28-98; R078-98, 1-28-99; R040-02, 9-20-2002)