

Agenda Item# 6

STEVE SISOLAK
Governor

TERRY REYNOLDS
Director B&I

DAWN GIBBONS
Chairman

GEORGE ASSAD
Commissioner

STATE OF NEVADA



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

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Legislative Counsel Bureau of Nevada, 401 South Carson Street Carson City NV 89701
Nevada Transportation Authority, 3300 West Sahara Avenue, Suite 200, Las Vegas, NV 89102
Nevada Transportation Authority, 1755 East Plumb Lane, Suite 229, Reno, NV 89502
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MEETING NOTICE AND AGENDA

This is a notice of a duly authorized general session of the Nevada Transportation Authority scheduled for **Thursday, September 30, 2021 at 9:30 am (Items 1 through 62).** Due to the expected lengthy duration of the general session, coupled with the limited capacity of the Authority's facilities, the Authority will hear **Items 63 through 76 commencing at 1:15 pm,** preceded and followed by additional public comment periods.

The public may attend the meeting via WebEx or via telephone pursuant to AB253. Public comment will be accepted by either mode of attendance as indicated on the agenda below. Members of the public may request the supporting material for this meeting are available on the NTA's website by clicking on the "Attachments" link for the scheduled meeting, http://nta.nv.gov/About/Meetings/2021/2021_Mtg/ or by contacting Rita Brownawell, Nevada Transportation Authority, 3300 West Sahara Ave., Suite #200, Las Vegas, Nevada 89102, (702) 486-6498, rbrownawell@nta.nv.gov

WEBEX LINK: <https://businessnv2.webex.com>

DIAL IN NUMBER: 1-844-621-3956

THURSDAY, SEPTEMBER 30, 2021 MEETING ACCESS CODE: 2485 198 0690

THURSDAY, SEPTEMBER 30, 2021 MEETING PASSWORD: kmFGidRp359

Members of the public may attend the meeting via WebEx or telephone. During the agenda participants will listen for their designated item number to be called and follow the instructions given at the meeting to comment.

AGENDA

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. WebEx Instructions**
- 5. Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.
- 6. Approval of Agenda – *FOR POSSIBLE ACTION***
- 7. Approval of the Minutes of the August 26, 2021 Agenda Meeting – *FOR POSSIBLE ACTION***
- 8. Briefings from the Commissioners**
- 9. Briefing from the Deputy Commissioner**
- 10. Report of Legal Counsel**

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Please note that items 11 through 36 below may be voted on in a block unless a party to the matter requests an item number be pulled for consideration.

- 11. Citations 21447 and 23132** issued to Tanvir Nayem for violations of NAC 706.376 and NAC 706.3747.C1 (7 counts) (DG) – ***FOR POSSIBLE ACTION***
- 12. Citation 21485** issued to Ace World Wide Moving & Storage Co. Inc. d/b/a Ace World Wide of Nevada for violation of NAC 706.218 (DG) – ***FOR POSSIBLE ACTION***
- 13. Citation 21487** issued to Saul Luis Angel Yacolca-Pena for a violation of NRS 706.386 (DG) – ***FOR POSSIBLE ACTION***
- 14. Citation 21820** issued to Elko, Inc. d/b/a Coach USA for violation of NAC 706.203(4) (DG) – ***FOR POSSIBLE ACTION***
- 15. Citation 22125** issued to Celebrity Coaches, a Series of Platinum LV Transportation, LLC for violation of NAC 706.360 (DG) – ***FOR POSSIBLE ACTION***
- 16. Citation 22336** issued to A Team Wrecking, LLC d/b/a A Team Towing & Wrecking for violation of NAC 706.2473 ref. 49 CFR 396.3 (2 counts) (DG) – ***FOR POSSIBLE ACTION***

17. Citations 22544, 22545, 22546, 22547 and 22548 issued to Elias Gil/Western States Towing for violations of NAC 706.2473 ref. 49 CFR 391.23(a)(2)(c), NAC 706.2473 ref. 49 CFR 391.23 (a)(1)(b), NAC 706.2473 ref 49 CFR 391.25 (2 counts), NAC 706.2473 ref 49 CFR 391.27(a)(d), NAC 706.2473 ref 49 CFR 382.301, NAC 706.2473 ref 49 CFR 391.31 and NAC 706.2473 ref 49 CFR 391.51(c)(1) (DG) – **FOR POSSIBLE ACTION**
18. Citation 22628 issued to Ben, LLC d/b/a Luxurious for violation of NAC 706.203(4) (DG) – **FOR POSSIBLE ACTION**
19. Citation 22653 and Impound I-3578 The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 22653 issued to Salvatore Marco Bruno for violation of NRS 706.386 and NRS 706.758 (DG) – **FOR POSSIBLE ACTION**
20. Citation 23073 and Impound I-3756 The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23073 issued to Crown Taxi for violations of NRS 706.386 and NRS 706.758 (DG) – **FOR POSSIBLE ACTION**
21. Citation 23131 issued to Bazlu Rahman for a violation of NAC 706.3747.C1 (19 counts) (DG) – **FOR POSSIBLE ACTION**
22. Citations 23226, 23227 and 23228 issued to Marshall Deserio for violations of NAC 706.3747 (2)(c)(1) (23 counts), NAC 706.3747 (2)(9)(3) (5 counts), NAC 706.3747 (2)(b)(1) (4 counts), NAC 706.3761, and NAC 706.2473 ref. 49 CFR 395.5 (2)(b)(2) (4 counts) (DG) – **FOR POSSIBLE ACTION**
23. Impound I-3802 The impoundment pursuant to NRS 706.476 of a vehicle registered to Doris L. Sharpley (DG) – **FOR POSSIBLE ACTION**
24. Impound I-3998 The impoundment pursuant to NRS 706.476 of a vehicle registered to EAN Holdings, LLC (DG) – **FOR POSSIBLE ACTION**
25. Impound I-3999 The impoundment pursuant to NRS 706.476 of a vehicle registered to Luis Yacolca-Villon (DG) – **FOR POSSIBLE ACTION**
26. Citation 21921 and Impound I-4266 The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 21921 issued to Antoinette M. St. Pierre/Las Vegas Moving Service for violation of NRS 706.386 and NRS 706.758 (GA) – **FOR POSSIBLE ACTION**
27. Citation 21931 and Impound I-3713 The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 21931 issued to Nazir Amin Ghali for violation of NRS 706.386 (GA) – **FOR POSSIBLE ACTION**
28. Citations 21937 and 21938 and Impound I-3961 The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 21937 and 21938 issued to Noel Garcia Llanes for violations of NRS 706.386 and NRS 706A.280 (GA) – **FOR POSSIBLE ACTION**

- 29. **Citation 22063** issued to We Move Las Vegas for a violation of NAC 706.218 (GA) – **FOR POSSIBLE ACTION**
- 30. **Citation 22065** issued to Skyline Moving Services for a violation of NAC 706.218 (GA) – **FOR POSSIBLE ACTION**
- 31. **Citation 22204** issued to BLS Limousine Service of Las Vegas, Inc. for a violation of NAC 706.229.1(c)(2) (GA) – **FOR POSSIBLE ACTION**
- 32. **Citation 22568** issued to Mbaye Thiam for violation of NRS 706.386 (GA) – **FOR POSSIBLE ACTION**
- 33. **Citation 22688** issued to Lewvitticus Brown for violations of NRS 706.386 and NRS 706.758 (GA) – **FOR POSSIBLE ACTION**
- 34. **Citation 23218 and Impound I-4218** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 23218 issued to Andrometer Roadside for violation of NRS 706.386 and NRS 706.758 (GA) – **FOR POSSIBLE ACTION**
- 35. **Impound I-4000** The impoundment pursuant to NRS 706.476 of a vehicle registered to Anthony Chou (GA) – **FOR POSSIBLE ACTION**
- 36. **Citation 23180** issued to My Ride to Work, LLC for a violation of NAC 706.13775(2) (DN) – **FOR POSSIBLE ACTION**

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

- 37. **Docket 21-02013** The Application of BRP Holdings, LLC d/b/a B & R 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. (GA) – **FOR POSSIBLE ACTION**
- 38. **Docket 21-04004** The Application of Rodolfo Montes d/b/a G & R Towing Services 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. (GA) – **FOR POSSIBLE ACTION**
- 39. **Docket 21-04018** The Application of J & J's 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. (DG) – **FOR POSSIBLE ACTION**
- 40. **Docket 21-05012** The Joint Application of Danny Macias for authority to sell and transfer and Rigoberto Yepez Granada to purchase and acquire 100% of Around the Clock Towing, LLC d/b/a Around the Clock Towing Service, a carrier authorized to provide consent-only tow car service by tow car vehicle within the State of Nevada granted under CPCN 2240, Sub 1. Staff investigation concluded. (GA) – **FOR POSSIBLE ACTION**

41. **Docket 21-05024** The Application of Freddy's 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. (DG) – **FOR POSSIBLE ACTION**
42. **Docket 21-06008** The Application of All Star Towing & Recovery, LLC d/b/a All Star Towing & Recovery 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) – **FOR POSSIBLE ACTION**
43. **Docket 21-06016** The Application of Rescue Towing, LLC d/b/a Rescue Towing 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) – **FOR POSSIBLE ACTION**
44. **Docket 21-06017** The Application of HTL 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. (DG) – **FOR POSSIBLE ACTION**

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

45. **Docket 21-05025** The Application of J & S Transportation, LLC d/b/a Discreet for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (GA) – **FOR POSSIBLE ACTION**

REQUEST FOR TEMPORARY DISCONTINUANCE

46. **Docket 21-08018** The temporary discontinuance from August 12, 2021, through November 12, 2021 of service provided by We Move Las Vegas, LLC d/b/a We Move Las Vegas under CPCN 3369. This requires retroactive approval. Staff investigation concluded. – **FOR POSSIBLE ACTION**
47. **Docket 21-09003** The temporary discontinuance from September 1, 2021, through March 1, 2022 of service provided by New Charters Nevada, Inc. under CPCN 2110. This requires retroactive approval. Staff investigation concluded. – **FOR POSSIBLE ACTION**

REQUEST TO EXTEND TEMPORARY DISCONTINUANCE

48. **Docket 20-01011** The request to extend temporary discontinuance from September 28, 2021 through March 26, 2022, of services provided by Vegas Black Car, LLC d/b/a VBC, CPCN 2256. Staff investigation concluded. – **FOR POSSIBLE ACTION**
49. **Docket 21-04013** The request to extend temporary discontinuance from September 18, 2021 through March 18, 2022, of services provided by U.S. Party Bus, LLC d/b/a U.S. Party Bus, CPCN 2218. Staff investigation concluded. – **FOR POSSIBLE ACTION**

MOTION TO EXTEND COMPLIANCE PERIOD

50. **Docket 20-08007** The request to extend the compliance period for the application of Zapito Towing, LLC. Staff investigation concluded. – ***FOR POSSIBLE ACTION***

VOLUNTARY CANCELLATIONS

51. **Docket 21-08013** The voluntary cancellation of non-consent tow car authority only of Executive Towing & Recovery, LLC d/b/a Executive Towing & Recovery, CPCN 7346, Sub 1. Staff investigation concluded. – ***FOR POSSIBLE ACTION***

APPLICATIONS FOR WAREHOUSE PERMITS

52. **Docket 20-10040** The Application of The Sowell Company, Inc. d/b/a Ernie's Van & Storage for a Warehouse Permit. Staff investigation concluded. – ***FOR POSSIBLE ACTION***

PETITION TO DEVIATE FROM REGULATION

53. **Docket 21-08005** The Petition of Yellow Cab of Reno, Inc. d/b/a Star Taxi, Deluxe Taxi, and Yellow Cab, CPCN 1014, Sub 2, for final approval of a Petition to Deviate from Regulation NAC 706.3745 to extend the life of certain vehicles for an additional 12 months. Staff investigation concluded. (DG) – ***FOR POSSIBLE ACTION***
54. **Docket 21-08016** The Petition of 1st Response Towing, Inc. d/b/a The Tow Truck Company, seeking final approval to deviate from Regulation NAC 706.4275 pursuant to NAC 706.1305, to use the electronic signature program "Omadi" for services conducted under CPCN 7136, Sub 4. (DG) Staff investigation concluded. – ***FOR POSSIBLE ACTION***

FINANCIAL RATES AND TARIFFS

55. **Docket 21-07032** The Application of All the Right Moves, LLP for approval of a tariff rate modification for services conducted under CPCN 3340, Sub 2. Staff investigation concluded. – ***FOR POSSIBLE ACTION***
56. **Docket 21-08003** The Application of Sin City BJ, LLC d/b/a Zippy Shell of Las Vegas, d/b/a Zippy Shell for final approval of a tariff rate modification for services conducted under CPCN 3380. Staff investigation concluded. (GA) – ***FOR POSSIBLE ACTION***
57. **Docket 21-08009** The Application of Kaptyn Nevada, LLC d/b/a Presidential Limousine for final approval of a tariff rate modification for services conducted under CPCN 1007, Sub 8. Staff investigation concluded. (GA) – ***FOR POSSIBLE ACTION***
58. **Docket 21-08010** The Application of Kaptyn Nevada, LLC d/b/a Kaptyn for final approval of a tariff rate modification for services conducted under CPCN 1040, Sub 5. Staff investigation concluded. (GA) – ***FOR POSSIBLE ACTION***
59. **Docket 21-08032** The Application of AWG Ambassador, LLC d/b/a AWG Charter Services, AWG Ambassador for final approval of a tariff rate modification for services conducted under CPCN 2030, Sub 3. Staff investigation concluded. (DG) – ***FOR POSSIBLE ACTION***

60. **Docket 21-08033** The Application of AWG Ambassador, LLC d/b/a AWG Ambassador Limousine, AWG Ambassador, AWG Charter Services, for final approval of a tariff rate modification for services conducted under CPCN 1041, Sub 6. Staff investigation concluded. (DG) – **FOR POSSIBLE ACTION**
61. **Docket 21-08037** The Application of All Star Towing, LLC d/b/a All Star Towing for approval of a tariff rate modification for services conducted under CPCN 7317. Staff investigation concluded. – **FOR POSSIBLE ACTION**
62. **Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.

1:15 PM AFTERNOON SESSION

63. **WebEx Instructions**
64. **Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.

PETITIONS FOR RECONSIDERATION

65. **Docket 21-08023** Petition for Reconsideration of Findings of Fact, Conclusions of Law and Order on Citations 21980 - 21984 from As'ad Marji. – **FOR POSSIBLE ACTION**
66. **Docket 21-08028** Petition for Reconsideration of fines on Citation 22459 from Noriega Flores. – **FOR POSSIBLE ACTION**

APPLICATIONS FOR FULLY REGULATED CARRIERS

67. **Docket 20-10039** The status check of the applications of Platinum LV Transportation, LLC six series LLCs, Celebrity Coaches CPCN 2015, Bell Limo CPCN 1217, Airport Mini Bus CPCN 2350, Mammoth Limousine CPCN 1105, Platinum LV Transportation CPCN 2166, Whittlesea Checker Taxi CPCN 2118, for interim authority for the temporary transfer of operating rights while the Applications are pending, tabled from the July 27, 2021 general session. Staff investigation concluded. – **FOR POSSIBLE ACTION**
68. **Docket 21-02005** The Application of JBANNES, LLC d/b/a Vegas Mob Weddings for a certificate of public convenience and necessity to provide scenic tour and charter limousine service within the State of Nevada. Staff investigation concluded. (DG) – **FOR POSSIBLE ACTION**
69. **Docket 21-05006** The Application of Move 4 Less, LLC d/b/a Move 4 Less, MoveU4Less.com, Select Flat Rate Moving, for approval of an expansion of operating authority under CPCN 3344, Sub 6. Staff investigation concluded. (DG) – **FOR POSSIBLE ACTION**

70. **Docket 21-06005** The Application of All M7 Movers, LLC for a certificate of public convenience and necessity to operate as a household goods mover within the State of Nevada. Staff investigation concluded. (GA) – **FOR POSSIBLE ACTION**
71. **Docket 21-06039** The request for approval of a Management Agreement by Experience Transport Agency, LLC d/b/a ETA authorized to provide charter limousine service under CPCN 1065, Sub 3 under a temporary transfer of operating rights. Staff investigation concluded. (DG) – **FOR POSSIBLE ACTION**
72. **Docket 21-06040** The Temporary Transfer of Operating Rights of 24/7 Limousines, LTD d/b/a 24/7 Limousines granted under CPCN 1065, Sub 3, to Experience Transport Agency, LLC d/b/a ETA. Staff investigation concluded. - **FOR POSSIBLE ACTION**

APPLICATIONS FOR TRANSPORTATION NETWORK COMPANY PERMITS

73. **Docket 20-10017** The Application of River North Transit, LLC d/b/a Via for a permit to operate as a transportation network company within the State of Nevada. Staff investigation concluded. Tabled from prior general session. (GA)– **FOR POSSIBLE ACTION**

REGULATION WORKSHOP

74. **Docket 21-09007** Notice of Workshop to solicit comments regarding Assembly Bill 301.
75. **Public Comment** – Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.
76. **Adjournment**

In accordance with Nevada's Open Meeting Law, the Authority may consider agenda items taken out of order. The Authority may combine two or more agenda items for consideration. The Authority may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The Authority may continue the meeting as deemed necessary. The Authority, at its discretion, may take public comment during times other than the designated Public Comment agenda items. The Authority reserves the right to limit public comment to three minutes. Comment may not be restricted based on viewpoint.

Note: The Nevada Transportation Authority (NTA) is pleased to make reasonable accommodations and will assist and accommodate people with a disability who wish to attend its meetings and hearings. If special arrangements are necessary, please contact the NTA in Las Vegas at (702) 486-3303 or in Reno at (775) 688-2800 as far in advance of the meeting or hearing as possible.



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

WebEx and Teleconferencing Instructions

This meeting can be accessed via the video conference link or teleconference number below.

Please note your device must have microphone capabilities in order to participate in the web conference.

Video Conference Link Instructions for Agenda Meeting on September 30, 2021:

Open a browser on your computer and type in the following URL:

<https://businessnv2.webex.com>

At the Join A Meeting screen, enter the following in the grey area labeled Enter meeting information: **2485 198 0690**

The next screen will ask for a password. Type in the following: **kmFGidRp359**

If your device does not have the Cisco Application (App) WebEx Meeting installed, you will be prompted to download the App at this time. If so, download the app and follow the instructions. You may be asked to provide your name and email address.

Teleconference Call Instructions:

On your cell phone or desk phone dial the following toll-free number:

1-844-621-3956

Next you will be asked for an access code or meeting number. Punch in the following: **2485 198 0690**

At the next prompt push the # sign to be placed in the meeting.

Below are the instructions for use throughout the meeting.

1. Keep your phone or microphone muted until called upon by the coordinator.
2. If joining by phone, you will mute and unmute yourself by pressing star six (*6) and you will state the following information:
 - a. Your first and last name.
 - b. The name of your company, if applicable.
 - c. Your item number on the agenda.
3. For all comments, please do the following to let us know you wish to speak:
 - a. By web, raise your hand in the participant box.
 - b. By phone, press star three (*3).
 - c. Wait to be recognized by the coordinator before unmuting your phone/mic to speak.
 - d. State your name as you begin your comments for the record.

Agenda Item#

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STATE OF NEVADA



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE August 26, 2021 GENERAL SESSION

WEBEX LINK: <https://businessnv2.webex.com>

DIAL IN NUMBER: 1-844-621-3956

THURSDAY, AUGUST 26, 2021 MEETING ACCESS CODE: 146 049 8678

THURSDAY, AUGUST 26, 2021 MEETING PASSWORD: GWvSsUQp445

Members of the public may attend the meeting via WebEx or telephone. During the agenda participants will listen for their designated item number to be called and follow the instructions given at the meeting to comment.

AGENDA

1. Call to Order

Chairman Dawn Gibbons called the meeting to order at 9:30 a.m.

2. Roll Call

Present: Chairman Dawn Gibbons, Commissioner George Assad, Applications Manager Liz Babcock, Financial Analyst Yvonne Shelton, Financial Analyst Paul Servello, Chief of Enforcement Todd Park, Deputy Attorney General Louis Csoka

3. Pledge of Allegiance

IT Professional Jeffrey Berry led a recital of the pledge.

4. WebEx Instructions

IT Professional Jeffrey Berry read directions for participation in the Webex meeting.

5. Public Comment

Approved 2-0

6. Approval of Agenda

Applications Manager Liz Babcock requested Item 85 be removed from consideration, that Items 83 and 84 be taken together and that Items 37, 52 and 72 be trailed to the afternoon session. Approved as modified 2-0

7. Approval of the Minutes of the July 27, 2021 Agenda Meeting

Approved 2-0

8. Briefings from the Commissioners

Chairman Gibbons congratulated Chris Yambor on his promotion to Supervisor. Commissioner Assad also recognized Chris Yambor and thanked staff for the preparation of the Agenda and mentioned several staff members by name.

