

STATE OF NEVADA



DAWN GIBBONS  
Chairman

GEORGE ASSAD  
Commissioner

DAVID NEWTON  
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY  
**NEVADA TRANSPORTATION AUTHORITY**

**MINUTES OF THE December 18, 2019 GENERAL SESSION**

**AGENDA**

**1. Call to Order**

*Chairman Dawn Gibbons called the meeting to order at 9:35 a.m.*

**2. Roll Call**

*Present in Las Vegas: Chairman Dawn Gibbons, Commissioner George Assad, Commissioner David Newton, Deputy Commissioner Jennifer De Rose; Administrative Attorney Mark Liapis, Applications Manager Liz Babcock, Financial Analyst Yvonne Shelton, Financial Analyst Paul Servello, Chief of Enforcement Jeremy Jones, Deputy Attorney General Louis Csoka.*

**3. Pledge of Allegiance**

*IT Professional Jeffrey Berry led a recital of the pledge.*

**4. Public Comment**

*Xx*

**5. Approval of Agenda**

*Applications Manager Liz Babcock requested that Item 73 trail to the afternoon session, to table Item 77 to the next subsequent Agenda, that Item 84 be removed from consideration and corrected the dates in Item 55. Legal Research Assistant Rita Brownawell asked that Items 13-14 and 20 be pulled for discussion and that Item 69 trail to the afternoon session. James Kent, Esquire requested Items 27 and 73 trail to the afternoon session. Approved as modified 3-0*

**6. Approval of the Minutes of the November 8, 2019 Agenda Meeting**

*Approved 3-0*

**7. Approval of the Minutes of November 8, 2019 Proposed TNC Regulation Workshop Docket 19-10021**

*Approved 3-0*

**8. Briefings from the Commissioners**

*Chairman Gibbons welcomed Lina Helton to the Reno office. Commissioner Assad thanked staff for their work preparing the Agenda and recognized Jennifer Hill for her assistance. Commissioner Newton echoed Commissioner Assad comments.*

**9. Briefing from the Deputy Commissioner**

*Deputy Commissioner De Rose welcomed Gina Yasuda to the Las Vegas office and Lina Helton to the Authority's Reno office and recognized Compliance Auditor Melinda Burton.*

**10. Report of Legal Counsel**

*Deputy Attorney General Csoka reported on the Toman matter.*

**ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS**

*Items 11 – 46 were considered collectively with the exception of Items 13, 14, 20 and 27.*

*Approved 3-0*

- 11. Citation 20985** issued to Alpine Towing for violation of NAC 706.311 (16 counts) and NAC 706.420 (6 counts) (DG)

- 12. Citation 21356** issued to Whittlesea Taxi for a violation of NAC 706.2473/49 CFR 391.11 (DG)

- 13. Citations 21759, 21760, 21862, 21863, 21864, 21865, 21866, 21867, 21868, 21874, and 21875** issued to Eagle Limo for violation of NAC 706.311, NAC 706.360, NAC 706.13775, NAC 706.2473, NAC 706.3612, NAC 706.354, NAC 706.203, NAC 706.206, NAC 706.381, NRS 706.465, NAC 706.353, NRS 706.465, and NRS 706.398 (DG)

*Items 13 and 14 were considered collectively. Brent Carson, Esquire appeared on behalf of the Respondent and indicated they submitted a management agreement and requested the items be tabled to the next subsequent Agenda. Approved to table 3-0*

- 14. Citations 21869, 21870, 21871, 21872, and 21873** issued to Eagle Transportation for violation of NRS 706.463, NAC 706.206, NAC 706.3612, NAC 706.2473, NAC 706.13775, NAC 706.354, and NRS 706.398 (DG)

*Items 13 and 14 were considered collectively. Brent Carson, Esquire appeared on behalf of the Respondent and indicated they submitted a management agreement and requested the items be tabled to the next subsequent Agenda. Approved to table 3-0*