9. Briefing from the Deputy Commissioner

10. Report of Legal Counsel

Deputy Attorney General Csoka stated there are four matters in process.

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

*Items 11 through 52 with the exception of Items 37, 49 and 52, were considered collectively.
Approved 2-0*

- 11. Citation 21819** issued to Amador Stage Lines, Inc. for violation of NAC 706.203(4) (DG)
- 12. Citation 21821** issued to Anderson Towing Service, Inc. d/b/a Anderson Towing & Transport for violation of NAC 706.203(4) (DG)
- 13. Citations 21822 and 21823** issued to Eloisa Moran de Delgado d/b/a 6 Angels Towing Service for violations of NAC 706.2473 ref. 49 CFR 391.11, NAC 706.2473 ref. 49 CFR 382.301 and NAC 706.2473 ref. 49 CFR 391.23 (DG)
- 14. Citation 21824** issued to Black Wolf Moving Nevada, LLC d/b/a Two Men and a Truck for violations of NAC 706.203(4) (5 counts) (DG)
- 15. Citation 21825** issued to Ewing Bros. Inc. d/b/a Ewing Bros. Auto Body for violation of NAC 706.203(4) (DG)
- 16. Citations 21927 and 21928 and Impound I-3956** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 21927 and 21928 issued to Vong Bao Nguyen for violations of NRS 706.386 and NRS 706A.280 (DG)
- 17. Citations 21933 and 21934 and Impound I-3958** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 21933 and 21934 issued to Martinus Sutandar for violations of NRS 706.386 and NRS 706A.280 (DG)
- 18. Citations 22249 and 22250 and Impound I-3274** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22249 and 22250 issued to Berhanu Sime Desta for violations of NRS 706.386 and NRS 706A.280 (DG)
- 19. Citations 22448 and 22449 and Impound I-3954** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22448 and 22449 issued to Ejigu A. Birru for violations of NRS 706.386 and NRS 706A.280 (DG)
- 20. Citation 22468** issued to Slater Transfer and Storage, Inc. for violation of NAC 706.2473 ref. 49 CFR 391.23 and NAC 706.2473 ref. 49 CFR 391.51 (4 counts) (DG)

21. **Citations 22549 and 22550 and Impound I-3993** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22549 and 22550 issued to Khaled Ahmed for violations of NRS 706.386 and NRS 706A.280 (DG)
22. **Citations 22564 and 22565 Impound I-4004** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22564 and 22565 issued to Adugnaw Zelalem Mengistu for violations of NRS 706.386 and NRS 706A.280 (DG)
23. **Citation 22626** issued to American Transport, LLC d/b/a Royal Towing for violation of NAC 706.203(4) (DG)
24. **Citation 22627** issued to New Charters Nevada, Inc. for violation of NAC 706.203(4) (DG)
25. **Citation 22629** issued to Move 4 Less, LLC d/b/a Move 4 Less for violation of NAC 706.2473 ref. 49 CFR 391.23 and NAC 706.2473 ref. 49 CFR 391.11 (DG)
26. **Citations 22680 and 22681 and Impound I-3995** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22680 and 22681 issued to Roberto Cosio-Maria for violations of NRS 706.386 and NRS 706A.280 (DG)
27. **Citation 23210** issued to Reno Sparks Cab for violation of NAC 706.3749 (2 counts). (DG)
28. **Impound I-3959** The impoundment pursuant to NRS 706.476 of a vehicle registered to Nansi Attia (DG)
29. **Impound I-4007** The impoundment pursuant to NRS 706.476 of a vehicle registered to Las Vegas Luxury Motor Co./UDrive Rent a Car (DG)
30. **Citation 21440 and 21441** issued to Salt Flats Towing for violations of NAC 706.203, NAC 706.194 and NAC 706.398 (GA)
31. **Citations 21442 and 21443** issued to Atlas Towing & Recovery for violations of NAC 706.2473 ref. 49 CFR 391.51 (2 counts), NAC 706.2473 ref. 49 CFR 391.23, NAC 706.206 and NAC 706.203 (GA)
32. **Citation 21444** issued to Lostra Brothers Towing for violations of NAC 706.2473 ref. 49 CFR 391.51 (4 counts) (GA)
33. **Citations 21926 and 22450 and Impound I-3955** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 21926 and 22450 issued to Punahale Laasaga for violations of NRS 706.758 and NRS 706.386 (GA)
34. **Citations 21929 and 21930** issued to Camilo Bermio Belarmino for violations of NRS 706.386 and NRS 706A.280 (GA)
35. **Citation 22335** issued to Israel Moran Garcia and Maribel Andres Cruz d/b/a Max Towing for violation of NAC 706.2473 ref. 49 CFR 391.51 and NAC 706.203(4) (GA)
36. **Citation 22484** issued to B & B Garner, Inc. d/b/a Atlas Towing and Recovery for a violation of NAC 706.203(4) (GA)

37. **Citation 22502** issued to Bell Transportation for violation of NAC 706.203(4) (5 counts) (GA)
Approved 2-0
38. **Citations 22542 and 22543 and Impound I-3992** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22542 and 22543 issued to Feven Zerom for violations of NRS 706.386 and NRS 706A.280 (GA)
39. **Citation 22567 and Impound I-4008** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 22567 issued to Raul Marroquin for violation of NRS 706.386 and NRS 706.758 (GA)
40. **Citations 22577 and 22578 and Impound I-3981** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22577 and 22578 issued to Aikins Ofori for violations of NRS 706.386 and NRS 706A.280 (GA)
41. **Citations 22676 and 22677 and Impound I-3982** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22676 and 22677 issued to Andre Moody for violations of NRS 706.386 and NRS 706A.280 (GA)
42. **Citations 22678 and 22679 and Impound I-3994** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22678 and 22679 issued to Steven Farias for violations of NRS 706.386 and NRS 706.758 (GA)
43. **Citations 22682 and 22683 and Impound I-3996** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22683 and 22682 issued to Jermal Green for violations of NRS 706.386 and NRS 706.758. (GA)
44. **Citations 22684 and 22685 and Impound I-3997** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 22684 and 22685 issued to Alexander Bull for violation of NRS 706.386 and NRS 706.758 (GA)
45. **Citation 23067** issued to Mohammad Uddin for violation of NAC 706.3747.C1 (3 counts) (GA)
46. **Citation 23068** issued to Whittlesea Taxi for violation of NAC 706.3761.5 (3 counts) (GA)
47. **Citation 23211** issued to Atlas Towing & Recovery for violations of NAC 706.311 (5 counts) and NAC 706.420 (5 counts) (GA)
48. **Impound I-3957** The impoundment pursuant to NRS 706.476 of a vehicle registered to Lucelyn Belarmino (GA)
49. **Impound I-4207** The impoundment pursuant to NRS 706.476 of a vehicle registered to Sunset Limousine Services, LLC (GA)
Pete Claudianos, Esq. appeared and requested the fine amount be reduced.
Approved as drafted 2-0
50. **Impound I-4224** The impoundment pursuant to NRS 706.476 of a vehicle registered to EAN Holdings, LLC (GA)
51. **Citation 21434** issued to Yellow Cab for violation of NAC 706.3761 (DN)

- 52. Citation 22563** issued to Francisco Cubias/Taxi Ride Las Vegas for violation of NRS 706.386 and NRS 706.758 (DN)
Kimberly Maxson-Rushton, Esq. appeared on behalf of the Livery Operators Association and submitted a written Protest, requesting the cease and desist language be included in the Order and that the fine amounts be revisited. Mr. Cubias appeared. A discussion ensued. Order to be Amended – Approved 2-0
- 53. Impound I-4006** The impoundment pursuant to NRS 706.476 of a vehicle registered to Zenaida Ana Solis Mendez (DN)

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

- 54. Docket 20-12016** The Application of Clark County Liens, LLC d/b/a Scorpion Towing 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. (GA)
Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 2-0
- 55. Docket 21-03028** The Joint Application of Brian Garner for authority to sell and transfer and Jeremy Muth to purchase and acquire 100% of the stock of B & B Garner, Inc. d/b/a Atlas Towing & Recovery, a carrier authorized to provide consent and non-consent tow car services within the State of Nevada granted under CPCN 7193, Sub 1. Staff investigation concluded. (GA)
Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 2-0
- 56. Docket 21-05013** The Application of Dusty's Roadside Assistance and Tow, 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. (DG)
Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 2-0
- 57. Docket 21-05034** The Application of Gladiator 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)
Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 2-0
- 58. Docket 21-06015** The Application of Jylan Transport, 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)
Applications Manager Liz Babcock summarized the application and indicated staff support. Approved 2-0

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

- 59. Docket 21-02021** The Application of Allusion Transportation, LLC d/b/a Allusion Transportation for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (DG)
Applications Manager Liz Babcock summarized the application and indicated staff support. James Kent, Esq. appeared on behalf of the Applicant. Approved 2-0
- 60. Docket 21-05007** The Application of Premier Transportation, LLC d/b/a VIP Party Bus for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (GA)
Applications Manager Liz Babcock summarized the application and indicated staff support. James Kent, Esq. appeared on behalf of the Applicant. Approved 2-0

PETITION FOR LOGO APPROVAL

- 61. Docket 21-07027** The Application of AWG Ambassador, LLC d/b/a Universal Limousine Services Operated by Universal Limousine Services, LLC d/b/a ULS for approval of a logo for services conducted under CPCN 1068, Sub 8. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 2-0

REQUEST FOR TEMPORARY DISCONTINUANCE

- 62. Docket 21-07016** The temporary discontinuance from June 29, 2021, through December 29, 2021 of service provided by Arkidian Towing Services, LLC under CPCN 7351. This requires retroactive approval. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 2-0
- 63. Docket 21-07019** The temporary discontinuance from July 20, 2021, through January 20, 2022 of service provided by Fragela Towing, LLC under CPCN 7427. This requires retroactive approval. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 2-0

REQUEST TO EXTEND TEMPORARY DISCONTINUANCE

- 64. Docket 20-04035** The request to extend temporary discontinuance from March 29, 2021 through September 29, 2021, of services provided by Ring Tour & Travel Co., Inc. d/b/a Ring Tour & Travel Co., CPCN 2255. This requires retroactive approval. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 2-0
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- 65. Docket 20-05017** The request to extend temporary discontinuance from May 16, 2021 through November 16, 2021, of services provided by Nevada Relocation Services, LLC, CPCN 3367. This requires retroactive approval. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 2-0

- 66. Docket 20-07020** The request to extend temporary discontinuance from March 15, 2021 through September 15, 2021, of services provided by Desert Sky Transportation, Inc. d/b/a Desert Sky, MV 6138. This requires retroactive approval. Staff investigation concluded

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 2-0

- 67. Docket 20-10044** The request to extend temporary discontinuance from July 30, 2021 through January 30, 2022, of services provided by C&J Development Enterprises d/b/a Custom Towing, CPCN 7061. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 2-0

MOTION TO EXTEND COMPLIANCE PERIOD

- 68. Docket 20-03018** The request to extend the compliance period for 90 days for the application of Reggies Towing, LLC. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 2-0

- 69. Docket 20-09004** The request to extend the compliance period for 90 days for the application of Triple JJJ Corporation d/b/a American Towing & Recovery. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 2-0

- 70. Docket 20-09032** The request to extend the compliance period for 9 months for the application of Vegas One Transportation, LLC. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. James Kent, Esq. appeared on behalf of the Applicant. Approved 2-0

PETITION TO DEVIATE FROM REGULATION

- 71. Docket 21-07001** The Petition of Platinum LV Transportation, LLC d/b/a Whittlesea Checker Taxi, CPCN 2118, Sub 5, for final approval of a Petition to Deviate from Regulation NAC 706.3745 to extend the life of certain vehicles for an additional 12 months. Staff investigation concluded. (DG)

Applications Manager Liz Babcock summarized the request and indicated staff support.

Approved 2-0

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FINANCIAL RATES AND TARIFFS

- 72. Docket 21-07012** The Application of Bell Trans, a Nevada Corporation d/b/a Bell Trans, Bell Limousine, for final approval of a tariff rate modification for services conducted under CPCN 1023, Sub 2, Tariff 1-A. Staff investigation concluded.

Kimberly Maxson-Rushton, Esq. appeared on behalf of the carrier. Financial Analyst Paul Servello summarized the request and indicated staff support. Approved 2-0

- 73. Public Comment**

None

1:15 PM AFTERNOON SESSION

- 74. WebEx Instructions**

IT Professional Jeffrey Berry read directions for participation in the Webex meeting.

- 75. Public Comment**

none

PETITIONS FOR RECONSIDERATION

- 76. Docket 21-05004** Petition for Reconsideration of denial of driver permit #11907 for Ziyao Zhang.

Mr. Zhang did not appear. Petition denied 2-0 Mr. Zhang appeared. Denial rescinded 2-0

CLOSED SESSION *Approved 2-0*

- 77. Docket 21-06003** Petition for Reconsideration from Huey P. Stanley for reconsideration of denial of Driver Permit 11859. Tabled from prior general session.

Mr. Stanley appeared. Approved 2-0

- 78. Docket 21-06041** Petition for Reconsideration of denial of driver permit #12084 for Justin Hunter.

Mr. Hunter appeared. Approved 2-0

- 79. Docket 21-07020** Petition for Reconsideration of fines on Citation 20753 from Henok Gebremedhin.

Mr. Gebremedhin appeared with his legal counsel, Brent Carson, Esq. Hope DiBartolomeo, Management Analyst, detailed the procedural history of the debt since 2018. Petition denied 2-0

- 80. Docket 21-07021** Petition for Reconsideration of fines on Citation 13872 from Derek Cornell.

Mr. Cornell appeared with his legal counsel, Brent Carson, Esq. Hope DiBartolomeo, Management Analyst, detailed the procedural history of the debt. Mr. Carson asked the debt be reduced to the original amount owed of \$500.00 and remain at the SCO. A discussion ensued. Chairman Gibbons made a motion to reduce the fine to the original amount owed. Motion failed. No action could be taken.

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APPLICATIONS FOR FULLY REGULATED CARRIERS

- 81. Docket 18-03017** The expired Temporary Transfer of Operating Rights of Strip Limousine Services, LLC d/b/a Strip Limo, d/b/a SLS granted under CPCN 1131, Sub 1, to Strip Limo, LLC and the Petitions for an extension of the period for temporary transfer of operation rights and for interim approval. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 2-0

- 82. Docket 19-07033** The expired Temporary Transfer of Operating Rights of AWG Ambassador, LLC d/b/a Universal Limousine Services, granted under CPCN 1068, Sub 8, to Universal Limousine Services, LLC d/b/a ULS and the Petitions for an extension of the period for temporary transfer of operation rights and for interim approval. Staff investigation concluded.

Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 2-0

- 83. Docket 20-11020** The Ex Post Facto Joint Application of Jack and Judy Swen for authority to sell and transfer and JTB USA, Inc. to purchase and acquire 30% of the stock of Lassen Tour & Travel, Inc., the 100% owner of Sunrise Plaza Transportation of Nevada, Inc. d/b/a Lassen Tours, a carrier authorized to provide services within the State of Nevada granted under CPCN 2028, Sub 3. Staff investigation concluded. (DG)

Items 83 and 84 considered collectively. Kimberly Maxson-Rushton, Esq. appeared on behalf of Sunrise Plaza/JTB and detailed the transactions and reasoning for the submission. Applications Manager Liz Babcock summarized the request and indicated staff support. Motion to approve and issue the certificate – Approved 2-0

- 84. Docket 20-11021** The Ex Post Facto Joint Application of JTB USA, Inc. for authority to sell and transfer and JTB Americas, LTD to purchase and acquire 100% of the stock of Sunrise Plaza Transportation of Nevada, Inc., a carrier authorized to provide services within the State of Nevada granted under CPCN 2028, Sub 3. Staff investigation concluded. (DG)

Items 83 and 84 considered collectively. Kimberly Maxson-Rushton, Esq. appeared on behalf of Sunrise Plaza/JTB and detailed the transactions and reasoning for the submission. Applications Manager Liz Babcock summarized the request and indicated staff support. Motion to approve and issue the certificate – Approved 2-0

ORDERS TO SHOW CAUSE

- 85. Docket 20-02019** Order Regarding Order to Show Cause issued to LV Quik Tow, Certificate of Public Convenience and Necessity 7202.2. Staff investigation concluded. Tabled from prior general session. (DN)

Item removed from Agenda prior to consideration.

- 86. Docket 21-06044** Order to Show Cause issued to Hoag, LLC d/b/a Amore Transportation as to why Certificate of Public Convenience and Necessity 1141 should not be revoked.

Applications Manager Liz Babcock summarized the procedural history of the docket and indicated staff's request for revocation of the certificate. Certificate Revoked 2-0

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- 87. Docket 21-06045** Order to Show Cause issued to Double D Transportation, LLC d/b/a Double D Transportation as to why Certificate of Public Convenience and Necessity 2227 should not be revoked.
Applications Manager Liz Babcock summarized the procedural history of the docket and indicated staff's request for revocation of the certificate. Certificate Revoked 2-0

APPLICATIONS FOR DRIVER PERMITS

(Closed sessions may be held for items 88 through 92 to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030.)

- 88. Permit 12034** The Authority will determine whether to grant the application of David Best IV for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. *Item tabled from previous Agenda.*
Permit denied 2-0 (FTA)
- 89. Permit 12077** The Authority will determine whether to grant the application of Johnny Maples for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. *Item tabled from previous Agenda.*
Permit denied 2-0 (FTA)
- 90. Permit 12114** The Authority will determine whether to grant the application of Jeremiah Thomas for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded.
Permit approved
- 91. Permit 12142** The Authority will determine whether to grant the application of Steven Brown for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (FTA)
Permit denied 2-0 (FTA)
- 92. Permit 1876** The Authority will determine whether to grant the application of Jemal Jafar for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (FTA)
Permit denied 2-0 (FTA)
- 93. Public Comment**
none
- 94. Adjournment**
Meeting adjourned at 3:15

Agenda Item#

11

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citations 21447 and 23132 issued to Tanvir)	
Nayem for violations of NAC 706.376 and NAC	)	Citations 21447 and 23132
706.3747.C1 (7 counts).)	
_____)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 4, 2021, a hearing on the above-captioned matters was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citations 21447 and 23132, Tanvir Nayem, was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 21447 and Citation 23132 and the Investigation Report for the Citations into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.376, related to allowing more than 5 passengers in the taxicab and violation of NAC 706.3747.C1 (7 counts), related to failure to time stamp trip sheets at the beginning and end of each shift;
3. To a fine in the amount of \$100.00 for the violation of NAC 706.376;
4. To a fine in the amount of \$700.00 for the violation of NAC 706.3747.C1 (7 counts) with \$600.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That findings enter against the Respondent for violation of NAC 706.376 and NAC 706.3747.C1 (7 counts).

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaints 21447 and 23132, issued to Tanvir Nayem for violation of NAC 706.376 and NAC 706.3747.C1 (7 counts), is hereby AFFIRMED;
2. That the *total* fine for Citation 21447 and 23132 shall be in the amount of Eight Hundred Dollars and Zero Cents (\$800.00), with Six Hundred Dollars and Zero Cents (\$600.00) of said fine amount to be suspended pending no further NRS 706 or NAC 706 violations within one year and timely payment of the fine amount; and

3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

12

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 21485 issued to Ace World Wide)
Moving & Storage Co. Inc. d/b/a Ace World Wide)
of Nevada for violation of NAC 706.218.)
_____)

Citation 21485

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 16, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Ace World Wide Moving & Storage Co. Inc. d/b/a Ace World Wide of Nevada was present through their manager, Nicole Dean. Ms. Dean elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 21485 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.218 related to filing annual report late;
3. To a fine in the amount of \$100.00 for the NAC 706.218 violation; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.218.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 21485, issued to Ace World Wide Moving & Storage Co. Inc. d/b/a Ace World Wide of Nevada for violation of NAC 706.218, is hereby AFFIRMED;
2. That the *total* fine for Citation 21485 shall be in the amount of One Hundred Dollars and Zero Cents (\$100.00); and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.218 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

13

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 21487 issued to Saul Luis Angel)
Yacolca-Pena for a violation of NRS 706.386.) Citation 21487
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

ORDER

On August 2, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Saul Luis Angel Yacolca-Pena was present and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 21487 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
2. That no CPCN had been issued by the Authority authorizing the operations or advertising undertaken by the Respondent in this matter

3. That the Respondent's actions constituted one violation of NRS 706.386;
4. To a fine in the amount of \$3,500.00 for the NRS 706.386 violation with \$3,000.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NRS 706.386, relating to operating as a fully regulated carrier without authority.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 21487, issued to Saul Luis Angel Yacolca-Pena for violation of NRS 706.386 is hereby AFFIRMED;
2. That the *total* fine for Citation 21487 shall be in the amount of Three Thousand Five Hundred Dollars and Zero Cents (3,500.00), with Three Thousand Dollars and Zero Cents (\$3,000.00) of said fine amount to be suspended pending no further NRS 706 or NAC 706 violations within one year and timely payment of the fine amount; and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

14

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 21820 issued to Elko, Inc. d/b/a)
Coach USA for violation of NAC 706.203 (4).) Citation 21820
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 4, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Elko, Inc. d/b/a Coach USA was present through their Fleet Manager, Larry Wilfong. Mr. Wilfong elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 21820 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
2. That the Respondent’s actions constituted violation of NAC 706.203 (4) related to failure to submit annual vehicle inspection report;

3. To a fine in the amount of \$200.00 for the NAC 706.203 (4) violation; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.203 (4).

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 21820, issued to Elko, Inc. d/b/a Coach USA for violation of NAC 706.203 (4), is hereby AFFIRMED;
2. That the *total* fine for Citation 21820 shall be in the amount of Two Hundred Dollars and Zero Cents (\$200.00); and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.203 (4) and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

15

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22125 issued to Celebrity Coaches,)
a Series of Platinum LV Transportation, LLC for)
violation of NAC 706.360.)
Citation 22125

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

ORDER

On August 4, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Celebrity Coaches, a Series of Platinum LV Transportation, LLC was present through their General Manager, Ashley Wright. Ms. Wright elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22125 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.360 related to operating as a fully regulated carrier while on temporary discontinuance;
3. To a total fine in the amount of \$400.00 for the violation of NAC 706.360 with \$400.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within two years and timely payment of the fine amount;
4. That the suspended fine amount of \$400.00 from prior Citation 22379 shall become due and owing; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.360.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22125, issued to Celebrity Coaches, a Series of Platinum LV Transportation, LLC for violation of NAC 706.360, is hereby AFFIRMED;
2. That the *total* fine for Citation 22125 shall be in the amount of Four Hundred Dollars and Zero Cents (\$400.00), with Four Hundred Dollars and Zero Cents (\$400.00) of said fine amount to be suspended pending no further violations of NRS 706 or NAC 706 within two years and timely payment of fine amount;

3. That the suspended fine amount of \$400.00 from prior Citation 22379 shall immediately become due and owing; and
4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 16

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 22336 issued to A Team Wrecking,)
LLC d/b/a A Team Towing & Wrecking for) Citation 22336
violation of NAC 706.2473 ref. 49 CFR 396.3 (2)
counts).)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 4, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, A Team Wrecking, LLC d/b/a A Team Towing & Wrecking was present through Zachary Smith. Mr. Smith elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22336 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.2473 ref. 49 CFR 396.3 (2 counts) related to failure to maintain vehicle maintenance files for two vehicles;
3. To a fine in the amount of \$400.00 for the NAC 706.2473 ref. 49 CFR 396.3 (2 counts) violation with \$200.00 of said fine amount suspended pending no further violations of NRS 706 or NAC 706 within one year and timely payment of the fine amount; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.2473 ref. 49 CFR 396.3 (2 counts).

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22336, issued to A Team Wrecking, LLC d/b/a A Team Towing & Wrecking for violation of NAC 706.2473 ref. 49 CFR 396.3 (2 counts), is hereby AFFIRMED;
2. That the *total* fine for Citation 22336 shall be in the amount of Four Hundred Dollars and Zero Cents (\$400.00) with Two Hundred Dollars and Zero Cents (\$200.00) of said fine amount to be suspended pending no further violations of NRS 706 or NAC 706 within one year; and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

17

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citations 22544, 22545, 22546, 22547 and)	
22548 issued to Elias Gil/Western States Towing for	)	Citations 22544, 22545, 22546,
violations of NAC 706.2473 ref. 49 CFR	)	22547 and 22548
391.23(a)(2)(c), NAC 706.2473 ref. 49 CFR)	
391.23(a)(1)(b), NAC 706.2473 ref 49 CFR 391.25)	
(2 counts), NAC 706.2473 ref 49 CFR 391.27(a)(d),)	
NAC 706.2473 ref 49 CFR 382.301, NAC 706.2473		
ref 49 CFR 391.31 and NAC 706.2473 ref 49 CFR		
391.51 (c)(1).		

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 2, 2021, a hearing on the above-captioned matters was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citations 20914, 22545 and 22548, Elias Gil/Western States Towing, was present through its Owner, Elias Gil. Mr. Gil elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citations 22544, 22545, 22546, 22547 and 22548 and the Investigation Report for the Citations into evidence (identified as State's Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
2. That the Respondent's actions constituted violation of NAC 706.2473 ref. 49 CFR 391.23(a)(2)(c), related to failure to provide inquiry to previous employer within 30 days of hire, violation of NAC 706.2473 ref. 49 CFR 391.23(a)(1)(b), related to failure to provide 3 year DMV history within 30 days of hire, violation of NAC 706.2473 ref 49 CFR 391.25 (2 counts), failure to provide annual DMV history, violation of NAC 706.2473 ref 49 CFR 391.27(a)(d), failure to provide annual driver certification of violations, violation of NAC 706.2473 ref 49 CFR 382.301, related to failure to perform pre-employment drug test, violation of NAC 706.2473 ref 49 CFR 391.31, related to failure to perform road test and violation of NAC 706.2473 ref 49 CFR 391.51 (c)(1), related to failure to provide a valid medical card;and
3. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

Authority Staff recommended the following fines and remedies:

- a. That a fine of \$150.00 be assessed for the NAC 706.2473 ref. 49 CFR 391.51 violation;
- b. That a fine of \$700.00 be assessed for the seven remaining violations.

Respondent requested a reduction in fine amounts, stating errors were made by a previous employee and were not discovered until after a domicile change.

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DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That findings enter against the Respondent for violations of NAC 706.2473 ref. 49 CFR 391.23(a)(2)(c), NAC 706.2473 ref. 49 CFR 391.23(a)(1)(b), NAC 706.2473 ref 49 CFR 391.25 (2 counts), NAC 706.2473 ref 49 CFR 391.27(a)(d), NAC 706.2473 ref 49 CFR 382.301, NAC 706.2473 ref 49 CFR 391.31 and NAC 706.2473 ref 49 CFR 391.51 (c)(1).
3. That a fine of \$150.00 be assessed for the NAC 706.2473 ref. 49 CFR 391.51 violation;
4. That a fine of \$420.00 be assessed for the seven remaining violations; and
5. That Respondent submit a written plan of action within one week.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaints 22544, 22545, 22546, 22547 and 22548, issued to Elias Gil/Western States Towing for violations of NAC 706.2473 ref. 49 CFR 391.23(a)(2)(c), NAC 706.2473 ref. 49 CFR 391.23(a)(1)(b), NAC 706.2473 ref 49 CFR 391.25 (2 counts), NAC 706.2473 ref 49 CFR 391.27(a)(d), NAC 706.2473 ref 49 CFR 382.301, NAC 706.2473 ref 49 CFR 391.31 and NAC 706.2473 ref 49 CFR 391.51 (c)(1), is hereby AFFIRMED;
2. That the *total* fine for Citations 22544, 22545, 22546, 22547 and 22548 shall be in the amount of Five Hundred Seventy Dollars and Zero Cents (\$570.00);
3. That Respondent submit a written plan of action within one week; and

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4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 18

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 22628 issued to Ben, LLC d/b/a)
Luxurious for violation of NAC 706.203 (4).) Citation 22628
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 4, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Ben, LLC d/b/a Luxurious was present through their General Manager, Mike Tewelde. Mr. Tewelde elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22628 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
2. That the Respondent’s actions constituted violation of NAC 706.203 (4) related to failure to submit annual vehicle inspection report;

3. To a fine in the amount of \$400.00 for the NAC 706.203 (4) violation;
4. That the \$7,500 in abeyance to remain suspended for a future violation; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.203 (4).

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22628, issued to Ben, LLC d/b/a Luxurious for violation of NAC 706.203 (4), is hereby AFFIRMED;
2. That the *total* fine for Citation 22628 shall be in the amount of Four Hundred Dollars and Zero Cents (\$400.00);
3. That the \$7,500.00 abeyance shall remain suspended for a future violation; and

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4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.203 (4) and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 19

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476 of	)	Impound 3578 and
a vehicle registered to and Citation 22653 issued to	)	Citation 22653
Salvatore Marco Bruno for violation of NRS 706.386)	
and NRS 706.758.)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 6, 2021, a hearing on the above-captioned matters was held before Chairman Dawn Gibbons serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citation 22653 and registered owner of the impounded vehicle, Salvatore Marco Bruno, was present and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 22653 and the Investigation Report for the Citation and related impound into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That Salvatore Marco Bruno is the registered owner of the impounded vehicle in this matter and was present at the hearing regarding said vehicle;
3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and (3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for transportation of household goods; and
 - b. That the impounded vehicle did not meet all required standards of the Authority;
4. That no CPCN had been issued by the Authority authorizing the operations or advertising undertaken by the Respondent in this matter;
5. That the Respondent's actions constituted one violation of NRS 706.386 and one violation of NRS 706.758 as alleged and that the impoundment of the vehicle pursuant to NRS 706.476 was proper;
6. To a fine in the amount of \$250.00 be assessed for the impoundment of the vehicle in this matter;
7. To a fine in the amount of \$5,000.00 for the NRS 706.386 violation with \$4,500.00 of said fine amount suspended pending no further violations of NRS 706 within one year and timely payment of the fine amount;
8. To a fine in the amount of \$1,000.00 for the NRS 706.758 violation with \$1,000.00 of said fine amount suspended pending no further NRS 706 violations within one year and timely payment of the outstanding fine amount for the NRS 706.386 violation; and
9. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

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DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That the impoundment of the vehicle be deemed proper under NRS 706.476;
3. That findings enter against the Respondent for one violation of NRS 706.386, relating to operating as a fully regulated carrier without authority, and for one violation of NRS 706.758, relating to holding oneself out to the public via unlawful advertisement as able to provide services requiring a certificate of public convenience and necessity;

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle pursuant to NRS 706.476 is hereby AFFIRMED;
2. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22653, issued to Salvatore Marco Bruno for violations of NRS 706.386 and NRS 706.758, is hereby AFFIRMED;
3. That a fine in the amount of Two Hundred Fifty Dollars and Zero Cents (\$250.00) be assessed for the impoundment of the vehicle in this matter;
4. That the *total* fine for Citation 22653 shall be in the amount of Six Thousand Dollars and Zero Cents (\$6,000.00), with Five Thousand Five Hundred Dollars and Zero Cents (\$5,500.00) of said fine amount to be suspended pending no further NRS 706 violations within one year and timely payment of the fine amount;
5. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706;

6. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386;
7. That pursuant to NRS 706.758, the Respondent is to **CEASE AND DESIST** the unlawful advertising; and
8. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 20

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476 of a	)	Impound 3756 and
vehicle registered to and Citation 23073 issued to	)	Citation 23073
Crown Taxi for violations of NRS 706.386 and NRS)	
706.758.)	
_____)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer DeRose

ORDER

On August 3, 2021, a hearing on the above-captioned matters was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citation 23073 and registered owner of the impounded vehicle, Crown Taxi, was present by and through their Owner, Jose Yanez-Aldaz. Mr. Aldaz elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 23073, the Investigation Report for the Citation and related impound into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That Crown Taxi is the registered owner of the impounded vehicle in this matter and an authorized representative was present at the hearing regarding said vehicle;
3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and NRS 706.2(b)(3) in that:
 1. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for passenger transportation; and
 2. The impounded vehicle did not meet the required standards of the Authority;
4. That no CPCN had been issued by the Authority authorizing the operations or advertising undertaken by the Respondent in this matter;
5. That the Respondent's actions constituted one violation of NRS 706.386 and one violation of NRS 706.758 as alleged and that the impoundment of the vehicle pursuant to NRS 706.476 was proper; and
6. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125 (waiver entered as Exhibit 2).

Authority Staff recommended the following fines and remedies:

1. That fine in the amount of \$750.00 be assessed for the impoundment of the vehicle in this matter;
2. That a fine be assessed in the amount of \$10,000.00 for the NRS 706.386 violation;
3. That a fine be assessed in the amount of \$2,000.00 for the NRS 706.758 violation; and
4. That the suspended fine amount of \$3,500.00 from Citation 20994 be deemed immediately due and owing.

As a basis for the recommended fines and remedies, Authority Staff stated Respondent had similar prior violations.

Respondent requested a reduction in fine amounts, stating the driver of the vehicle failed to follow the contract, which specifically states “No Nevada to Nevada fairs.”

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That the impoundment of the vehicle be deemed proper under NRS 706.476;
3. That findings enter against the Respondent for one violation of NRS 706.386, relating to operating as a fully regulated carrier without authority and for one violation of NRS 706.758, relating to unlawful advertising;
4. That a fine be assessed in the amount of \$10,000.00 for the NRS 706.386 violation with \$2,000.00 of said fine amount suspended pending no further NRS 706 or NAC 706 violations within two years and timely payment of the fine amount;
5. That a fine be assessed in the amount of \$2,000.00 for the NRS 706.758 violation with \$500.00 of said fine amount suspended pending no further NRS 706 or NAC 706 violations within two years and timely payment of the fine amount;
6. That the suspended fine of \$3,500.00 from prior Citation 20994 shall become immediately due and owing; and
7. That Respondent shall be given a payment plan for 1 year.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle pursuant to NRS 706.476 is hereby AFFIRMED;

2. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23073, issued to Crown Taxi for violations of NRS 706.386 and NRS 706.758, is hereby AFFIRMED;
3. That a fine in the amount of Seven Hundred Fifty Dollars and Zero Cents (\$750.00) shall be assessed for the impoundment of the vehicle in this matter;
4. That the *total* fine for Citation 23073 shall be in the amount of Twelve Thousand Dollars and Zero Cents (\$12,000.00), with Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00) of said fine amount to be suspended pending no further violations of NRS 706 or NAC 706 within two years and timely payment of the outstanding fine amounts;
5. That the suspended fine of \$3,500.00 from prior Citation 20994 shall become immediately due and owing;
6. That Respondent shall be given a payment plan for one (1) year; and
7. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706;
8. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386;
9. That pursuant to NRS 706.758, the Respondent is to **CEASE AND DESIST** the unlawful advertising; and

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10. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

21

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 23131 issued to Bazlu Rahman for a violation of NAC 706.3747.C1 (19 counts). Citation 23131

At a general session of the Nevada Transportation Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 4, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Bazlu Rahman, was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 23131 and the related Investigation Report (marked as State's Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted one violation of NAC 706.3747.C1 (19 counts) related to failure to time stamp trip sheets and the beginning and end of each shift;
3. To a fine in the amount of \$1,900.00 for the NAC 706.3747.C1 (19 counts) violation with \$1,700.00 of said fine amount suspended pending no further violation of NAC 706 or NRS 706 within one year and timely payment of the fine amount; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.3747.C1 (19 counts).

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23131, issued to Bazlu Rahman for violation of NAC 706.3747.C1 (19 counts) is hereby AFFIRMED;
2. That the *total* fine for Citation 23131 shall be in the amount of One Thousand Nine Hundred Dollars and Zero Cents (\$1,900.00) with One Thousand Seven Hundred Dollars and Zero Cents (\$1,700.00) of said fine amount to be suspended pending no further NAC 706 or NRS 706 violations within one year and timely payment of the fine amount); and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 22

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citations 23226, 23227 and 23228 issued to	)	Citations 23226, 23227 and 23228
Marshall Deserio for violations of NAC 706.3747)	
(2)(c)(1) (23 counts), NAC 706.3747 (2)(9)(3) (5)	
counts), NAC 706.3747 (2)(b)(1) (4 counts), NAC)	
706.3761, and NAC 706.2473 ref. 49 CFR 395.5)	
(2)(b)(2) (4 counts).)	
_____)	
)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 4, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Marshall Deserio, was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. The parties agreed to withdraw 3 counts of the NAC 706.3747 (2)(c)(1) violations;

2. To the admission of Citations 23226, 23227 and 23228 and the Investigation Reports for the Citation into evidence (identified as State's Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
3. That the Respondent's actions constituted violations of NAC 706.3747 (2)(c)(1) (20 counts), related to failure to time stamp trip sheet at end of shift, NAC 706.3747 (2)(9)(3) (5 counts), related to failure to time stamp trip sheet at beginning of shift, NAC 706.3747 (2)(b)(1) (4 counts), related to failure to record each trip on trip sheet, NAC 706.3761, related to driver did work a shift longer than 12 consecutive hours, and NAC 706.2473 ref. 49 CFR 395.5(2)(b)(2) (4 counts), related to driver did exceed maximum hours of 70 hours in any 8 consecutive days;
4. That the total fine shall be \$3,400.00 with \$3,000.00 of said fine amount suspended pending no further violations of NAC 706 within two years and timely payment of the fine amount; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
1. That findings enter against the Respondent for violations of NAC 706.3747 (2)(c)(1) (20 counts), NAC 706.3747 (2)(9)(3) (5 counts), NAC 706.3747 (2)(b)(1) (4 counts), NAC 706.3761, and NAC 706.2473 ref. 49 CFR 395.5 (2)(b)(2) (4 counts).

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ORDER**IT IS THEREFORE ORDERED, based on the foregoing:**

1. That the recommendation of the Hearing Officer regarding Administrative Citation and Verified Complaint 23226, 23227 and 23228, issued to Marshall Deserio for violations of NAC 706.3747 (2)(c)(1) (23 counts), NAC 706.3747 (2)(9)(3) (5 counts), NAC 706.3747 (2)(b)(1) (4 counts), NAC 706.3761, and NAC 706.2473 ref. 49 CFR 395.5 (2)(b)(2) (4 counts), is hereby AFFIRMED;
2. That the *total* fine for Citation Number 23226, 23227 and 23228 shall be in the amount of Three Thousand Four Hundred Dollars and Zero Cents (\$3,400.00), with Three Thousand Dollars and Zero Cents (\$3,000.00) of said fine amount to be suspended pending no further NAC 706 violations within two years and timely payment of the fine amount); and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

23

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476)
of a vehicle registered to Doris L. Sharpley.)
_____) Impound 3802

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

ORDER

On August 6, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The registered owner of the impounded vehicle, Doris L. Sharpley, was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of the Investigation Report for Impound 3802 into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the registered owner of the impounded vehicle was present at the hearing regarding said vehicle;
3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and (3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for passenger transportation; and
 - b. That the impounded vehicle did not meet all required standards of the Authority;
4. That no fine be assessed for the impoundment of the vehicle in this matter; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That the impoundment of the vehicle be deemed proper under NRS 706.476.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle is hereby **AFFIRMED**;
2. That no fine shall be assessed for the impoundment of the vehicle in this matter;
3. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706; and

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4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

24

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re the impoundment pursuant to NRS 706.476 of)
a vehicle registered to EAN Holdings, LLC.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

ORDER

On August 16, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The registered owner of the impounded vehicle, EAN Holdings, LLC, was present through its authorized representative, Chad Mullen, Assistant Manager. Mr. Mullen elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. That EAN Holdings, LLC is the registered owner of the impounded vehicle (specifically, a 2021 Toyota Corolla bearing California license plate 8VHF387) and was present at the hearing regarding the vehicle through an authorized representative;

2. To the admission of the Notice of Hearing and the Investigation Report for Impound 3998 into evidence (identified as State's Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
3. That no certificate of public convenience and necessity had been issued by the Authority authorizing the use of the impounded vehicle to provide intrastate commerce for passenger transportation within the State of Nevada and that the impoundment of the vehicle pursuant to NRS 706.476 was therefore proper;
4. That the vehicle would be released to the registered owner without an administrative fine assessed pursuant to NRS 706.478 as:
 - a. EAN Holdings, LLC is a short-term lessor of vehicles licensed by the Nevada Department of Motor Vehicles pursuant to NRS 482.363 and is engaged in the business of renting or leasing vehicles in accordance with NRS 482.295 to 482.3159, inclusive;
 - b. At the time of the impoundment, the vehicle was subject to a short-term lease;
 - c. At the time of the impoundment, the vehicle was in the care, custody, and control of the short-term lessee; and
 - d. The short-term lessor in this matter did not appear to be complicit or culpable regarding the vehicle rental to an uncertificated passenger carrier; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

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DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
and
2. That the impoundment of the vehicle be deemed proper under NRS 706.476.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle is hereby AFFIRMED;
2. That no fine shall be assessed to EAN Holdings, LLC for the impoundment of the vehicle pursuant to NRS 706.478; and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

Agenda Item# 25

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476)
of a vehicle registered to Luis Yacolca-Villon.)
_____) Impound 3999