- 15. Impound 2844** The impoundment pursuant to NRS 706.476 of a vehicle registered to Sunshine Yellow Cab (DG)

- 16. Impound 3733** The impoundment pursuant to NRS 706.476 of a vehicle registered to D Las Vegas, Inc. (DG)

- 17. Citation 19939** issued to Bethany Brennan for violation of NRS 706.386 and NRS 706.758 (DG)

- 18. Impounds 2776 and 2777 and Citation 21363** The impoundment pursuant to NRS 706.476 of vehicles registered to and Citation 21363 issued to Michael McCarthy for violation of NRS 706.386 (GA)

- 19. Impounds 2845 and 3771 and Citation 21402** the impoundment pursuant to NRS 706.476 of vehicles registered to and Citation 21402 issued to Cesar Renteria for violations of NRS 706.386 and NRS 706.758 (GA)

- 20. Citations 21234 & 21893** issued to Dereje Lemma Buka for violation of NRS 706.462, NAC 706.2473, and NRS 706.386 (GA)

*Dereje Buka appeared and offered a statement of explanation. Approved 3-0*

21. **Citation 21793** issued to LD Tours, LLC for violation of NAC 706.381 and NRS 706.462 (DN)
22. **Citation 21548** issued to Pic A Part for violation of NRS 706.386 (DN)
23. **Impound 3561** The impoundment pursuant to NRS 706.476 of a vehicle registered to 2 Drink (DN)
24. **Impound 3702** The impoundment pursuant to NRS 706.476 of a vehicle registered to Jason Sheets (DN)
25. **Citations 21045, 21046, and 21048** issued to Evergreen Trails, Inc., for violations of NAC 706.2473 (DN)
26. **Citations 21560 and 21563** issued to T1 Transportation, Inc., for violations of NRS 706.167 and NRS 706.398 (DN)
27. **Citations 21826 & 21915** issued to Findlay Credit Acceptance LLC d/b/a 9-1-1 Towing for violation of NRS 706.4479, NAC 706.4275, and NAC 706.194 (DN)  
*Item was trailed to the afternoon session. James Kent, Esquire appeared on behalf of the Respondent and requested the item be tabled to the next subsequent Agenda.*  
*Approved to table item 3-0*
28. **Citation 20853** issued to Larry R. and Johanna R. Richards for a violation of NAC 706.203(4)
29. **Citation 20854** issued to Cramer Automotive for a violation of NAC 706.203(1) (2 counts)
30. **Citation 20990** issued to My Ride To Work for violation of NAC 706.360
31. **Citation 21348** issued to Reno Tow & Transport for a violation of NAC 706.203
32. **Citation 21351** issued to James McIntyre for violation of NRS 706.386
33. **Citation 21353** issued to Reno Sparks Cab for violation of NAC 706.203(4) (3 counts)
34. **Citation 21355** issued to Timothy Haninger for violation of NAC 706.376(13)
35. **Citation 21357** issued to Jade Evans for a violation of NAC 706.3747
36. **Citation 21359** issued to Randy Imel for violation of NAC 706.234
37. **Citation 21377** issued to Yellow Cab for violation of NAC 706.203(4) (3 counts)
38. **Citation 21378** issued to Reno Tahoe Transport for violation of NAC 706.203(4)
39. **Citation 21597** issued to Western Limousine Service for a violation of NAC 706.149 (2 counts)
40. **Citation 21650** issued to David M. Linder for a violation of NRS 706.386

- 41. **Citation 21761** issued to Koji Morita for violation of NRS 706.462(1)
- 42. **Citations 21791 and 21792** issued to Guillermo Lepe for violation of NRS 706.386 and NRS 706A.280
- 43. **Citation 21891** issued to Presidential Limousine for a violation of NAC 706.381(1)
- 44. **Citation 21892** issued to Steven L. Bailey for violation of NRS 706.462(1)
- 45. **Citation 21913** issued to V Transportation, LLC/ Alessandro Lavechia for violation of NAC 706.2473/49 CFR 391.23(a)(2)(c) and NAC 706.2473/49 CFR 396.3(a)(b)(1)
- 46. **Citation 22032** issued to NV Transportation, LLC for a violation of NAC 706.2473/49 CFR 391.51