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

ORDER

On August 2, 2021, a hearing on the above-captioned matter was held before Chairman Dawn Gibbons, serving in her capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The registered owner of the impounded vehicle, Luis Yacolca-Villon, was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of the Investigation Report for Impound 3999 into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the registered owner of the impounded vehicle was present at the hearing regarding said vehicle;
3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and (3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for passenger transportation; and
 - b. That the impounded vehicle did not meet all required standards of the Authority;
4. That no fine be assessed for the impoundment of the vehicle in this matter; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That the impoundment of the vehicle be deemed proper under NRS 706.476.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle is hereby **AFFIRMED**;
2. That no fine shall be assessed for the impoundment of the vehicle in this matter;
3. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706; and

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4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

26

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476 of	)	Impound 4266 and
a vehicle registered to and Citation 21921 issued to	)	Citation 21921
Antoinette M. St. Pierre/Las Vegas Moving Service)	
for violation of NRS 706.386 and NRS 706.758.)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On July 29, 2021, a hearing on the above-captioned matters was held before Commissioner George Assad serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citation 21921 and registered owner of the impounded vehicles, Antoinette M. St. Pierre/Las Vegas Moving Service, was present and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 21921 and the Investigation Report for the Citation and related impound into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That Antoinette M. St. Pierre is the registered owner of the impounded vehicle in this matter and was present at the hearing regarding said vehicle;
3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and (3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for the transportation of household goods; and
 - b. That the impounded vehicle did not meet all required standards of the Authority;
4. That no CPCN had been issued by the Authority authorizing the operations or advertising undertaken by the Respondent in this matter;
5. That the Respondent's actions constituted one violation of NRS 706.386 and one violation of NRS 706.758 as alleged and that the impoundment of the vehicle pursuant to NRS 706.476 was proper;
6. To a fine in the amount of \$1,000.00 for the NRS 706.758 violation with \$1,000.00 of said fine amount suspended pending no further NRS 706.386, NRS 706.476 or NRS 706.758 violations within two years and timely payment of the outstanding fine amount for the NRS 706.386 violation; and
7. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

Authority Staff recommended the following fines and remedies:

1. That a fine in the amount of \$500.00 be assessed for Impound I-4266.
2. That a fine in the amount of \$5,000.00 for the NRS 706.386 violation with \$4,400.00 of said fine amount suspended pending no further violations of NRS 706.386, NRS 706.476 or NRS 706.758 within two years and timely payment of the fine amount; and
3. That Respondent refund \$50.00 to Complainant in this matter.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That the impoundment of the vehicle be deemed proper under NRS 706.476;
3. That findings enter against the Respondent for one violation of NRS 706.386, relating to operating as a fully regulated carrier without authority, and for one violation of NRS 706.758, relating to holding oneself out to the public via unlawful advertisement as able to provide services requiring a certificate of public convenience and necessity;
4. That a fine be assessed in the amount of \$300.00 for the impounded vehicle.
5. That a fine be assessed in the amount of \$5,000.00 for the NRS 706.386 violation with \$4,500.00 of said fine amount suspended pending no further violations of NRS 706 NRS 706.386, NRS 706.476 or NRS 706.758 within two years and timely payment of the fine amount; and
6. That Respondent refund \$50.00 to Complainant in this matter.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicles pursuant to NRS 706.476 is hereby AFFIRMED;
2. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 21921, issued to Antoinette M. St. Pierre/Las Vegas Moving Service for violations of NRS 706.386 and NRS 706.758, is hereby AFFIRMED;
3. That a fine in the amount of Three Hundred Dollars and Zero Cents (\$300.00) be assessed for the impoundment of the vehicle in this matter;

4. That the *total* fine for Citation 21921 shall be in the amount of Six Thousand Dollars and Zero Cents (\$6,000.00), with Five Thousand Five Hundred Dollars and Zero Cents (\$5,500.00) of said fine amount to be suspended pending no further NRS 706.386, NRS 706.476 or NRS 706.758 violations within two years and timely payment of the fine amount;
5. That Respondent provide to the Authority a \$50.00 refund for the Complainant in this matter;
6. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706;
7. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386;
8. That pursuant to NRS 706.758, the Respondent is to **CEASE AND DESIST** the unlawful advertising; and

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9. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

27

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476 of	)	Impound 3713 and
a vehicle registered to and Citation 21931 issued to	)	Citation 21931
Nazir Amin Ghali for violation of NRS 706.386.)	
_____)	
)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On July 29, 2021, a hearing on the above-captioned matters was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citation 21931 and registered owner of the impounded vehicle, Nazir Amin Ghali, was present and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 21931 and the Investigation Report for the Citation and related impound into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
2. That Nazir Amin Ghali is the registered owner of the impounded vehicle in this matter and was present at the hearing regarding said vehicle;

3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity (“CPCN”) violated NRS 706.476 (2)(b)(2) and NRS 706.2(b)(3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for passenger transportation; and
 - b. The impounded vehicle did not meet the required standards of the Authority;
4. That no CPCN had been issued by the Authority authorizing the operations or advertising undertaken by the Respondent in this matter;
5. That the Respondent’s actions constituted one violation of NRS 706.386 as alleged and that the impoundment of the vehicle pursuant to NRS 706.476 was proper;
6. That a fine in the amount of \$100.00 be assessed for the impoundment of the vehicle in this matter;
7. To a fine in the amount of \$2,500.00 for the NRS 706.386 violation with \$2,250.00 of said fine amount suspended pending no further violations of NRS 706 within one year and timely payment of the fine amount; and
8. To waive the requirement that the Authority’s final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125 (waiver entered as Exhibit 2).

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That the impoundment of the vehicle be deemed proper under NRS 706.476; and
3. That findings enter against the Respondent for one violation of NRS 706.386, relating to operating as a fully regulated carrier without authority.

ORDER**IT IS THEREFORE ORDERED, based on the foregoing:**

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle pursuant to NRS 706.476 is hereby AFFIRMED;
2. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 21931, issued to Nazir Amin Ghali for violations of NRS 706.386 is hereby AFFIRMED;
3. That a fine in the amount of One Hundred Dollars and Zero Cents (\$100.00) be assessed for the impoundment of the vehicle in this matter;
4. That the *total* fine for Citation 21931 shall be in the amount of Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00), with Two Thousand Two Hundred Fifty Dollars and Zero Cents (\$2,250.00) of said fine amount assessed for the violation of NRS 706.386 to be suspended pending no further violations NRS 706 within one year and timely payment of the fine;
5. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706;
6. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386; and

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7. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 28

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476	)	Impound 3961 and
of a vehicle registered to and Citations 21937 and	)	Citations 21937 and 21938
21938 issued to Noel Garcia Llanes for violations)	
of NRS 706.386 and NRS 706A.280.)	
_____)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On July 30, 2021, a hearing on the above-captioned matters was held before Commissioner George Assad serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citations 21937 and 21938 and registered owner of the impounded vehicle, Noel Garcia Llanes, was present and elected to proceed without counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citations 21937 and 21938, the Investigation Report for the Citations and related impound into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
2. That Noel Garcia Llanes is the registered owner of the impounded vehicle in this matter and was present at the hearing regarding said vehicle;

3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity (“CPCN”) violated NRS 706.476 (2)(b)(2) and NRS 706.2(b)(3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for passenger transportation; and
 - b. The impounded vehicle did not meet the required standards of the Authority;
4. That no CPCN had been issued by the Authority authorizing the operations undertaken by the Respondent in this matter;
5. That the Respondent’s actions constituted one violation of NRS 706.386 as alleged and that the impoundment of the vehicle pursuant to NRS 706.476 was proper;
6. That with respect to Citation 21938, the Respondent’s actions constituted a violation of NRS 706A.280 (in that he solicited a passenger for off-app transportation);
7. That a fine in the amount of \$250.00 be assessed for the impoundment of the vehicle in this matter;
8. That a fine be assessed in the amount of \$2,500.00 for the NRS 706.386 violation with \$2,250.00 of said fine amount suspended pending no further violations of NRS 706 within one year and timely payment of the fine amount;
9. That no fine or disqualification be imposed for the NRS 706A.280 violation; and
10. To waive the requirement that the Authority’s final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125 (waiver entered as Exhibit 2).

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That the impoundment of the vehicle be deemed proper under NRS 706.476;

3. That findings enter against the Respondent for one violation of NRS 706.386, relating to operating as a fully regulated carrier without authority and for one violation of NRS 706A.280, relating to providing passenger transportation services outside the TNC application.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle pursuant to NRS 706.476 is hereby AFFIRMED;
2. That the recommendation of the Hearing Officer for Administrative Citations and Verified Complaint 21937 and 21938, issued to Noel Garcia Llanes for violations of NRS 706.386 and NRS 706A.280, is hereby AFFIRMED;
3. That a fine in the amount of Two Hundred Fifty Dollars and Zero Cents (\$250.00) be assessed for the impoundment of the vehicle in this matter;
4. That the *total* fine for Citation 21937 shall be in the amount of Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00), with Two Thousand Two Hundred Fifty Dollars and Zero Cents (\$2,250.00) of said fine amount to be suspended pending no further NRS 706 violations within one year and timely payment of the fine amount;
5. That *no fine* or disqualification be imposed for Citation 21938 for the NRS 706A.280 violation;
6. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706;
7. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386; and

8. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

29

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22063 issued to We Move Las Vegas for a violation of NAC 706.218.)	
	)	Citation 22063
)	
)	

At a general session of the Nevada Transportation Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 6, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, We Move Las Vegas was present through their Owner, Oz Malka. Mr. Malka elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22063 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted one violation of NAC 706.218 related to failure to file an annual report on time;
3. To a fine in the amount of \$100.00 for the NAC 706.218 violation; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.218.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22063, issued to We Move Las Vegas for violation of NAC 706.218 is hereby AFFIRMED;
2. That the *total* fine for Citation 22063 shall be in the amount of One Hundred Dollars and Zero Cents (\$100.00); and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item# 30

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22065 issued to Skyline Moving)	
Services for a violation of NAC 706.218.	)	Citation 22065
_____)	
)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 6, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Skyline Moving Services was present through their Owner, Houston Osemwengie. Mr. Osemwengie elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22065 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted one violation of NAC 706.218 related to failure to file an annual report on time;
3. To a fine in the amount of \$100.00 for the NAC 706.218 violation; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.218.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22065, issued to Skyline Moving Services for violation of NAC 706.218 is hereby AFFIRMED;
2. That the *total* fine for Citation 22065 shall be in the amount of One Hundred Dollars and Zero Cents (\$100.00); and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

31

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 22204 issued to BLS Limousine)	
Service of Las Vegas, Inc. for a violation of NAC	)	Citation 22204
706.229.1(c)(2).)	
_____)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 11, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, BLS Limousine Service of Las Vegas, Inc. was present through their Vice President of Administration, Neil Sultzer. Mr. Sultzer elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22204 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted violation of NAC 706.229.1(c)(2) related to hiring a driver with a DUI conviction;
3. To a fine in the amount of \$1,000.00 for the NAC 706.229.1(c)(2) violation; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.229.1(c)(2).

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22204, issued to BLS Limousine Service of Las Vegas, Inc. for violation of NAC 706.229.1(c)(2) is hereby AFFIRMED;
2. That the *total* fine for Citation 22204 shall be in the amount of One Thousand Dollars and Zero Cents (\$1,000.00); and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

32

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22568 issued to Mbaye Thiam for	)	Citation 22568
violation of NRS 706.386.)	
_____)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 11, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Mbaye Thiam, was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 22568 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;
2. That the Respondent’s actions constituted violation of NRS 706.386 in that no CPCN had been issued by the Authority authorizing the operations undertaken by the Respondent; and

3. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

Authority Staff recommended the following fines and remedies:

1. That a fine be assessed in the amount of \$10,000.00 for the NRS 706.386 violation.

Respondent requested a reduction in the fine amount, stating financial hardship.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That findings enter against the Respondent for one violation of NRS 706.386;
3. That a fine be assessed in the amount of \$10,000.00 with \$5,000.00 of said fine amount to be suspended pending no further NRS 706 violations within two years and timely payment of the fine amount.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer regarding Administrative Citation and Verified Complaint 22568, issued to Mbaye Thiam for violation of NRS 706.386, is hereby AFFIRMED;
2. That the *total* fine for Citation Number 22568 shall be in the amount of Ten Thousand Dollars and Zero Cents (\$10,000.00), with Five Thousand Dollars and Zero Cents (\$5,000.00) of said fine amount to be suspended pending no further violations of NRS 706 within two years and timely payment of the fine amount; and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NRS 706.386 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

33

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22688 issued to Lewvitticus Brown	)	Citation 22688
for violations of NRS 706.386 and NRS 706.758.)	
_____)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On August 9, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, Lewvitticus Brown, was present and elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 22688 and the Investigation Report for the Citation into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That no certificate of public convenience and necessity (“CPCN”) had been issued by the Authority authorizing the operations or advertising undertaken by the Respondent in this matter;
3. That the Respondent’s actions constituted violations of NRS 706.386 and NRS 706.758;
4. To a fine in the amount of \$2,500.00 for the NRS 706.386 violation with \$2,250.00 of said fine amount suspended pending no further violations of NRS 706 within one year and timely payment of fine amount;
5. To a fine in the amount of \$1,000.00 for the NRS 706.758 violation with \$1,000.00 of said fine amount suspended pending no further violations of NRS 706 within one year and timely payment of the NRS 706.386 fine amount; and
6. To waive the requirement that the Authority’s final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondents for one violation of NRS 706.386, related to operating as a fully regulated carrier without authority, and one violation of NRS 706.758, related to advertising the services of a fully regulated carrier without authority.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer regarding Administrative Citation and Verified Complaint 22688, issued to Lewvitticus Brown for violations of NRS 706.386 and NRS 706.758, is hereby AFFIRMED;

2. That the *total* fine for Citation Number 22688 shall be in the amount of Three Thousand Five Hundred Dollars and Zero Cents (\$3,500.00), with Three Thousand Two Hundred Fifty Dollars and Zero Cents (\$3,250.00) of said fine amount to be suspended pending no further violations of NRS 706 within one year and timely payment of fine amount;
3. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386;
4. That pursuant to NRS 706.758, the Respondent is to immediately **CEASE AND DESIST** any unlawful advertising; and

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5. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

34

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the impoundment pursuant to NRS 706.476 of) Impound 4218 and
a vehicle registered to and Citation 23218 issued to) Citation 23218
Andrometer Roadside for violation of NRS 706.386)
and NRS 706.758.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On July 30, 2021, a hearing on the above-captioned matters was held before Commissioner George Assad serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent to Citation 23218 and registered owner of the impounded vehicle, Andrometer Roadside, was present through their Managing Member, Kevin Boehm. Mr. Boehm elected to proceed without legal counsel.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of Citation 23218 and the Investigation Report for the Citation and related impound into evidence (identified as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That Andrometer Roadside is the registered owner of the impounded vehicle in this matter and that an authorized representative was present at the hearing regarding said vehicle;
3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and (3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for tow car services; and
 - b. That the impounded vehicle did not meet all required standards of the Authority;
4. That no CPCN had been issued by the Authority authorizing the operations or advertising undertaken by the Respondent in this matter;
5. That the Respondent's actions constituted one violation of NRS 706.386 and one violation of NRS 706.758 as alleged and that the impoundment of the vehicle pursuant to NRS 706.476 was proper;
6. To a fine in the amount of \$200.00 for the impoundment of the vehicle;
7. To a fine in the amount of \$2,500.00 for the NRS 706.386 violation with \$2,250.00 of said fine amount suspended pending no further violations of NRS 706.386, NRS 706.476 or NRS 706.758 within one year and timely payment of the fine amount;
8. To a fine in the amount of \$1,000.00 for the NRS 706.758 violation with \$1,000.00 of said fine amount suspended pending no further violations of NRS 706.386, NRS 706.476 or NRS 706.758 within one year and timely payment of the outstanding fine amount for the NRS 706.386 violation; and
9. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

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DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted;
2. That the impoundment of the vehicle be deemed proper under NRS 706.476;
3. That findings enter against the Respondent for one violation of NRS 706.386, relating to operating as a fully regulated carrier without authority, and for one violation of NRS 706.758, relating to holding oneself out to the public via unlawful advertisement as able to provide services requiring a certificate of public convenience and necessity;

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicles pursuant to NRS 706.476 is hereby AFFIRMED;
2. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23218, issued to Andrometer Roadside for violations of NRS 706.386 and NRS 706.758, is hereby AFFIRMED;
3. That a fine in the amount of Two Hundred Dollars and Zero Cents (\$200.00) be assessed for the impoundment of the vehicle in this matter;
4. That the *total* fine for Citation 23218 shall be in the amount of Three Thousand Five Hundred Dollars and Zero Cents (\$3,500.00), with Three Thousand Two Hundred Fifty Dollars and Zero Cents (\$3,250.00) of said fine amount to be suspended pending no further NRS 706.386, NRS 706.476 or NRS 706.758 within one year and timely payment of the fine amount;
5. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706;

6. That the Respondent is to immediately **CEASE AND DESIST** any and all operation in violation of NRS 706.386;
7. That pursuant to NRS 706.758, the Respondent is to **CEASE AND DESIST** the unlawful advertising; and
8. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

35

In Re: the impoundment pursuant to NRS 706.476) Impound 4000
of a vehicle registered to Anthony Chou.)
_____)

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

On August 9, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The registered owner of the impounded vehicle, Anthony Chou, was present and elected to proceed without legal counsel.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To the admission of the Investigation Report for Impound 4000 into evidence (identified as State's Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the registered owner of the impounded vehicle was present at the hearing regarding said vehicle;
3. That the use of the vehicle in intrastate commerce without a certificate of public convenience and necessity ("CPCN") violated NRS 706.476 (2)(b)(2) and (3) in that:
 - a. No CPCN had been issued authorizing the use of the impounded vehicle in intrastate commerce for passenger transportation; and
 - b. That the impounded vehicle did not meet all required standards of the Authority;
4. To a fine in the amount of \$100.00 for the impoundment of the vehicle in this matter; and
5. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That the impoundment of the vehicle be deemed proper under NRS 706.476.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer with regard to the impoundment of the vehicle is hereby **AFFIRMED**;
2. That a fine in the amount of One Hundred Dollars and Zero Cents (\$100.00) shall be assessed for the impoundment of the vehicle in this matter;
3. That the Respondent is to immediately **CEASE AND DESIST** any and all use of the impounded vehicle in violation of the provisions of NRS 706; and

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///

4. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

36

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citation 23180 issued to My Ride to Work,)
LLC for a violation of NAC 706.13775(2).) Citation 23180
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

On April 14, 2021, a hearing on the above-captioned matter was held before Commissioner David Newton, serving in his capacity as Hearing Officer for the Nevada Transportation Authority (“Authority”). The Respondent, My Ride to Work, LLC was present through their legal counsel, Scott Scherer, Esq.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer, pursuant to Nevada Administrative Code (“NAC”) 706.4015, prepared a proposed decision for review by the Authority. Based on that proposed decision, the Authority enters the following final order affirming the decision of the Hearing Officer. Under Nevada Revised Statutes (“NRS”) 706.151, the Authority has legal jurisdiction and authority over this matter.

At hearing, the parties knowingly and voluntarily stipulated and agreed as follows:

1. To admit into evidence the Citation 23180 and the related Investigation Report (marked as State’s Exhibit 1 and incorporated herein by reference) and that the facts as set forth therein were true and accurate;

2. That the Respondent's actions constituted one violation of NAC 706.13775(2) related to failure to have driver possess a driver permit;
3. To a fine in the amount of \$100.00 for the NAC 706.13775(2) violation; and
4. To waive the requirement that the Authority's final order contain formal Findings of Fact and Conclusions of Law as required under NRS 233B.125.

DISCUSSION

The Hearing Officer recommended to the Authority:

1. That the stipulations and agreements of the parties as set forth hereinabove be accepted; and
2. That findings enter against the Respondent for violation of NAC 706.13775(2).

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 23180, issued to My Ride to Work, LLC for violation of NAC 706.13775(2) is hereby AFFIRMED;
2. That the *total* fine for Citation 23180 shall be in the amount of One Hundred Dollars and Zero Cents (\$100.00); and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

37

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of BRP Holdings, LLC)
d/b/a B & R Towing for a certificate of public)
convenience and necessity to provide consent-only) Docket 21-02013
tow car service within the State of Nevada.)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on February 11, 2021, BRP Holdings, LLC d/b/a B & R Towing ("Applicant") filed with the Authority an Application to provide consent and consent-only car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 21-02013.
2. That on February 16, 2021 the Application was properly noticed to the public.
3. That on March 16, 2021 a Petition for Leave to Intervene ("PLTI") was filed by Tow Operators of Northern Nevada by and through their attorneys, Allison MacKenzie, LTD.
4. That on April 21, 2021, the Applicant amended the application to remove non-consent tow authority from the application and to proceed for consent-only tow car authority in the State of Nevada.
5. That on September 7, 2021, the PLTI was withdrawn.
6. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of

Nevada and within the regulatory jurisdiction of the Authority.