### **MOTION FOR RECONSIDERATION**

- 47. **Dockets 19-10011 thru 19-10016** Motion for Reconsideration of the granting of Intervenor status to Jacob Transportation and Lucky Limousine in the Joint-Application for Sale and Transfer filed by Kaptyn Nevada, LLC, Bell Trans, Presidential Limousine, Desert Cab Inc. d/b/a Odyssey and On Demand Sedan Services  
*Kimberly Maxson-Rushton, Esquire and Todd Bice, Esquire appeared on behalf of the Applicant. James M. Jimmerson, Esquire appeared on behalf of Jacob Transportation. Jason Awad, Esquire appeared on behalf of Lucky Limousine. Ms. Maxson-Rushton offered a lengthy statement in support of the Motion. Mr. Bice gave a statement in support of shortening the discovery schedule to facilitate an approval by the end of 2019. James Jimmerson, Esquire made a statement against granting the Motion. Jason Awad, Esquire offered a statement in support of the PLTI order. A discussion ensued. NO ACTION TAKEN*

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

- 48. **Docket 18-11005** The request of Slick & Quick, LLC d/b/a Slick & Quick Auto Recovery to extend their compliance period from November 26, 2019 through April 26, 2020. Staff investigation concluded.  
*Applications Manager Liz Babcock detailed the request and indicated staff support. Approved 3-0*
- 49. **Docket 19-01013** The request of Manuel Jimenez. Jr. d/b/a South Lake Tahoe Towing to extend their compliance period from December 10, 2019 through March 10, 2020. Staff investigation concluded.  
*Applications Manager Liz Babcock detailed the request and indicated staff support. Approved 3-0*
- 50. **Docket 19-07034** The Application of Tru Towing, LLC d/b/a Tru Towing 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. (DG)  
*Applications Manager Liz Babcock summarized the application and indicated staff support. Lucy Elias appeared on behalf of the Applicant. Approved 3-0*

51. **Docket 19-09023** The Application of Fragela 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. (DN)  
*Applications Manager Liz Babcock summarized the application and indicated staff support. Lucy Elias appeared on behalf of the Applicant. Approved 3-0*
52. **Docket 19-09024** The Application of Towing Service Near Me, LLC d/b/a Towing Service Near Me 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. (DN)  
*Applications Manager Liz Babcock summarized the application and indicated staff support. Lucy Elias appeared on behalf of the Applicant. Approved 3-0*
53. **Docket 19-10007** The Application of A Team Wrecking, LLC d/b/a A Team Towing & Wrecking, LLC for a certificate of public convenience and necessity to provide consent and non-consent tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded. (DG)  
*Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 3-0*
54. **Docket 19-11019** The temporary discontinuance from November 22, 2019 through April 6, 2020, of consent and non-consent tow car services provided by Vegas Tows, LLC under CPCN 7249. Staff investigation concluded.  
*Applications Manager Liz Babcock detailed the request and indicated staff support. Approved 3-0*
55. **Docket 19-12003** The temporary discontinuance from September 24, 2019 through March 24, 2020, of consent and consent-only tow car services provided by Access Towing and Transport, LLC under CPCN 7401. This requires retroactive approval. Staff investigation concluded.  
*Applications Manager Liz Babcock detailed the request and indicated staff support. Approved 3-0*

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

56. **Docket 18-05014** The request to extend temporary discontinuance from December 6, 2019 through June 5, 2020, of charter bus services provided by Jambo Transportation, LLC d/b/a Jambo Transportation under CPCN 2163. Staff investigation concluded.  
*Applications Manager Liz Babcock detailed the request and indicated staff support. Approved 3-0*
57. **Docket 18-11020** The request to extend temporary discontinuance from November 8, 2019 through February 22, 2020, of charter bus services provided by BB Express, LLC under CPCN 2241. Staff investigation concluded.  
*Applications Manager Liz Babcock detailed the request and indicated no management agreement has been filed. Approved 3-0*

58. **Docket 19-05001** Application by Adventures Charter, LLC, for a certificate to provide intrastate charter service by bus. Staff investigation concluded. (GA)  
*Applications Manager Liz Babcock summarized the application and indicated staff support. Robert Johnson and Gabrielle Enfield appeared in Reno on behalf of the Applicant. Commissioner Assad indicated his support. Approved 3-0*
59. **Docket 19-11032** The request for a temporary discontinuance from October 27, 2019 through April 27, 2020, of charter bus service provided by Las Vegas Beyond, LLC d/b/a Las Vegas Beyond under CPCN 2232. The request requires retroactive approval. Staff investigation concluded.  
*Applications Manager Liz Babcock detailed the request and indicated staff support. Approved 3-0*

### **EXEMPTION REQUESTS**

60. **Docket 19-11031** Spiegel World Management, LLC and Wormwood Industries, LLC seek a declaration of exemption pursuant to NAC 706.147 from the requirement to obtain a CPCN to provide intrastate commercial passenger transportation in Nevada. Staff investigation concluded.  
*Zev Kaplan, Esquire and Ben Lewis appeared on behalf of the Applicant. Applications Manager Liz Babcock detailed the exemption request and indicated staff supports the request for the “Opium” transportation, however staff does not support the request for the “Absinthe” transportation. A discussion ensued with regard to the ticket inclusions and modifications to pricing. Approved as modified 3-0*

### **VOLUNTARY CANCELLATIONS**

61. **Docket 19-11005** The voluntary cancellation of Puliz Moving & Storage Company, Inc. CPCN 3134. Staff investigation concluded.  
*Applications Manager Liz Babcock detailed the request and indicated staff support. Approved 3-0*
62. **Docket 19-11011** The voluntary cancellation of Ultimate Towing, LLC d/b/a Ultimate Towing, CPCN 7370. Staff investigation concluded. – **FOR POSSIBLE ACTION**  
*Applications Manager Liz Babcock detailed the request and indicated staff support. Approved 3-0*

### **APPLICATIONS FOR VAN POOL**

63. **Docket 19-10018** The Application of Barrick Gold Mines – Cortez District for approval of an employer van pool. Staff investigation concluded.  
*Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0*

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## **STORAGE LOT DESIGNATION REQUESTS**

64. **Docket 19-12005** Pursuant to NRS 706.4489(7), the Authority will consider the request from American Family Insurance Company for designation of a vehicle storage lot operated by 57 Storage at 4810 N. Lamb Blvd., Las Vegas, NV 89115. The Authority will consider approval of the storage lot designation with respect to jurisdictions for which executed indemnification agreements have been provided in conformity with NRS 706.4489(7)(a) and NRS 706.4489(4). *Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0*

## **NAME CHANGES**

65. **Docket 19-11001** The Petition of Ace World Wide Moving and Storage Co., Inc. for approval to add a fictitious firm name to do business as Ace World Wide of Nevada for services provided under CPCN 3251, Sub 2. Staff investigation concluded. *Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0*