- b. The Applicant complies with the requirements set forth in NRS 706.4463.
- c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 7486** shall be issued BRP Holdings, LLC d/b/a B & R Towing as specified below:

On-call, irregular route transportation of vehicles requiring
tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence, (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.

- f. Provide proof that the Applicant is complying with all municipal, county, and homeowner's association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - g. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - h. Provide a copy of the tow bill which includes the CPCN number granted.
 - i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
7. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
8. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.

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9. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 21-02013	DATE APPLICATION WAS FILED: 02/26/2021
APPLICANT: Jason Goddard	TITLE: Manager
COMPANY NAME: BRP HOLDINGS, LLC dba B & R TOWING	
ADDRESS: 34 NEWMAN LANE CARSON CITY NV 89706	
PHONE NUMBERS: 775 671 2922	
INVESTIGATOR: WOODS	DATE ASSIGNED: 5/24/2021

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?

Charter Bus	
*Tow Car	X
*Consent	X
*Non-Consent	

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES	X	NO	What type of service?
Charter Limousine		Charter Bus					Airport Transfer
Scenic Tours		Special Services					Tow Car
HHG		NEMT					Other States

Attach completed Application Oath page as Exhibit A	Exhibit A
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IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS

Corporation		LLC	X	Partnership		Sole Proprietorship	
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Identify each owner and their percentage of ownership:

RICK PERLEFEIN 50%
BRIAN PERLEFEIN 50%

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
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Briefly describe the responsibilities of each owner.

Brian Perlenfein is one of the two corporate owners headquartered in Oregon, He will be Financial backing only.

Rick Perlenfein is one of the two corporate owners headquartered in Oregon, He will be Financial backing only.

Has the criminal background check disclosed any issue of concern?	YES		NO	X
Name(s): Brian Perlenfein, Rick Perlenfein, Jason Goddard				
Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES		NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES	X	NO	
Is Applicant operating in another state?	YES	X	NO	

If so, which State and under what type of Authority? OREGON/WASHINGTON - Large auto dismantling and tow operation authority for over 20 years.

Exhibit

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.

N/A

Exhibit

If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.

C

Identify key personnel who have no ownership interest and briefly describe their responsibilities:

Jason Goddard Area Manager, will be responsible for (Nevada) hiring/firing, driver training, vehicle maintenance files, driver qualification files, day to day operations. Additional employee/driver will be hired during the Compliance phase.

Describe the type and number of vehicles the applicant intends to operate:

A. Type of Vehicles: 2017 DODGE RAM

B. Number of Vehicles: 1

Exhibit

Attach photographs of vehicles as an exhibit.

D

If available, provide copies of vehicle titles and registration.

E

Describe the facilities to be used for this operation:

Commercial Property

Address (If Known):

34 Newman Ln. Carson City NV 89706

Does the Applicant have an acceptable Timekeeping method?

YES

X

NO

If Yes, Describe: TIMECLOCK

Does the Applicant plan to store their vehicles at a location other than their business domicile?

YES

NO

X

Provide address (If known):

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority?

YES

X

NO

Can the Applicant secure insurance as required by NAC 706.191?

YES

X

NO

Exhibit

Attach appropriate proof of insurance, or ability to obtain, as an exhibit.

F

Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.

Exhibit

G

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files?

YES

X

NO

Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?

YES

X

NO

Does the Applicant understand the requirement that pertain to the establishment

X

of a substance abuse policy/program as contained in 49 CFR Parts 40, 382?	YES		NO
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program?	YES	X	NO
If so, which laboratory? SINNETT CONSULTING			

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO
Attach signed Knowledge Statement.			Exhibit H

COMPLIANCE ITEMS

1 /	Avoid Material Changes
2 /	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3 /	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4 /	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance card, annual (USDOT) vehicle inspections, titles, and registrations.
5 /	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6 /	Ensure vehicle maintenance files are set up in accordance with CFR 396.
7 /	File a copy of consent only copy of tow invoice which includes the CPCN number granted.
8 /	File a copy of dispatch log in accordance with NRS 706.4465
9 /	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
10 /	(TOW CAR) Apply for a tow car plate(s).
11 /	(TOW CAR) Provide copy of Amber light Permit.
12 /	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
13 /	If vehicles are to be parked at a residence, provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
14 /	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: Woods	DATE: 09/03/2021
REVIEWED BY SUPERVISOR: <i>[Signature]</i>	DATE: 9/3/2021
REVIEWED BY FINANCIAL ANALYST: <i>[Signature]</i>	DATE: <i>[Signature]</i>
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: 9/14/21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item#

38

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Rodolfo Montes d/b/a)
G & R Towing Services for a certificate of public)
convenience and necessity to provide consent-only) Docket 21-04004
tow car service within the State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on April 1, 2021, Rodolfo Montes d/b/a G & R Towing Services ("Applicant") filed with the Authority an Application to provide consent-only tow car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 21-04004.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant complies with the requirements set forth in NRS 706.4463.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience

and Necessity identified as **CPCN 7485** shall be issued to Rodolfo Montes d/b/a G & R Towing Services as specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
- a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence, (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.
 - f. Provide proof that the Applicant is complying with all municipal, county, and homeowner's association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - g. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - h. Provide a copy of the tow bill which includes the CPCN number granted.
 - i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the

Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.

- j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.
6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

7. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 21-04004	DATE APPLICATION WAS FILED: 04/01/2021
APPLICANT: Rodolfo Montes	TITLE: Owner
COMPANY NAME: Rodolfo Montes dba G & R Towing Services	
ADDRESS: 3777 White Ivory Ct. Las Vegas, NV. 89147	
PHONE NUMBERS: (702) 235-7278 Fax: (702) 235-7278	
INVESTIGATOR: M.Acevedo	DATE ASSIGNED: 2/30/2021

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	<input type="checkbox"/>
*Tow Car	<input checked="" type="checkbox"/>
*Consent	<input checked="" type="checkbox"/>
*Non-Consent	<input type="checkbox"/>

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES	NO	X	What type of service?
Charter Limousine		Charter Bus					Airport Transfer
Scenic Tours		Special Services					Tow Car
HHG		NEMT					Other States

Attach completed Application Oath page as Exhibit A	Exhibit A
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IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS				
Corporation		LLC		Sole Proprietorship
				<input checked="" type="checkbox"/>

Identify each owner and their percentage of ownership:	
Rodolfo Montes – 100%	

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit N/A
---	------------------------

Briefly describe the responsibilities of each owner.	
Rodolfo Montes – Day to day operations, manager, hiring/firing, vehicle maintenance file, driver qualification file, financial operations, driver.	

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Rodolfo Montes			
Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES	NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES	NO	X
Is Applicant operating in another state?	YES	NO	X
If so, which State and under what type of Authority? (explain)			

ENTERED
8/17/21 DT

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit N/A
---	---------------------------

If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit B
--	-------------------------

Identify key personnel who have no ownership interest and briefly describe their responsibilities:

Will hire as need be.

Describe the type and number of vehicles the applicant intends to operate:

A. Type of Vehicles: 2002, 4300 International - TWK

B. Number of Vehicles: 1

Attach photographs of vehicles as an exhibit.	Exhibit C
If available, provide copies of vehicle titles and registration.	D

Describe the facilities to be used for this operation:

The business domicile will be the Applicant's residence

Address (If Known):

Business domicile – 3777 White Ivory Ct. Las Vegas, NV 89147

Does the Applicant have an acceptable Timekeeping method?	YES	X	NO
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If Yes, Describe: Dispatch log

Does the Applicant plan to store their vehicles at a location other than their business domicile?	YES	X	NO
---	-----	---	----

A commercial or storage location will be used to park the tow truck. The address will be provided during compliance phase.

Provide address (If known):

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority?	YES	X	NO
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Can the Applicant secure insurance as required by NAC 706.191?	YES	X	NO
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Attach appropriate proof of insurance, or ability to obtain, as an exhibit.	Exhibit E
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Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.	Exhibit F
--	---------------------



Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files?	YES	X	NO
--	-----	---	----

Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?	YES	X	NO
---	-----	---	----

Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382?	YES	X	NO	
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program?	YES		NO	X
If so, which laboratory? Will be done in compliance				

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO	
Attach signed Knowledge Statement.				Exhibit G

COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6	Ensure vehicle maintenance files are set up in accordance with CFR 396.
7	File a copy of tow invoice which includes the CPCN number granted.
8	File a copy of dispatch log in accordance with NRS 706.4465
9	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
10	Apply for a tow car plate(s).
11	Provide copy of Amber light Permit.
12	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
13	If vehicles are to be parked at a residence, provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
14	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: M. Acevedo	DATE: 8/12/2021
REVIEWED BY SUPERVISOR: 	DATE: 8/16/21
REVIEWED BY FINANCIAL ANALYST: N/A	DATE:
REVIEWED BY APPLICATION MANAGER: 	DATE: 8/16/21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item#

39

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of J & J's Towing, LLC for)
a certificate of public convenience and necessity to)
provide consent-only tow car service within the) Docket 21-04018
State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on April 14, 2021, J & J's Towing, LLC ("Applicant") filed with the Authority an Application to provide consent-only tow car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 21-04018.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant complies with the requirements set forth in NRS 706.4463.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience

and Necessity identified as **CPCN 7491** shall be issued J & J's Towing, LLC as specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
- a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence, (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.
 - f. Provide proof that the Applicant is complying with all municipal, county, and homeowner's association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - g. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - h. Provide a copy of the tow bill which includes the CPCN number granted.
 - i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the

Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.

- j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.
6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

7. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 21-04018	DATE APPLICATION WAS FILED: 04/14/21
APPLICANT: Javier Venegas Caro	TITLE: Owner
COMPANY NAME: J & J's Towing, LLC	
ADDRESS: 2139 Camel St. Las Vegas, NV 89115	
PHONE NUMBERS: 702-573-3568	
INVESTIGATOR: Burton / Rayson	DATE ASSIGNED: 4/28/21 / 7/28/21

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	<input type="checkbox"/>
*Tow Car	<input checked="" type="checkbox"/>
*Consent	<input checked="" type="checkbox"/>
*Non-Consent	<input type="checkbox"/>

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES	NO	X	What type of service?
Charter Limousine	<input type="checkbox"/>	Charter Bus	<input type="checkbox"/>	Contract Carrier	<input type="checkbox"/>		Airport Transfer
Scenic Tours	<input type="checkbox"/>	Special Services	<input type="checkbox"/>	Taxi	<input type="checkbox"/>		Tow Car
HHG	<input type="checkbox"/>	NEMT	<input type="checkbox"/>	US DOT Authority	<input type="checkbox"/>		Other States

Attach completed Application Oath page as Exhibit A	Exhibit A
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IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS					
Corporation	<input type="checkbox"/>	LLC	<input checked="" type="checkbox"/>	Partnership	<input type="checkbox"/>
				Sole Proprietorship	<input type="checkbox"/>

Identify each owner and their percentage of ownership:
Javier Venegas Caro – 100%

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
---	----------------------

Briefly describe the responsibilities of each owner.
Javier Venegas Caro – Driver, Hiring and Firing, Training Maintaining Driver Qualification and Vehicle Maintenance Files and Oversee all Day to Day Operations.

Has the criminal background check disclosed any issue of concern?	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
Name(s):				
Javier Venegas Caro				
Adriana Alvarez				
Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
Is Applicant operating in another state?	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
If so, which State and under what type of Authority? (explain)				

ENTERED
9/13/21
DT

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit N/A
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If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit N/A
--	--------------------

Identify key personnel who have no ownership interest and briefly describe their responsibilities: Adriana Alvarez - Office Assistant: filing, answering phone.
--

Describe the type and number of vehicles the applicant intends to operate: A. Type of Vehicles: Flat bed Tow Truck B. Number of Vehicles: Applicant plans to begin operation with one vehicle

Attach photographs of vehicles as an exhibit. If available, provide copies of vehicle titles and registration.	Exhibit C
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Describe the facilities to be used for this operation: Applicant plans to operate a home-based business Address (If Known): 2139 Camel St. Las Vegas, NV 89115 Does the Applicant have an acceptable Timekeeping method? YES X NO If Yes, Describe: Dispatch Log

Does the Applicant plan to store their vehicles at a location other than their business domicile? YES NO X Provide address (If known):	
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Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority? YES X NO Can the Applicant secure insurance as required by NAC 706.191? YES X NO	
---	--

Attach appropriate proof of insurance, or ability to obtain, as an exhibit.	Exhibit D
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Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.	Exhibit E
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Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files? YES X NO	
Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records? YES X NO	

Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382?	YES	X	NO	
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program?	YES		NO	X
If so, which laboratory? <i>Compliance</i>				

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO	
Attach signed Knowledge Statement.			Exhibit	F

COMPLIANCE ITEMS	
1	✓ Avoid Material Changes
2	✓ File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	✓ File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	✓ Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	✓ Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6	✓ Ensure vehicle maintenance files are set up in accordance with CFR 396.
7	✓ File a copy of tow invoice which includes the CPCN number granted.
8	✓ File a copy of dispatch log in accordance with NRS 706.4465
9	✓ File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
10	✓ Apply for a tow car plate(s).
11	✓ Provide copy of Amber light Permit.
12	✓ Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
13	✓ If vehicles are to be parked at a residence, provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
14	✓ Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: <i>K. Bay</i>	DATE: <i>8/30/21</i>
REVIEWED BY SUPERVISOR: <i>[Signature]</i>	DATE: <i>8/30/21</i>
REVIEWED BY FINANCIAL ANALYST <i>NA</i>	DATE: <i>9/13/21</i>
REVIEWED BY APPLICATION MANAGER <i>[Signature]</i>	DATE: <i>9/13/21</i>

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item#

40

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Joint Application of Danny Macias to)
sell and transfer and Rigoberto Yepez-Granados to) Docket 21-05012
purchase and acquire 100% of the corporate stock)
of Around the Clock Towing, LLC d/b/a Around)
the Clock Towing Service, a carrier authorized to)
provide non-consent tow car services within the)
State of Nevada under CPCN 7240, Sub 1.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on May 7, 2021, a Joint Application was filed with the Authority by Danny Macias to sell and transfer and Rigoberto Yepez-Granados to purchase and acquire 100% of the corporate stock of Around the Clock Towing, LLC d/b/a Around the Clock Towing Service, a carrier authorized to provide non-consent tow car services within the State of Nevada granted under Certificate of Public Convenience and Necessity ("CPCN") 7240, Sub 1. Said Application was designated as Docket 21-05012.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. Prior to the sale and transfer the stock was owned 100% by Danny Macias.
4. As a result of this sale and transfer the stock will be owned 100% by Rigoberto Yepez-Granados.

5. That based upon all the records pertaining to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Transferee Applicant is fit, willing and able to perform the transportation service for which applied.
 - c. Granting the Application on file herein would be in the public interest.
 - d. The operation contemplated by Transferee Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The Application on file herein is GRANTED for the transportation services specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.
2. Upon full compliance with the condition of this Compliance Order, the certificate identified as CPCN 7240, Sub 1, shall be CANCELLED, and a new Certificate of Public Convenience and Necessity identified as **CPCN 7240, Sub 2**, shall be issued to Around the Clock Towing, LLC d/b/a Around the Clock Towing Service authorizing operation in intrastate commerce as is more particularly described in the first ordering paragraph above.
3. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence of the required insurance (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle available for inspection by Enforcement Staff to ensure that they properly

display the CPCN number, name of the company, and other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.

- e. Ensure driver qualification files are setup in accordance with 49 CFR 391.51. Make available to Enforcement Staff for inspection of business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with title 49, Parts 40 and 382. Explain and make available for inspection set-up of time tracking method put into place.
 - f. Ensure vehicle maintenance files are to be setup and maintained in accordance with 49 CFR 396.
 - g. Provide a copy of the tow bill in accordance with NAC 706.420 which includes the CPCN number granted.
 - h. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - j. Submit proof of fictitious name filing.
 - k. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.
4. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
5. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

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6. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR ALL CARRIER APPLICATIONS
SALE AND TRANSFER OF**

CPCN: 7240

DOCKET NUMBER: 21-05012		DATE APPLICATION WAS FILED: 05/07/21	
SELLER APPLICANT: Danny Macias		TITLE: Owner	
SELLER COMPANY NAME: Around the Clock Towing, LLC d/b/a Around the Clock Towing Service			
ADDRESS: 600 W Bonanza Rd., Las Vegas, NV 89106			
PHONE NUMBERS: 702-378-5591			
BUYER APPLICANT: Rigoberto Yepez-Granados		TITLE: Owner	
BUYER COMPANY NAME: Around the Clock Towing, LLC d/b/a Around the Clock Towing			
ADDRESS: 600 W Bonanza Rd., Las Vegas, NV 89106			
PHONE NUMBERS: 702-504-7982			
ATTORNEY: N/A		PHONE#: N/A	
INVESTIGATOR: D. Main		DATE ASSIGNED: 05/20/21	

WHAT TYPE OF AUTHORITY/SERVICE DOES THE SELLER APPLICANT HAVE?							
Charter Limousine	<input type="checkbox"/>	Contract Carrier	<input type="checkbox"/>	Airport Transfer	<input type="checkbox"/>	Scenic Tours	<input type="checkbox"/>
Special Services	<input type="checkbox"/>	Charter Bus	<input type="checkbox"/>	HHG	<input type="checkbox"/>	NEMT	<input type="checkbox"/>
US DOT Authority	<input type="checkbox"/>	Other States	<input type="checkbox"/>	Taxi	<input type="checkbox"/>	*Tow Car	<input checked="" type="checkbox"/>
						*Consent	<input checked="" type="checkbox"/> X Non-consent

Attach completed Application Oath pages as Exhibit A	Exhibit A
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IDENTIFY NEW OWNERSHIP STRUCTURE AS PROPOSED BY BUYER APPLICANT							
Corporation	<input type="checkbox"/>	LLC	<input checked="" type="checkbox"/> X	Partnership	<input type="checkbox"/>	Sole Proprietorship	<input type="checkbox"/>
Identify each new owner and their percentage of ownership:							
Rigoberto Yepez-Granados – 100 %							

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
Will the Applicant (Buyer) be operating under a fictitious firm name? If so, attach copy to exhibit – this will be added as a compliance requirement. Upon approval the applicant will submit for dba approval and submit proof to the NTA.	-----

Briefly describe the responsibilities of each new owner, (i.e. driver, operational manager, mechanic, bookkeeper, financial backing only, etc):
Mr. Yepez-Granados will be responsible for all day-to-day operations to include hiring, firing managing and training all drivers. He will maintain the driver qualification and vehicle maintenance files in accordance with the requirements. He will also dispatch and coordinate all tows. Mr. Yepez-Granados does not intend to be a driver. He will hire 1-2 drivers initially and add more as the business grows.

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Rigoberto Yepez-Granados – no issues of concern were noted during this process.			
Has the <u>Seller</u> had any previous NTA enforcement action? (Including against the company's drivers)	YES	NO	X
Has the <u>Buyer</u> had any previous NTA enforcement action? (Including against the companies drivers)	YES	NO	X


 DT
NTA

Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES		NO	X
Is Applicant operating in another state?	YES		NO	X
If so, which State and under what type of Authority?				
Explain:				

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit			
	N/A			

Will (Buyer) Applicant utilize the same domicile currently being used by Seller?	YES	X	NO	
If not, what is the domicile address:				
Does the Applicant have an acceptable Timekeeping method?	YES	X	NO	
If Yes, Describe: Dispatch log				

Does the (Buyer) Applicant plan to store equipment at a location other than their legal domicile?	YES		NO	X
If so, provide address (If known):				

Does the (Buyer) Applicant understand the operating authority sought, and is their plans consistent with that authority?	YES	X	NO	
Can the Applicant secure insurance as required by NAC 706.191?	YES	X	NO	

Attach appropriate proof of insurance, or ability to obtain, as an Exhibit	Exhibit
	C

Does the Applicant (Buyer) understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance of driver qualification files?	YES	X	NO	
Does the Applicant (Buyer) understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?	YES	X	NO	
Does the Applicant (Buyer) understand the requirements that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382, and 391?	YES	X	NO	
Has the Applicant (Buyer) contracted with a laboratory to perform and monitor their substance abuse program?	YES		NO	X

If so, which laboratory?	COMPLIANCE			
Does the Applicant (Buyer) have adequate personnel (drivers, managers, etc) to operate their business?	YES	X	NO	

Attach copies of the Buyer Applicant's proposed charter orders, bills of lading, tow bill (invoice), tariff (tow only) etc., as applicable, as an Exhibit	Exhibit
	D



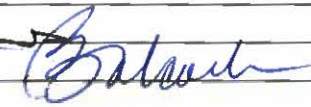
Has the Applicant (Buyer) demonstrated an adequate working knowledge of the statutes and regulations that pertain to operating authority sought (Including all relevant provisions of NRS Chapter 706, NAC Chapter 706, and 49 CFR?	YES	X	NO	
Does the Applicant (Buyer) understand the limitations inherent in their grant of operating authority (i.e. consent vs. non-consent tows, charter bus vs. scenic tours)?	YES	X	NO	

Attach Operational Inspection as an Exhibit	Exhibit
	E

Attach signed Knowledge Statement.	Exhibit
	F

COMPLIANCE ITEMS

1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly registered in motor carrier's name, display CPCN number, name of motor carrier, or logo, and any other required markings. Provide copies of Insurance cab card, annual (USDOT) vehicle inspection, titles, and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Explain and make available set-up of time tracking method put into place. Ensure all drivers have pre-employment drug testing in accordance with CFR 382.301. Make available to Enforcement Staff for inspection their business and equipment domiciles.
6	Ensure vehicle maintenance files are setup in accordance with CFR 396.
7	File a copy of carrier's tow invoice, which includes the CPCN number granted.
8	File a tariff for approval by the Financial Analyst.
9	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
10	Submit proof of fictitious firm name filing.
11	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: 	DATE: 09/02/21
REVIEWED BY SUPERVISOR: 	DATE: 9/2/21
REVIEWED BY APPLICATION MANAGER: 	DATE: 9/3/21

A listed EXHIBIT, (A,B,C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant will be marked as NA.

Agenda Item#

41

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Freddy's Towing LLC)
for a certificate of public convenience and necessity)
to provide consent-only tow car service within the) Docket 21-05024
State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on May 19, 2021, Freddy's Towing LLC ("Applicant") filed with the Authority an Application to provide consent-only car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 21-05024.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant complies with the requirements set forth in NRS 706.4463.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience

and Necessity identified as **CPCN 7487** shall be issued Freddy's Towing LLC as specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:

- a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
- b. File with the Authority evidence, (Form E) in the Applicant's name.
- c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
- d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
- e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.
- f. Provide proof that the Applicant is complying with all municipal, county, and homeowner's association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
- g. Ensure vehicle maintenance files are setup in accordance with CFR 396.
- h. Provide a copy of the tow bill which includes the CPCN number granted.
- i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the

Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.

- j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.
6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

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The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 21-05024	DATE APPLICATION WAS FILED: 5/19/2021
APPLICANT: Carlos A. Arriaga Ramirez	TITLE: Owner
COMPANY NAME: Freddy's Towing, LLC	
ADDRESS: 5041 Milange St. N. Las Vegas, Nv. 89031	
PHONE NUMBERS: (702) 588-0874	
INVESTIGATOR: M. Acevedo	DATE ASSIGNED: 6/14/2021

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	<input type="checkbox"/>
*Tow Car	<input checked="" type="checkbox"/>
*Consent	<input checked="" type="checkbox"/>
*Non-Consent	<input type="checkbox"/>

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES		NO		X		What type of service?
Charter Limousine		Charter Bus		Contract Carrier		Airport Transfer				
Scenic Tours		Special Services		Taxi		Tow Car				
HHG		NEMT		US DOT Authority		Other States				

Attach completed Application Oath page as Exhibit A	Exhibit A
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IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS			
Corporation	<input type="checkbox"/>	LLC	<input checked="" type="checkbox"/>
Partnership	<input type="checkbox"/>	Sole Proprietorship	<input type="checkbox"/>

Identify each owner and their percentage of ownership: Carlos A. Arriaga – 100%

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
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Briefly describe the responsibilities of each owner. Carlos A. Arriaga – Driver, day to day operations, hiring and firing, financial operations, training,
--

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Carlos A. Arriaga Carlos A. Arriaga Jr.			
Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES	NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES	NO	X
Is Applicant operating in another state?	YES	NO	X
If so, which State and under what type of Authority? (explain)			


 ENTERED
 8/19/21 RB DT

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit N/A
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If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit N/A
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Identify key personnel who have no ownership interest and briefly describe their responsibilities: Carlos A. Arriaga Jr. – Manager – Day to day operations, driver qualification file, vehicle maintenance file.

Describe the type and number of vehicles the applicant intends to operate: A. Type of Vehicles: 4300- 2007, International B. Number of Vehicles: 1
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Attach photographs of vehicles as an exhibit. If available, provide copies of vehicle titles and registration.	Exhibit C N/A
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Describe the facilities to be used for this operation: Applicant's primary residency Address (If Known): 5041 Milange St. N Las Vegas, NV. 89031 Does the Applicant have an acceptable Timekeeping method? YES X NO If Yes, Describe: Dispatch Log

Does the Applicant plan to store their vehicles at a location other than their business domicile? YES NO X Provide address (If known):

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority? YES X NO Can the Applicant secure insurance as required by NAC 706.191? YES X NO Attach appropriate proof of insurance, or ability to obtain, as an exhibit. Exhibit D
--

Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff. Exhibit E
--

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files? YES X NO Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records? YES X NO Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382? YES X NO Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program? Will be done in the compliance phase. NO X
--

YES			
If so, which laboratory?			

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO
Attach signed Knowledge Statement.			Exhibit F

COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6	Ensure vehicle maintenance files are set up in accordance with CFR 396.
7	File a copy of tow invoice which includes the CPCN number granted.
8	File a copy of dispatch log in accordance with NRS 706.4465
9	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
10	Apply for a tow car plate.
11	Provide copy of Amber light Permit.
12	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
13	If vehicles are to be parked at a residence, provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
14	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: M. Acevedo	<i>M. Acevedo</i>	DATE: 8/16/2021
REVIEWED BY SUPERVISOR:	<i>[Signature]</i>	DATE: 8/17/21
REVIEWED BY FINANCIAL ANALYST	N/A	DATE:
REVIEWED BY APPLICATION MANAGER	<i>[Signature]</i>	DATE: 8/18/21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item# 42

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of All Star Towing & Recovery, LLC d/b/a All Star Towing & Recovery for a certificate of public convenience and necessity to provide consent-only tow car service within the State of Nevada.)
)
)
)
)
)

Docket 21-06008

At a general session of the Nevada Transportation Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on June 4, 2021, All Star Towing & Recovery, LLC d/b/a All Star Towing & Recovery (“Applicant”) filed with the Authority an Application to provide consent -only tow car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 21-06008.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant complies with the requirements set forth in NRS 706.4463.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 7488** shall be issued All Star Towing & Recovery, LLC d/b/a All Star Towing & Recovery as specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence, (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.
 - f. Provide proof that the Applicant is complying with all municipal, county, and homeowner's association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - g. Ensure vehicle maintenance files are setup in accordance with CFR 396.

- h. Provide a copy of the tow bill which includes the CPCN number granted.
 - i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.
6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

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The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 21-06008	DATE APPLICATION WAS FILED: 6/14/2021
APPLICANT: Seth Linder	TITLE: OWNER
COMPANY NAME: ALL STAR TOWING & RECOVERY LLC dba ALL STAR TOWING & RECOVERY	
ADDRESS: 325 WESTBROOK LANE RENO NV., 89506	
PHONE NUMBERS: 775 225 5989	
INVESTIGATOR: WOODS/BURTON	DATE ASSIGNED: 06/04/2021

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	
*Tow Car	X
*Consent	X
*Non-Consent	

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES	NO	X	What type of service?
Charter Limousine		Charter Bus					Airport Transfer
Scenic Tours		Special Services					Tow Car
HG		NEMT					Other States

Attach completed Application Oath page as Exhibit A	Exhibit A
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IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS					
Corporation		LLC	X	Partnership	
				Sole Proprietorship	

Identify each owner and their percentage of ownership: SETH LINDER 100%	
Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B

Briefly describe the responsibilities of each owner. Seth Linder, Owner: Will be responsible for hiring and firing of employees, maintaining driver qualification and vehicle maintenance files, driver training, and day to day operations.	
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Has the criminal background check disclosed any issue of concern?	YES		NO	X
Name(s): Seth Linder				
Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES		NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit) DOT 3656077	YES	X	NO	
Is Applicant operating in another state?	YES		NO	X
If so, which State and under what type of Authority? (explain)				


 RAS DT

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit C
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If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit D
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Identify key personnel who have no ownership interest and briefly describe their responsibilities: Breanna Hughett conducting administrative assistance.

Describe the type and number of vehicles the applicant intends to operate: A. Type of Vehicles: INTERNATIONAL FLAT BED TOW B. Number of Vehicles: 1

Attach photographs of vehicles as an exhibit. If available, provide copies of vehicle titles and registration.	Exhibit E
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Describe the facilities to be used for this operation: TO BE DETERMINED DURING COMPLIANCE Address (If Known): Does the Applicant have an acceptable Timekeeping method? YES X NO If Yes, Describe: TIMECLOCK

Does the Applicant plan to store their vehicles at a location other than their business domicile? YES X NO Provide address (If known):

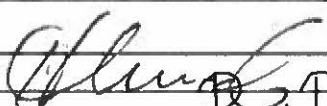
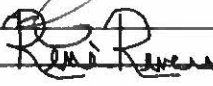
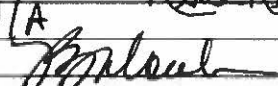
Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority? YES X NO Can the Applicant secure insurance as required by NAC 706.191? YES X NO Attach appropriate proof of insurance, or ability to obtain, as an exhibit.	Exhibit F
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Attach copies of the Applicant's copy of a tariff.	Exhibit G
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Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files? YES X NO Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records? YES X NO Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382? YES X NO Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program? YES X NO If so, which laboratory? SINETT CONSULTING
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Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO
Attach signed Knowledge Statement.			Exhibit H

COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6	Ensure vehicle maintenance files are set up in accordance with CFR 396.
7	File a copy of tow invoice which includes the CPCN number granted.
8	File a copy of dispatch log in accordance with NRS 706.4465
9	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
10	(TOW CAR) Apply for a tow car plate(s).
11	(TOW CAR) Provide copy of Amber light Permit.
12	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
13	If vehicles are to be parked at a residence, provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
14	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: WOODS/BURTON		DATE: 8/16/21
REVIEWED BY SUPERVISOR:		DATE: 8/17/21
REVIEWED BY FINANCIAL ANALYST	N/A	DATE:
REVIEWED BY APPLICATION MANAGER		DATE: 8-26-21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item#

43

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Rescue Towing, LLC)
d/b/a Rescue Towing for a certificate of public)
convenience and necessity to provide consent and) Docket 21-06016
non-consent tow car service within the State of)
Nevada.)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on June 9, 2021, Rescue Towing, LLC d/b/a Rescue Towing ("Applicant") filed with the Authority an Application to provide consent and non-consent tow car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 21-06016.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant complies with the requirements set forth in NRS 706.4463.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

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Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 7489** shall be issued Rescue Towing, LLC d/b/a Rescue Towing as specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence, (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location. Also, make available for inspection of the tow yard.
 - f. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - g. Provide a copy of the tow bill which includes the CPCN number granted.
 - h. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the Contract must require the laboratory to provide results of positive drug/alcohol tests

directly to the Authority.

- i. Provide a copy of a dispatch log in accordance with NAC 706.430.
 - j. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - k. Apply for Tow Car Plates and pay any and all associated fees.
 - l. Provide a copy of the Amber Light Permit.
 - m. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.
6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

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7. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 21-06016	DATE APPLICATION WAS FILED: 06/09/2021
APPLICANT: Zohar Garcia	TITLE: Owner
COMPANY NAME: Rescue Towing, LLC d/b/a Rescue Towing	
ADDRESS: 6407 Swan Song Road, Las Vegas, NV 89142	
PHONE NUMBERS: 702-883-4457	
INVESTIGATOR: D. Main	DATE ASSIGNED: 06/14/2021

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	
*Tow Car	X
*Consent	X
*Non-Consent	X

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES	NO	X	What type of service?
Charter Limousine		Charter Bus					Airport Transfer
Scenic Tours		Special Services					Tow Car
HHG		NEMT					Other States
							US DOT Authority

Attach completed Application Oath page as Exhibit A	Exhibit A
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IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS			
Corporation		LLC	X
Partnership		Sole Proprietorship	

Identify each owner and their percentage of ownership:

Zohar Garcia – 100%

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
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Briefly describe the responsibilities of each owner.

Mr. Garcia will be responsible for all day-to-day operations to include: hiring, firing and training of all employees, maintenance of driver qualification files and vehicle maintenance files, maintain all other documents for the company, scheduling/dispatching, etc.

He intends to hire drivers upon approval.

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Zohar Garcia – no issues of concern were noted during this process.			
Has there been any previous NTA enforcement action? (Including against the company's drivers)	YES	NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES	NO	X
Is Applicant operating in another state?	YES	NO	X
If so, which State and under what type of Authority? (explain)			



DT

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit
	N/A

If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit
	C

Identify key personnel who have no ownership interest and briefly describe their responsibilities:
There will not be any other key personnel operating the business.

Describe the type and number of vehicles the applicant intends to operate:
A. Type of Vehicles: International Flatbed or similar
B. Number of Vehicles: 1

Attach photographs of vehicles as an exhibit.	Exhibit
If available, provide copies of vehicle titles and registration.	D
COMPLIANCE	-----

Describe the facilities to be used for this operation: Commercial Lot Based Business with approved tow yard.		
Address (If Known): COMPLIANCE		
Does the Applicant have an acceptable Timekeeping method?	YES	NO
If Yes, Describe:	COMPLIANCE	

Does the Applicant plan to store their vehicles at a location other than their business domicile?	YES	NO
Provide address (If known):	COMPLIANCE	

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority?	YES	X	NO
Can the Applicant secure insurance as required by NAC 706.191?	YES	X	NO
Attach appropriate proof of insurance, or ability to obtain, as an exhibit.	Exhibit E		

Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.	Exhibit F
--	-----------

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files?	YES	X	NO
Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?	YES	X	NO
Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382?	YES	X	NO
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program?	YES		NO
If so, which laboratory?	COMPLIANCE		

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO	
Attach signed Knowledge Statement.				Exhibit G

COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6	Ensure vehicle maintenance files are set up in accordance with CFR 396.
7	File a copy of tow bill in accordance with NAC 706.420.
8	File a copy of dispatch log in accordance with NAC 706.430.
9	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
10	(Non-Consent tows) Inspect tow yard and attach inspection sheet.
11	(TOW CAR) Apply for a tow car plate(s).
12	(TOW CAR) Provide copy of Amber light Permit.
13	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
14	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: <i>J. Maw</i>	DATE: 08/19/21
REVIEWED BY SUPERVISOR: <i>[Signature]</i>	DATE: 8/24/21
REVIEWED BY FINANCIAL ANALYST: <i>[Signature]</i>	DATE: 9-8-2021
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: 9-8-2021

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item#

44

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of HTL Towing, LLC for a)
certificate of public convenience and necessity to)
provide consent-only tow car service within the) Docket 21-06017
State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on June 9, 2021, HTL Towing, LLC ("Applicant") filed with the Authority an Application to provide consent-only tow car service by tow car vehicle within the State of Nevada. Said Application was designated as Docket 21-06017.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That based upon all the records relating to the Application, after investigation and pursuant to NRS 706.4463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant complies with the requirements set forth in NRS 706.4463.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience

and Necessity identified as **CPCN 7490** shall be issued HTL Towing, LLC as specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
- a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence, (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
 - d. Make vehicle(s) available for inspection by Enforcement Staff to ensure that they are properly registered in the motor carrier's name, display the CPCN number, logo and/or name of the motor carrier and any other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of the insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
 - e. Ensure driver qualification files are setup in accordance with CFR 391.51. Explain and make available for review, the set-up for the time tracking method put into place. Ensure that all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.301. Make available to Enforcement Staff, inspection of their business and vehicle domiciles, if different from their business location.
 - f. Provide proof that the Applicant is complying with all municipal, county, and homeowner's association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - g. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - h. Provide a copy of the tow bill which includes the CPCN number granted.
 - i. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also serve as driver, the

Contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.

- j. Provide a copy of a dispatch log in accordance with NRS 706.4465.
 - k. File a tariff for approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name, address, and phone number of the Applicant.
 - l. Apply for Tow Car Plates and pay any and all associated fees.
 - m. Provide a copy of the Amber Light Permit.
 - n. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.
3. Compliance with the foregoing requirements must be made NO LATER THAN 120 days after issuance of this Order. If the Applicant fails to comply within 120 days after issuance of this Order, the Deputy Commissioner may vacate this Order and dismiss this Application.
4. This Order does not constitute operating authority. **Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the Certificate referred to hereinabove.**
5. If the Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the Certificate referred to hereinabove, the Deputy Commissioner shall vacate this Order and dismiss this Application unless the Authority orders otherwise.
6. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon Applicant's compliance with all requirements set forth hereinabove.

7. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 21-06017	DATE APPLICATION WAS FILED: 06-09-21
APPLICANT: Yadira C Ferrer Fernandez	TITLE: Owner
COMPANY NAME: HTL Towing, LLC	
ADDRESS: 2304 Hedgewood Dr., N. Las Vegas, NV 89032	
PHONE NUMBERS: 775-910-5251	
INVESTIGATOR: D. Main	DATE ASSIGNED: 06/14/21

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	
*Tow Car	X
*Consent	X
*Non-Consent	

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES	NO	X	What type of service?
Charter Limousine		Charter Bus					Airport Transfer
Scenic Tours		Special Services					Tow Car
HHG		NEMT					Other States
							US DOT Authority

Attach completed Application Oath page as Exhibit A	Exhibit A
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IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS			
Corporation		LLC	X
Partnership		Sole Proprietorship	

Identify each owner and their percentage of ownership:
Yadira C Ferrer Hernandez – 100%

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
--	----------------------

Briefly describe the responsibilities of each owner.
Ms. Yadira C Ferrer Fernandez will be responsible for all day-to-day operations of the business to include maintaining the driver qualification and vehicle maintenance files. As well as doing all of the hiring, firing and training herself. She intends to hire a driver during the compliance phase of the process as she does not intend to operate the tow truck herself. She has not identified who the driver will be yet.

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Yadira C Ferrer Hernandez and Heydis Cordero Ferrer – no issues of concern were noted during this process for either person.			
Has there been any previous NTA enforcement action? (Including against the company's drivers)	YES	NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES	NO	X
Is Applicant operating in another state?	YES	NO	X
If so, which State and under what type of Authority? (explain)			


 ENTERED
 8/23/21
 DT

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit N/A
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If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit N/A
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Identify key personnel who have no ownership interest and briefly describe their responsibilities: Heydis Cordero Ferrer, Manager – will assist the owner with all day to day operations including helping to maintain driver files, vehicle files, dispatching and other duties as assigned to keep the company running smoothly.	
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Describe the type and number of vehicles the applicant intends to operate: A. Type of Vehicles: 2005 International 430 B. Number of Vehicles: 1	
---	--

Attach photographs of vehicles as an exhibit.	Exhibit C
If available, provide copies of vehicle titles and registration.	N/A

Describe the facilities to be used for this operation: Home Office Address (If Known): 2304 Hedgewood Dr., N. Las Vegas, NV 89032	
Does the Applicant have an acceptable Timekeeping method?	YES <input type="checkbox"/> NO <input type="checkbox"/>
If Yes, Describe:	COMPLIANCE

Does the Applicant plan to store their vehicles at a location other than their business domicile?	YES <input type="checkbox"/> X NO <input type="checkbox"/>
Provide address (If known): Unknown at this time but Applicant has state it will be a commercial storage facility.	