## **PETITIONS FOR RECONSIDERATION**

66. **Docket 19-11002** Petition for Reconsideration from William W. Fife, III regarding Complaint I-1907-001 against AllValley, LLC d/b/a Code Blue Towing  
*William Fife, III did not appear. Denied 3-0 Chief Jones to contact Petitioner to detail the procedure for a Formal Written Complaint.*
67. **Docket 19-11028** Petition for Reconsideration from Douad Allison for reconsideration of Driver Permit 10565.  
*Douad Allison appeared and requested a new meeting date. Approved 3-0*
68. **Docket 19-11029** Petition for Reconsideration from Anthony Munden for reconsideration of Driver Permit 10693.  
*Anthony Munden appeared and requested a new meeting date. Approved 3-0*
69. **Docket 19-11030** Petition for Reconsideration from Ray Kornfeld for reconsideration of Driver Permit 2029. – **FOR POSSIBLE ACTION**  
*Item 69 was trailed to the afternoon session. Ray Kornfeld appeared and requested a new meeting date. Approved 3-0*
70. **Docket 19-11033** Petition For Reconsideration from Connor Cosgrove for reconsideration of Driver Permit 8836  
*Connor Cosgrove appeared and requested a new meeting date. Approved 3-0*
71. **Docket 19-12001** Petition For Reconsideration from Mekonnen Tesfaslasie for reconsideration of Driver Permit 10671  
*Mekonnen Tesfaslasie appeared and requested a new meeting date. Approved 3-0*

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## **FINANCIAL RATES AND TARIFFS**

72. **Docket 19-11018** The Application of Medical Transport Co., LLC for approval of a tariff rate modification for services conducted under CPCN 1112, Sub 2. Staff investigation concluded. *Ken Hammond appeared on behalf of the Applicant. Financial Analyst Paul Servello summarized the request and indicated staff support. Approved 3-0*
73. **Docket 19-11024** The Application of Omni Limousine, Inc. for approval of a tariff rate modification for services conducted under CPCN 1084, Sub 5. Staff investigation concluded. *Item 73 was trailed to the afternoon session. James Kent, Esquire appeared on behalf of the Applicant and indicated a start date of 4/1/20. Financial Analyst Paul Servello summarized the request and indicated staff support. Approved 3-0*
74. **Public Comment**  
*None*

## **1:15 PM AFTERNOON SESSION**

75. **Public Comment**  
*None*

## **APPLICATION FOR TRANSPORTATION NETWORK COMPANY PERMIT**

76. **Docket 19-11012** The Application of UZURV Holdings, Inc. d/b/a UZURV for a permit to operate as a transportation network company within the State of Nevada. Staff investigation concluded. (GA)  
*Applications Manager Liz Babcock summarized the application and indicated staff support. Trish FitzPatrick appeared on behalf of the Applicant. Approved 3-0*

## **APPLICATIONS FOR FULLY REGULATED CARRIERS**

77. **Docket 17-02007** The Application of Warren's Moving, LLC d/b/a Warren's Moving for a certificate of public convenience and necessity to operate as a household goods mover in the State of Nevada and status report on Application. Staff investigation concluded. (DG)  
*Item removed from Agenda prior to consideration. To be placed on the next subsequent Agenda.*
78. **Docket 18-04017** The Application of Silver State Limousine Service, LLC d/b/a Silver State Limo for an expansion of authority granted under CPCN 1129, Sub 1. Staff investigation concluded. (DG)  
*James Kent, Esquire appeared on behalf of the Applicant. Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 3-0*
79. **Docket 19-04031** The expired temporary discontinuance granted from July 20, 2019 through September 20, 2019, of household goods moving services provided by Oasis Moving & Storage, Inc. under CPCN 3349 and Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded. Tabled from the November 8, 2019 general session.  
*Applications Manager Liz Babcock summarized the procedural history of the docket. Brent Carson, Esquire appeared on behalf of Oasis Moving. Order to Show Cause Approved 3-0*