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority?	YES <input type="checkbox"/> X NO <input type="checkbox"/>
Can the Applicant secure insurance as required by NAC 706.191?	YES <input type="checkbox"/> X NO <input type="checkbox"/>

Attach appropriate proof of insurance, or ability to obtain, as an exhibit.	Exhibit D
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Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.	Exhibit E
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Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files?	YES <input type="checkbox"/> X NO <input type="checkbox"/>
Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?	YES <input type="checkbox"/> X NO <input type="checkbox"/>
Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382?	YES <input type="checkbox"/> X NO <input type="checkbox"/>

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO	
Attach signed Knowledge Statement.				Exhibit F

COMPLIANCE ITEMS

1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
6	Ensure vehicle maintenance files are set up in accordance with CFR 396.
7	File a copy of tow invoice which includes the CPCN number granted.
8	File a copy of dispatch log in accordance with NRS 706.4465
9	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
10	(TOW CAR) Apply for a tow car plate(s).
11	(TOW CAR) Provide copy of Amber light Permit.
12	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
13	If vehicles are to be parked at a residence, provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
14	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: <i>D. N. M. W.</i>	DATE: 08/19/21
REVIEWED BY SUPERVISOR: <i>[Signature]</i>	DATE: 8/20/21
REVIEWED BY FINANCIAL ANALYST: <i>JA</i>	DATE:
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: 8/23/21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item#

45

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Application of J & S)
Transportation, LLC d/b/a Discreet for a Certificate of) Docket 21-05025
Public Convenience and Necessity to provide)
intrastate charter bus service within the State of)
Nevada.)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on May 20, 2021, J & S Transportation, LLC d/b/a Discreet ("Applicant") filed an Application with the Authority for a Certificate of Public Convenience and Necessity to provide intrastate charter bus service within the State of Nevada. Said Application was designated as Docket 21-05025.
2. That the Application was properly noticed to the public and no Petitions for Leave to Intervene or Protests were filed.
3. That based on all records relating to the Application, after investigation, and pursuant to NRS 706.463:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant is fit, willing, and able to comply with the provision of NRS and NAC 706 relating to safety.
 - c. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The Application on file herein shall be GRANTED authorizing the following transportation services:

Operate as a passenger carrier to provide intrastate charter bus service between points and places within the State of Nevada.

2. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 2290** shall be issued to J & S Transportation, LLC d/b/a Discreet authorizing operation in intrastate commerce as is more particularly described in the first ordering paragraph hereinabove.
3. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational or financial fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence of the required insurance (Form E) in the Applicant's name
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicles covered.
 - d. Make vehicle available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of the company, and other required markings in accordance with NAC 706.170 and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
 - e. Ensure all drivers have applied for driver's permit.
 - f. Ensure driver qualification files are setup in accordance with 49 CFR 391.51. Make available to Enforcement Staff for inspection of business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with title 49, Parts 40 and 382. Explain and make available for inspection set-up of time tracking method put into place.
 - g. Ensure vehicle maintenance files are to be setup and maintained in accordance with 49 CFR 396.

- h. Provide a copy of the charter order to include CPCN number.
 - i. File for review by Authority Staff, a final tariff that includes a description of the Authority granted, CPCN number, and the name and address of the Applicant.
 - j. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also operate as a driver, the contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - k. Provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - l. Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority
4. Compliance with the foregoing requirements must be made by the Applicant NO LATER THAN 120 days from the date of this Order. If the Applicant fails to comply within 120-day time period, the Deputy Commissioner of the Authority may vacate this Compliance Order and dismiss this Application.
5. **This Order does not constitute operating authority. Performance of the transportation services contemplated by this Order may not be instituted prior to the issuance of the above-referenced Certificate.**
6. If Applicant is cited by the Authority for any violation of NRS 706 or NAC 706 prior to the issuance of the above-referenced Certificate, the Deputy Commissioner shall vacate this Order and dismiss the Application, unless the Authority orders otherwise.
7. The Deputy Commissioner shall be authorized to issue the above-referenced Certificate of Public Convenience and Necessity upon all requirements herein having been met by the Applicant.

8. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR NON-FULLY REGULATED CARRIERS**

DOCKET NUMBER: 21-05025	DATE APPLICATION WAS FILED: 05/20/21
APPLICANT: Jonathan Westall	TITLE: Owner
COMPANY NAME: J & S Transportation, LLC d/b/a Discreet	
ADDRESS: 21 Morninglow Pass, Henderson, NV 89052	
PHONE NUMBERS: 213-808-9952	
INVESTIGATOR: D. Main	DATE ASSIGNED: 06/14/21

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?	
Charter Bus	<input checked="" type="checkbox"/>
*Tow Car	<input type="checkbox"/>
*Consent	<input type="checkbox"/>
*Non-Consent	<input type="checkbox"/>

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE:				YES	NO	X	What type of service?
Charter Limousine		Charter Bus					Airport Transfer
Scenic Tours		Special Services					Tow Car
HHG		NEMT					Other States
							US DOT Authority

Attach completed Application Oath page as Exhibit A	Exhibit A
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IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS			
Corporation	<input type="checkbox"/>	LLC	<input checked="" type="checkbox"/>
Partnership	<input type="checkbox"/>	Sole Proprietorship	<input type="checkbox"/>

Identify each owner and their percentage of ownership: Jonathan Westall – 70% Stephen Harris – 30%	
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Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
--	----------------------

Briefly describe the responsibilities of each owner. Mr. Westall will be responsible for daily operations to include compliance, insurances, scheduling, marketing, HR Functions/duties. Mr. Harris will be the original responsible driver. As the company grows, he will be responsible for training/hiring/firing of employees, scheduling and oversight of all charter paperwork associated with rides.	
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Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Jonathan Westall and Stephen Harris – no issues of concern were noted during this process for either owner.			

ENTERED
 6/23/21
 DT

Has there been any previous NTA enforcement action? (Including against the company's drivers)	YES		NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES		NO	X
Is Applicant operating in another state?	YES		NO	X
If so, which State and under what type of Authority? (explain)				

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit
	N/A

If the Applicant will be operating under a fictitious firm name, attach a copy of their fictitious firm name filing.	Exhibit
	C

Identify key personnel who have no ownership interest and briefly describe their responsibilities:
There will not be any other key personnel at this time.

Describe the type and number of vehicles the applicant intends to operate:
A. Type of Vehicles: 2016 Freightliner – 45 passenger bus
B. Number of Vehicles: 1

Attach photographs of vehicles as an exhibit.	Exhibit
If available, provide copies of vehicle titles and registration.	D
COMPLIANCE	N/A

Describe the facilities to be used for this operation: COMPLIANCE				
Address (If Known): COMPLIANCE				
Does the Applicant have an acceptable Timekeeping method?	YES		NO	
If Yes, Describe:	COMPLIANCE			

Does the Applicant plan to store their vehicles at a location other than their business domicile?	YES		NO	
Provide address (If known):	COMPLIANCE			

Does the Applicant understand the operating authority sought, and is their plans consistent with the applied authority?	YES	X	NO	
Can the Applicant secure insurance as required by NAC 706.191?	YES	X	NO	
Attach appropriate proof of insurance, or ability to obtain, as an exhibit.	Exhibit			
	E			

Attach copies of the Applicant's charter orders, tow bill, tow invoice (whichever is applicable) and for tow companies only, a copy of a tariff.	Exhibit
	F

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance driver qualification files?	YES	X	NO	
Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?	YES	X	NO	
Does the Applicant understand the requirement that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382?	YES	X	NO	
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program?	YES		NO	X
If so, which laboratory?	COMPLIANCE			

Has the Applicant signed the NTA Knowledge Statement?	YES	X	NO	
Attach signed Knowledge Statement.				Exhibit G

COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), or required insurance in Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, and vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly display the CPCN number, name of company, and other required markings, in accordance with NAC 706.170, and NAC 706.412. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles, and registrations.
5	Ensure all drivers have applied for temporary drivers permit (passenger transportation only)
6	Ensure Driver qualification files are setup in accordance with CFR 391.51. Make available to Enforcement Staff for inspection of their business and vehicle domiciles. Ensure all drivers have pre-employment drug testing in accordance with Title 49, Parts 40, and 382. Explain and make available for inspection set-up of time tracking method put into place.
7	Ensure vehicle maintenance files are set up in accordance with CFR 396.
8	File a copy of Charter Order if Charter Bus Service with CPCN
9	File a tariff for review/approval by the Financial Analyst, which includes a description of the authority granted, CPCN number, and the name and address of the Applicant.
10	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
11	If vehicles are to be parked at a residence, provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
12	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: <i>D. M. [Signature]</i>	DATE: 08/18/21
REVIEWED BY SUPERVISOR: <i>[Signature]</i>	DATE: 8/20/21
REVIEWED BY FINANCIAL ANALYST: <i>UJA</i>	DATE:
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: 8/23/21

A listed EXHIBIT, (A, B, C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Agenda Item#

46

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of We Move Las Vegas,)
LLC d/b/a We Move Las Vegas to discontinue) Docket 21-08018
operations authorized under Certificate of Public)
Convenience and Necessity 3369, from August 12,)
2021 through November 12, 2021.)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on August 13, 2021, Oz Malka, Owner of We Move Las Vegas, LLC d/b/a We Move Las Vegas ("Petitioner") filed a Request, designated as Docket 21-08018, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 3369, for the period of August 12, 2021 through November 12, 2021. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That said Request requires retroactive approval.
3. That the Request on file herein comes within the purview of the statutes of the State of Nevada.
4. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of We Move Las Vegas, LLC d/b/a We Move Las Vegas to temporarily discontinue operations authorized under CPCN 3369, is hereby GRANTED for the period

August 12, 2021 through November 12, 2021 subject to the condition set forth in subparagraph 2 below.

2. Prior to resuming operations under CPCN 3369, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Undergo an operational inspection by Authority Staff **PRIOR** to resuming said operations,
 - b. Provide evidence of current vehicle liability insurance and Form E,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - f. Ensure all vehicles have current decals, and
 - g. Pay all fines and fees due to the Authority.
3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

8/17/21 rmb
DT/NTA

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

21-08018
RECEIVED

AUG 13 2021

Nevada Transportation Authority
Las Vegas, Nevada

Request to Temporarily Discontinue Service

Company Name: WE MOVE LAS VEGAS LLC

Address: 3950 W HARMON AVE

City, State, Zip: LAS VEGAS NV 89103

CPCN: 3369

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 8-12-2021 to 11-12-2021. (Not to exceed 6 months)

This request is due to: _____

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

Signature of Certificate Holder

Printed name of Certificate Holder

Phone number

Fax number

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

accepted
BY Rmm

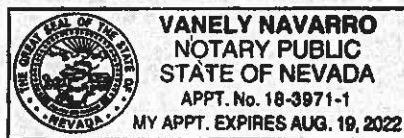
OATH

STATE OF Nevada
COUNTY OF Clark

I, OZ Ezra Maika, being duly sworn, state that I file this application as (indicate relationship to applicant, i.e. owner, title as officer, etc.)
WE MOVE LAS VEGAS LLC; that, in such capacity, I am qualified and authorized to file and verify such application; that I have carefully examined all the statements and matters contained in the application; and that all such statements made and matters set forth therein are true and correct to the best of my knowledge, information, and belief. Affiant further states that the application is made in good faith and presents evidence in support of said application on every particular requested by the Nevada Transportation Authority.


Signature of Affiant

Subscribed to and sworn before me on this
13th day of August, 2021.
Vanely Navarro
Notary Public



Signature of Attorney, if any

Mailing address of applicant:

3950 W Horizon

Mailing address of attorney:

Phone: (702) 883-0000

Phone: _____

Fax: _____

Fax: _____

Email: OZ@wemove Las Vegas

Email: _____

Agenda Item#

47

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of New Charters Nevada,)
Inc. to discontinue operations authorized under) Docket 21-09003
Certificate of Public Convenience and Necessity 2110,)
from September 1, 2021 through March 1, 2022.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on September 13, 2021, Jason Recabarren, Owner of New Charters Nevada, Inc. ("Petitioner") filed a Request, designated as Docket 21-09003, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2110, for the period of September 1, 2021 through March 1, 2022. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That said Request requires retroactive approval.
3. That the Request on file herein comes within the purview of the statutes of the State of Nevada.
4. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of New Charters Nevada, Inc. to temporarily discontinue operations authorized under CPCN 2110, is hereby GRANTED for the period September 1, 2021 through March 1,

2021 subject to the condition set forth in subparagraph 2 below.

2. Prior to resuming operations under CPCN 2110, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Undergo an operational inspection by Authority Staff **PRIOR** to resuming said operations,
 - b. Provide evidence of current vehicle liability insurance and Form E,
 - c. Provide a list of all current drivers,
 - d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs, and
 - f. Pay all fines and fees due to the Authority.
3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

21-09003

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

RECEIVED

SEP 13 2021

Nevada Transportation Authority
Las Vegas, Nevada

Request to Temporarily Discontinue Service

Company Name: New Charters Nevada, Inc

Address: 5125 W Oquendo Rd # 8

City, State, Zip: Las Vegas, NV 89118

CPCN: 2110

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 09/01/2021 to 03/01/2022. (Not to exceed 6 months)

This request is due to: Renewal of insurance delayed.

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.


Signature of Certificate Holder

Jason Reardon

Printed name of Certificate Holder

7025234708

Phone number

Fax number

newcharters@yahoo.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

48

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of Vegas Black Car, LLC)
d/b/a VBC to discontinue operations authorized under) Docket 20-01011
Certificate of Public Convenience and Necessity 2256)
from September 28, 2021 through March 26, 2022.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on December 3, 2019, Glen Grady, Owner of Vegas Black Car, LLC d/b/a VBC ("Petitioner") filed a Request, designated as Docket 20-01011, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2256 for the period of December 3, 2019 through January 9, 2020. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That on January 27, 2020, the Petitioner amended his Request to discontinue operations under CPCN 2256 for the period December 3, 2019 through March 27, 2020.
3. That on June 29, 2020, the Petitioner filed a second Request with the Authority to extend the period of temporary discontinuance of operations for the period of March 28, 2020 through September 28, 2020.
4. That the second Request required retroactive approval.
5. That the request was granted at the July 22, 2020 general session.

6. That on September 28, 2020, the Petitioner filed a third Request with the Authority to extend the period of temporary discontinuance of operations for the period of September 28, 2020 through March 28, 2021.
7. That the request was granted at the November 19, 2020 general session.
8. That on April 26, 2021, the Petitioner filed a fourth Request with the Authority to extend the period of temporary discontinuance of operations for the period of March 28, 2021 through September 27, 2021.
9. That the fourth request required retroactive approval.
10. That the request was granted at the June 17, 2021 general session.
11. That on September 8, 2021, the Petitioner filed a fifth Request with the Authority to extend the period of temporary discontinuance of operations for the period September 28, 2021 through March 26, 2022.
12. That the Request on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
13. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of Vegas Black Car, LLC d/b/a VBC to temporarily discontinue operations authorized under CPCN 2256 is hereby GRANTED for the period September 28, 2021 through March 26, 2021, subject to the condition set forth in subparagraph 2 below.
2. Petitioner shall advise the Authority of their intent to resume operations authorized under CPCN 2256 and:
 - a. Undergo an operational inspection by Authority Staff **PRIOR** to resuming said operations,
 - b. Provide evidence of current vehicle liability insurance and Form E,
 - c. Ensure all drivers have applied for drivers' permits,

- d. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - e. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
and
 - f. Pay all fines and fees due to the Authority.
3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

20-01011 Extension

9/8/21 rmb
DT/NTA

State of Nevada
Department of Business and Industry
Nevada Transportation Authority



Request to Temporarily Discontinue Service

Company Name: Vegas Black Car LLC

Address: 1600 E. Desert Inn Rd ste 290

City, State, Zip: Las Vegas, NV. 89169

CPCN: 2256

In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from September 28, 2021 to March 26, 2022. (Not to exceed 6 months)

This request is due to: Still Personally Recovering from Covid-19; Possible Management

Restructure; Lagging demand for Services

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.


Signature of Certificate Holder

Glenn Grady

Printed name of Certificate Holder

702-498-2557

Phone number Fax number

Glenn @vegasblackcar.com

Email Address

Submit both pages of this Request to:

Nevada Transportation Authority	
3300 West Sahara Avenue	or 1755 E Plumb Lane
Suite 200	Suite 229
Las Vegas, NV 89102	Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item#

49

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Request of U.S. Party Bus, LLC)	
d/b/a U.S. Party Bus to discontinue operations	)	Docket 21-04013
authorized under Certificate of Public Convenience)	
and Necessity 2218, from September 18, 2021 through)	
March 18, 2022.)	
_____)	

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on April 9, 2021, Yohanes Tegafaw, Owner of U.S. Party Bus, LLC d/b/a U.S. Party Bus ("Petitioner") filed a Request, designated as Docket 21-04013, with the Authority to temporarily discontinue operations authorized under Certificate of Public Convenience and Necessity ("CPCN") 2218, for the period of September 19, 2020 through June 30, 2021. The Request was filed pursuant to Chapters 706 of the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC").
2. That said Request required retroactive approval.
3. That the Authority has extended the discontinuance for a period of one year from the requested start date pursuant to a Deviation of NAC 706.356, Subsection 4, granted under Docket 21-02008 approved by the Authority at the March 4, 2021 general session.
4. That the request was granted at the May 13, 2021 general session

5. That on September 9, 2021, the Petitioner filed a second Request with the Authority to extend the period of temporary discontinuance of operations for the period of September 18, 2021 through March 18, 2022.
6. That the Request on file herein comes within the purview of the statutes of the State of Nevada.
7. That the Authority has reviewed all the records relating to this Petition and finds that granting the Request would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. The Request of U.S. Party Bus, LLC d/b/a U.S. Party Bus to temporarily discontinue operations authorized under CPCN 2218, is hereby GRANTED for the period September 18, 2021 through March 18, 2022 subject to the condition set forth in subparagraph 2 below.
2. Prior to resuming operations under CPCN 2218, submit to the Authority staff, on company letterhead, a request to resume operations, and:
 - a. Undergo an operational inspection by Authority Staff **PRIOR** to resuming said operations,
 - b. Provide evidence of current vehicle liability insurance and Form E,
 - c. Provide proof of enrollment in a random drug testing consortium and current enrollment list,
 - d. Provide a list of all current vehicles along with copies of current registrations and AVIRs,
 - e. Pay all fines and fees due to the Authority.

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3. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

09/09/2021 13:00 7022629336

POSTNET

Extension
21-04013 PAGE 01/02

State of Nevada
Department of Business and Industry
Nevada Transportation Authority

**Request to Temporarily Discontinue Service**Company Name: U.S. Party BUS, LLCAddress: 7337 Burnt Umber St.City, State, Zip: Las Vegas, NV 89139CPCN: 2218In accordance with NRS 706.341, the above named certificate holder would like to temporarily discontinue service, from 09/18/2021 to 03/18/2022 (Not to exceed 6 months)This request is due to: Covid-19

OPERATIONS CONDUCTED BY THE REQUESTING CERTIFICATE HOLDER MUST CONTINUE UNTIL THE NEVADA TRANSPORTATION AUTHORITY ISSUES AN ORDER GRANTING A TEMPORARY DISCONTINUANCE OF SERVICE.

If you wish to resume operations prior to the end date of this request, you must first notify the Nevada Transportation Authority in writing, stating the date you intend to begin service, and provide proof of current insurance, and current tariffs, if applicable.

[Signature]
Signature of Certificate Holder

Yohanes Tega Saw
Printed name of Certificate Holder

702-541-3578
Phone number Fax number

Yohanes2000@Yohop.com
Email Address

Submit both pages of this Request to:

Nevada Transportation Authority
3300 West Sahara Avenue or 1755 E Plumb Lane
Suite 200 Suite 229
Las Vegas, NV 89102 Reno, NV 89502

If you have any questions, please contact us at 702-486-3303, extension 66546.

Agenda Item# 50

ZAPITO TOWING LLC
CPCN 7446
3620 PARK OLIVER DR, LAS VEGAS, NV 89110
702-624-7207

20-08007



August 13, 2021

NEVADA TRANSPORTATION AUTHORITY
3300 W SAHARA AVE STE 200
LAS VEGAS, NV 89102

RE: Motion to Extend Compliance Period

To whom it may concern,

I would like to request a Motion to Extend Compliance Period for CPCN 7408. The reason is because we were doing final inspection to tow truck and hydraulic bed did not had the strength to pull up, so I had to order a part, but unfortunately the part was damaged and I had to order it again. So, the mechanic is taking too long to repair the bed.

According to mechanic this won't take more than 30 days. Hopefully he can be able to do so, so that I can finalize Compliance Phase.

I am sorry about this delay, but I really need extra time to get this tow truck ready.

Best regards,


Luis Olvera

Agenda Item#

51

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The voluntary cancellation of non-consent)
tow car authority granted under Certificate of Public) Docket 21-08013
Convenience and Necessity 7346, Sub 1 issued to)
Executive Towing & Recovery, LLC d/b/a Executive)
Towing & Recovery)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on March 6, 2017, the Authority issued Certificate of Public Convenience and Necessity ("CPCN") 7380, Sub 1 to Executive Towing & Recovery, LLC d/b/a Executive Towing & Recovery ("Executive") authorizing the transportation service specified below:

On-call irregular route transportation of vehicles requiring tow
car service by tow car vehicle;

Between points and places within the State of Nevada.

2. That on August 10, 2021, Thomas Staugaard, Owner of Executive provided notice to the Authority of the voluntary cancellation of the Authority to perform non-consent tow car services granted under CPCN 7346, Sub 1.
3. That Executive will retain consent-only tow car authority.
4. That the Petition on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.

5. That the Authority has reviewed all the records relating to this Petition and finds that granting the Petition would be in the public interest.