80. **Docket 19-07012** The Application of Jackie Movers, LLC d/b/a Jacki Movers for a certificate of public convenience and necessity to operate as a household goods mover within Clark County, Nevada on the one hand and the State of Nevada on the other. Staff investigation concluded. (DG) *Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 3-0*
81. **Docket 19-08014** The Joint Application of Pink Jeep Tours Las Vegas, Inc. d/b/a Pink Jeep Tours for authority to sell and transfer and Pink Jeep Tours Nevada, Inc. to purchase and acquire the authority to provide scenic tour operations within the State of Nevada granted under CPCN 1078, Sub2. Staff investigation inclusive. (GA) *Kimberly Maxson-Rushton, Esquire, John Fitzgibbons and Terry Powers appeared on behalf of Pink Jeep Tours. Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 3-0*
82. **Docket 19-10030** The Joint Application of Carney's Full Service Movers, Inc. and Phoenix Movers, LLC d/b/a Carney's Full Service Movers for Temporary Transfer of Operating Rights under CPCN 3258, Sub 2. (GA) *Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 3-0*
83. **Docket 19-11017** The request for approval of a Management Agreement by Jacob Transportation Services, LLC d/b/a Executive Las Vegas authorized to provide charter limousine, airport transfer and special service under CPCN 1062, Sub 8 for a manager to manage a portion of their airport transfer and special services. Staff investigation concluded. *Jim Jimmerson, Esquire requested the item be removed from Agenda prior to consideration.*

#### **ORDERS TO SHOW CAUSE**

84. **Docket 19-11015** Order to Show Cause issued to MDK Holdings, LLC d/b/a Orion Towing as to why Certificate of Public Convenience and Necessity 7334 should not be revoked. Staff investigation concluded. *Item removed from Agenda prior to consideration.*
85. **Docket 19-11016** Order to Show Cause issued to Sunshine Taxi, Inc. d/b/a Sunshine Taxi as to why Certificate of Public Convenience and Necessity 1006 should not be revoked. Staff investigation concluded. *Justin Clouser, Esquire and John Cardinalli, Owner, appeared in Reno and requested the item be tabled to the next subsequent Agenda. Motion to revoke CPCN Approved 3-0*
86. **Docket 19-12008** Order to Show Cause issued to Esayas Woldemariam as to why his driver permit should not be revoked and he should not be placed on the ineligible driver list (GA) *Applications Manager Liz Babcock summarized the Order and indicated Respondents failure to appear. Driver to be placed on ineligible driver list and permit to be revoked. Approved 3-0*

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#### **ADVISORY OPINION**

- 87. Docket 19-10022** Advisory opinion requested by Tow Operators of Northern Nevada regarding legal compliance of Tegsco, LLC d/b/a Auto Return in dispatching non-consensual tows under contract.
- Michael Baumbach, Vice President, Tow Operators of Northern Nevada, appeared in Reno and detailed the request. Rich Flanders, Susan Zinser, Tom Baumbach and Drew Ribar appeared in Reno and each shared their concerns and questions regarding the legality of the implementation of Auto Return. Each offered a statement and put forth several questions to the Authority. Drew Ribar stated the opinion that AutoReturn fees were remuneration. Randy Bondy, Cal-Neva Transport and Tow, gave a statement that AutoReturn utilizes out of state carriers when local carriers are unavailable. Jerry Carnahan, AutoReturn addressed the question of pass through fees on vehicles that are not picked up. Todd Hartline, Nevada Highway Patrol, stated the benefits of utilizing the system. Gary Foster, AutoReturn offered the assurance they are attempting to work with the Highway Patrol and the Northern tow operators. A lengthy discussion ensued with regard to the pass through fees. Commissioner Newton requested that question 4 be readdressed at a subsequent agenda Approved 3-0*

#### **APPLICATIONS FOR DRIVER PERMITS**

**(Closed sessions may be held for items 88 through 90 to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030.)**

- 88. Permit 9990** The Authority will determine whether to grant the application of Dante Bousley for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.
- Denied 3-0*
- 89. Permit 5182** The Authority will determine whether to grant the application of Ephrem Mengesha for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.
- Permit approved*
- 90. Permit 4074** The Authority will determine whether to grant the application of Daniel Quaranto Jr. for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.
- Permit approved*
- 91. Public Comment**
- Drew Ribar offered a statement of thanks to the Authority for hearing the concerns of the Northern tow operators.*
- 92. Adjournment**
- Meeting adjourned at 3:22 p.m.*