Therefore, based upon the foregoing findings, it is hereby ORDERED that:

1. CPCN 7346, Sub 1 issued to Executive Towing & Recovery, LLC d/b/a Executive Towing & Recovery is hereby CANCELLED, and a new Certificate of Public Convenience and Necessity designated as **CPCN 7346, Sub 2**, shall be issued to Executive Towing & Recovery, LLC d/b/a Executive Towing & Recovery authorizing operation in intrastate commerce as specified below:

On-call, irregular route transportation of vehicles requiring tow car service by tow car vehicle;

Between points and places within the State of Nevada.

Restriction: Holder shall perform consent-only tows.

2. Before issuance of the Certificate reference to hereinabove, the Carrier is to provide for review, a copy of the tariff displaying the Carrier's CPCN number, name, address, and phone number.
3. The Deputy Commissioner shall be authorized to issue a Certificate of Public Convenience and Necessity upon compliance with the requirement set forth hereinabove.

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4. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

21-08013

8/24/21 rmb
DT/NTA

Department of Business and Industry
Nevada Transportation Authority

RECEIVED

AUG 10 2021

Nevada Transportation Authority
Reno, Nevada

Request for Voluntary Cancellation of CPCN

In the matter of the request by Executive Towing & Recovery LLC

_____ to cancel Certificate of Public
Convenience and Necessity (CPCN) number: 7346 Non-consent ONLY

The above named carrier is no longer conducting operations or providing transportation
services authorized under CPCN 7346.

Therefore, Thomas Staugaard, the authorized representative for
Executive Towing & Recovery LLC

requests that the Nevada Transportation Authority (NTA) cancel said Certificate
understanding that this is not a suspension or a temporary discontinuance of service,
but a **cancellation** and that in order to provide any transportation services in the future,
a new application will have to be filed and a new Certificate granted by the NTA.

Signature of Petitioner
Thomas Staugaard

Printed name of Petitioner
P.O. Box 489

Address
Dayton, NV. 89403

775-241-2510

775-546-6012

Phone number
thomas.staugaard@yahoo.com

Fax number

Email address

INSTRUCTIONS:

1. Completely fill out the first page of this Voluntary Cancellation Request.

2. Briefly explain the reason you are requesting a cancellation of your certificate:
I am requesting NTA cancel my NON-CONSENT certificate only.

I would like to keep my consent cerificate.

3. Have you removed all markings (name and CPCN number) from the vehicles?

☐ Yes, they were removed on _____.

☒ No, I will remove them no later than _____.

4. Complete the OATH page and have notarized.

5. Enclose/attach all vehicle decals and/or tow/taxi plates.

6. File all three pages of this Request (with all tow/taxi plates and/or decals)
and mail or deliver to either of our office locations:

Nevada Transportation Authority

3300 West Sahara Avenue
Suite 200
Las Vegas, NV 89102

OR

1755 E Plumb Lane
Suite 229
Reno, NV 89502

There is no fee for filing a Voluntary Cancellation Request. If you have any questions,
please contact us at 702 486-3303.

Agenda Item#

52

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of The Sowell Company)
Inc. d/b/a Ernie's Van & Storage for a warehouse)
permit to engage in the permanent storage of)
household goods and effects within the State of)
Nevada.)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on October 22, 2020, an Application designated as Docket 20-10040 was filed with the Authority by The Sowell Company Inc. d/b/a Ernie's Van & Storage ("Applicant") seeking authority for a warehouse permit to engage in the permanent storage of household goods and effects at a facility located at 1080 Standard Street Ste B, Reno, Nevada 89506.
2. Based on a review of all the records relating to the application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant meets the requirements set forth in Nevada Revised Statute ("NRS") 712.050 for the issuance of a warehouse permit and granting the Application on file herein would be in the public interest.

Therefore, based upon the foregoing findings, it is ORDERED that:

Upon full compliance with the conditions of this Order, a Warehouse Permit shall be issued to The Sowell Company Inc. d/b/a Ernie's Van & Storage for their facility located at 1080 Standard Street Ste B, Reno, Nevada 89506.

1. Before issuance of the above-referenced Permit, the Applicant shall be required to:
 - a. Avoid material changes in any condition relied upon by the Authority in its determination of financial fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. Provide a copy of Form H in the Applicant's name,
 - c. Provide a copy of the Certificate of Insurance in the amount \$780,000 as required, describing the liability limits for the warehouse, and
 - d. Pay the permit fee to the Authority.
2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR WAREHOUSE PERMIT**

DOCKET NUMBER: 20-10040		DATE APPLICATION RECEIVED BY NTA: 10/22/2020	
APPLICANT: MATTHEW D. SOWELL		TITLE: CO OWNER	
COMPANY NAME: THE SOWELL COMPANY dba ERNIE'S VAN & STORAGE INC			
ADDRESS: 185 SPRING HILL DRIVE GRASS VALLEY CA 95949			
PHONE NUMBERS: 775 800-7836			
INVESTIGATOR: WOODS		DATE ASSIGNED: 10/28/2020	

Attach completed Application Oath page as Exhibit A	Exhibit A
--	----------------------

IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS				
Corporation	<input checked="" type="checkbox"/>	LLC	<input type="checkbox"/>	Partnership
				Sole Proprietorship

Identify each owner and their percentage of ownership: Matthew Sowell 50% Douglas Sowell 50%

Attach as an exhibit, appropriate proof of ownership interest where applicable	Exhibit B
--	----------------------

Briefly describe the responsibilities of each owner, (i.e. driver, operational manager, mechanic, bookkeeper, financial backing only, etc): Matthew Sowell: Will be responsible for hiring and firing, driver training, management activities, and day to day operations. They will not be driving. Douglas Sowell: Will be responsible for hiring and firing, driver qualification and vehicle maintenance files, other day to day operations. They will not be driving.
--

Will the Applicant be operating under fictitious firm name:	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
---	-----	-------------------------------------	----	--------------------------

If the Applicant will be operating under a fictitious firm name, attach a copy of their certificate	Exhibit C
---	----------------------

Warehouse Location: 1080 STANDARD STREET STE #B RENO NV 89506

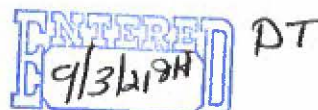
Has NTA Staff conducted a visual inspection of the Warehouse?	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
Were there any issues of concern?	YES		NO	<input checked="" type="checkbox"/>

Is the warehouse property suitable for the storage of HHG and effects? Properly Zoned?	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
--	-----	-------------------------------------	----	--------------------------

Attach copy of business licenses, as an Exhibit	Exhibit D
---	----------------------

Has an operational fire inspection been conducted of the warehouse?	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
---	-----	-------------------------------------	----	--------------------------

Attach a copy of current Annual Operational Fire Permit as an Exhibit.	Exhibit E
--	----------------------


 DT
 9/3/2020

Has the Applicant provided proof of financial ability with the Financial Analyst?	YES	X	NO	
---	-----	---	----	--

Is the Applicant familiar with Nevada statutes and administrative codes governing the storage of household goods and effects?	YES	X	NO	
---	-----	---	----	--

Does the Applicant have proof of the necessary liability insurance coverage against fire, theft, loss and damage in accordance with NRS 712.050 for stored property and effects?	YES	X	NO	
--	-----	---	----	--

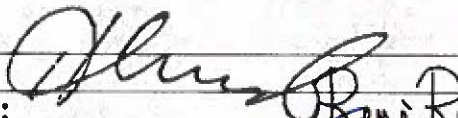
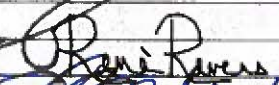

Attach the Warehouse Permit Formula showing Insurance Limit Requirements and Copy of Insurance Quote	Exhibit F
--	--------------

Are the company records maintained at the warehouse?	YES	X	NO	
--	-----	---	----	--

provide location: 1080 STANDARD STREET STE #B RENO NV 89506

COMPLIANCE ITEMS

- | | |
|---|---|
| 1 | File with the Authority evidence of insurance (Form H) in the Applicant's name. |
| 2 | File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits for Warehouse |
| 3 | Copy of Warehouse Permit Formula w/Warehouse Diagram |
| 4 | Pay Permit Fee |

INVESTIGATOR: WOODS		DATE: 08/24/2021
REVIEWED BY SUPERVISOR:		DATE: 8/30/21
REVIEWED BY APPLICATION MANAGER:		DATE: 9/2/21

RENO FIRE DEPARTMENT PERMIT

PERMIT NUMBER: 05425

DATE: February 11, 2021

BUSINESS NAME: Ernie's Van & Storage

PERMIT LOCATION: 1080 Standard ST

Having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the provisions of the Code can be observed, authority is hereby given and this Permit is granted for:

LP-GAS

This Permit issued and accepted on condition that all provisions of the Codes now adopted, or that may hereafter be adopted, shall be complied with.

This Permit is valid until revoked.

- LP-Gas equipment shall be installed and maintained in accordance with NFPA 54, NFPA 58, and Chapter 61 of the 2018 International Fire Code.
- Fixed fire protection systems shall be maintained in an operative condition.
- Approved fire extinguishers shall be provided and maintained.
- Portable LP-gas containers shall not be used in buildings unless as otherwise approved.
- Storage and location of containers shall be as specified in IFC Chapter 57 and shall be maintained in an approved manner.
- Safety devices on LP-gas containers, equipment, and systems shall not be tampered with or made ineffective.
- Vegetation and other combustible material shall be kept at a minimum of 10 feet from LP-gas tanks or containers.
- Containers shall be protected from vehicles in an approved manner.
- Empty containers that have been in service shall be considered as full containers for the purpose of determining maximum allowable storage quantities.
- Smoking shall be prohibited within 25 feet of a point of transfer while filling operations are in progress. Signs shall be posted.
- Dispensing of LP-gas shall be performed by a qualified attendant.
- LP-gas tank vehicles shall not be left unattended in other than approved areas.
- Each facility shall have written operating and emergency procedures which all employees must be familiar with.

LP-Gas facilities must comply with all applicable provisions of the 2018 International Fire Code, particularly Chapter 61, NFPA 54, and NFPA 58. Additional requirements are subject to inspection and review.

The applicant accepts responsibility for the use of this Permit, in full compliance with the terms and conditions above, and additionally hereby to assume, pay and hold the City of Reno harmless for any liability arising out of the Permit. This Permit does not take the place of any license required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

RENO FIRE DEPARTMENT

By: Patty Blahely #173

PERMIT MUST AT ALL TIMES BE KEPT POSTED ON THE PREMISES MENTIONED ABOVE.

RENO FIRE DEPARTMENT PERMIT

PERMIT NUMBER: 05425

DATE: February 11, 2021

BUSINESS NAME: Ernie's Van & Storage

PERMIT LOCATION: 1080 Standard ST

Having made application in due form, and as the conditions, surroundings, and arrangements are, in my opinion, such that the intent of the provisions of the Code can be observed, authority is hereby given and this Permit is granted for:

HIGH PILED COMBUSTIBLE STORAGE

This Permit issued and accepted on condition that all provisions of the Codes now adopted, or that may hereafter be adopted, shall be complied with.

This Permit is valid until revoked.

- Any change to configuration of or addition to high piled combustible storage must be approved through the building permit plans review process.
- Any change in type of commodity to be stored must be approved through the building permit plans review process.
- A copy of the evacuation plan must be maintained in an approved location.
- The structural integrity of racks, clearance from ignition sources, aisle accessibility, approved pile dimension and height, and array and flue space clearances must be maintained.
- Required aisle widths shall extend from floor to ceiling, except for approved catwalks.
- Required building separations, fixed fire protection systems, fire access doors, and access to exit doors must be maintained.
- Fire extinguishers shall be provided and maintained.

High-piled combustible storage facilities must comply with all applicable provisions of the 2018 International Fire Code, particularly Chapter 32, and NFPA 13 and 230. Additional requirements are subject to inspection and review.

The applicant accepts responsibility for the use of this Permit, in full compliance with the terms and conditions above, and additionally hereby to assume, pay and hold the City of Reno harmless for any liability arising out of the Permit. This Permit does not take the place of any license required by law and is not transferable. Any change in the use or occupancy of premises shall require a new permit.

RENO FIRE DEPARTMENT

By:

Patty Blakely #173

PERMIT MUST AT ALL TIMES BE KEPT POSTED ON THE PREMISES MENTIONED ABOVE.

Warehouse Permit Insurance Formula

125 **Length** of warehouse

80 **Width** of warehouse

10,000 Total Sq. Ft.

20 **Height** of warehouse

10000 Total Sq. Ft.

200,000 Cubic Feet

200000 **Cubic Feet**

6.5 Pounds per cubic Ft.

1,300,000 Total warehouse weight

1,300,000 Total warehouse weight

0.60 **.60 per pound**

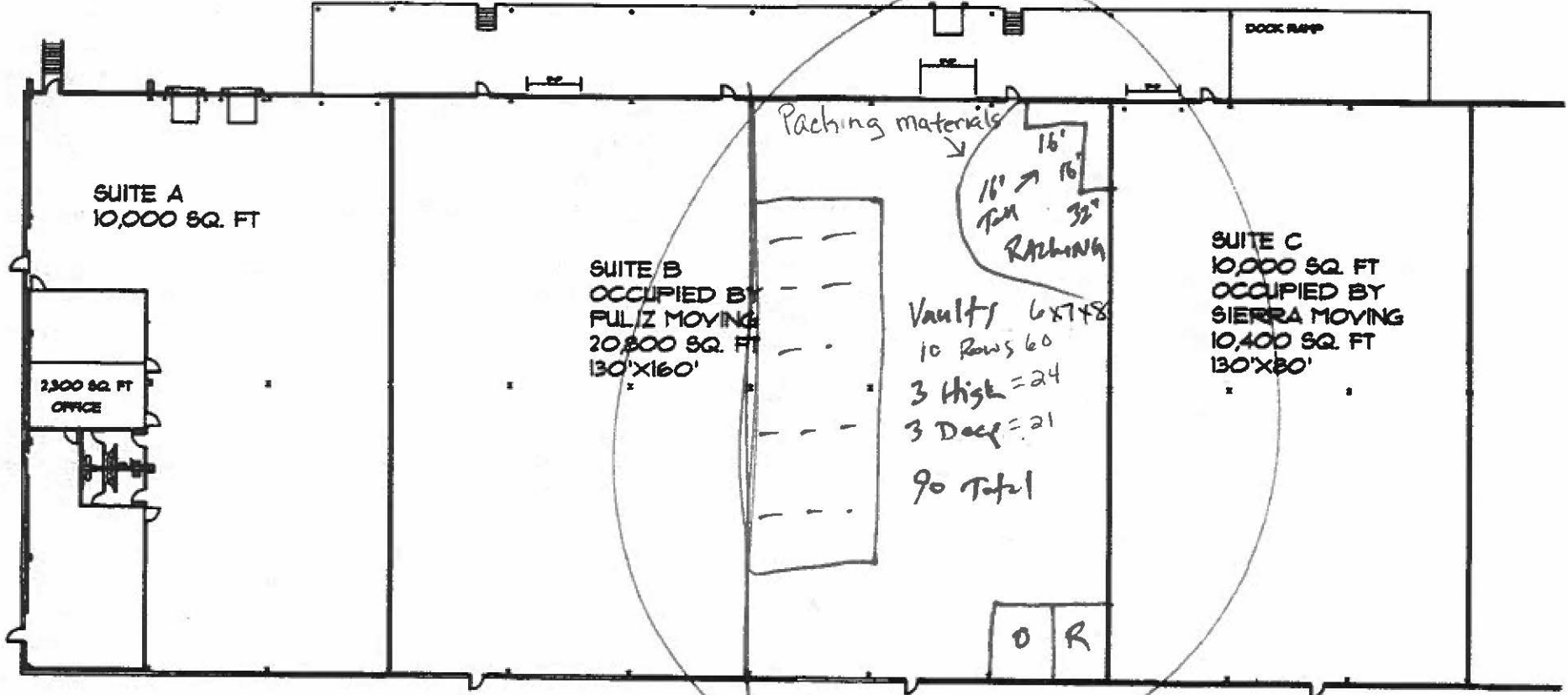
\$780,000.00 Minimum insurance coverage required

Regular Height: 12'

Box Storage: 14'

OWR space
10,000 sq. ft.

1080 STANDARD STREET
RENO, NV



Agenda Item#

53

STEVE SISOLAK
Governor

STATE OF NEVADA

TERRY REYNOLDS
Director B&I

21-08005 GA



DEPARTMENT OF BUSINESS AND INDUSTRY

NEVADA TRANSPORTATION AUTHORITY

8/5/21 rmb
DT/NTA

PETITION TO DEVIATE

*Petition
to Deviate
Approved
8-5-2021
[Signature]*

To: Deputy Commissioner, Nevada Transportation Authority

Company Name: Yellow Cab of Reno, Inc.

Telephone: (775) 333-3322 x303

Mailing Address: 475 Gentry Way Reno, NV 89502

Reason for request: Request to deviate from MAC. 3745 pursuant to MAC 706.1305 regarding a total of six (6) vehicles with August 2021 original retirement dates. The unit numbers are: 156, 157, 158, 159, 160, & 161. We are requesting an extension for a period of six (6) months from the original retirement dates for each vehicle.

Signature: [Signature] Date: 8/4/21

Printed Name and Title: John Carpenter / Claims Administrator

CPCN: 1014

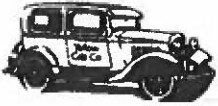
☒ \$50 Filing Fee

☒ \$50 Interim Authority Fee

For NTA Office Use Only

Docket # 21-08005

Assigned Hearing Officer: G. Assad



YELLOW CAB CO. of RENO, INC.

475 Gentry Way
Reno, Nevada 89502
(775) 333-3322

Aug 5, 2021
approved
to
Petition to
deviate
Dawn Gibbons
FAX: (775) 829-4699

Serving Reno-Sparks for over 50 years

August 3, 2021

Nevada Transportation Authority
1755 East Plumb Lane, Ste. #229
Reno, NV. 89502
Attn: Chairman Dawn Gibbons

RE: Petition to deviate from NAC 706.3745

Dear Chairman Gibbons:

Yellow Cab of Reno, Inc. finds it necessary to petition the Authority to deviate from NAC 706.3745 pursuant to NAC 706.1305 with regards to removing aged-out vehicles.

With the COVID-19 situation calming down (hopefully), many of our drivers are now asking to return to work who did not work during the critical months. During these "crisis months", Yellow Cab did not purchase any new vehicles as we did not know what to expect.

We are in the process of purchasing twelve (12) new vehicles but it will be at least three to four months before they have been received and converted into taxis. As you are probably more then aware, everything is moving a little slower these days.

We currently have more drivers then vehicles and it would greatly impact not only the drivers that currently operate the below mentioned vehicles but also the customers who rely on them for their transportation needs. All of the cabs are in good to excellent condition. The maintenance on these vehicles has not been neglected.

We are requesting that the upcoming August/2021 retirement dates be extended for a period of six (6) months. I feel that this will be more then enough time to allow us to get the twelve brand new vehicles on the road. Thank you for your consideration.

Sincerely,

John Carpenter
Claims Administrator – Yellow Cab of Reno, Inc.
(775)333-3322 x303



YELLOW CAB CO. of RENO, INC.

475 Gentry Way
Reno, Nevada 89502
(775) 333-3322

FAX: (775) 829-4699

Serving Reno-Sparks for over 50 years

1. Yellow Cab of Reno (Cab #156 / 2013 Chevy Impala / VIN: 2G1WF5E31D1235311 / Current retirement date: 8/6/21 – Requested retirement date: 2/6/22) *Mileage: 189,635*
2. Yellow Cab of Reno (Cab #157 / 2013 Chevy Impala / VIN: 2G1WF5E34D1235366 / Current retirement date: 8/6/21 – Requested retirement date: 2/6/22) *Mileage: 149,647*
3. Yellow Cab of Reno (Cab #158 / 2013 Chevy Impala / VIN: 2G1WF5E32D1237178 / Current retirement date: 8/20/21 – Requested retirement date: 2/20/22) *Mileage: 147,624*
4. Yellow Cab of Reno (Cab #159 / 2013 Chevy Impala / VIN: 2G1WF5E34D1237604 / Current retirement date: 8/4/21 – Requested retirement date: 2/4/22) *Mileage: 162,720*
5. Yellow Cab of Reno (Cab #160 / 2013 Chevy Impala / VIN: 2G1WF5E3XD1236506 / Current retirement date: 8/20/21 – Requested retirement date: 2/20/22) *Mileage: 155,221*
6. Yellow Cab of Reno (Cab #161 / 2013 Chevy Impala / VIN: 2G1WF5E31D1237141 / Current retirement date: 8/4/21 – Requested retirement date: 2/4/22) *Mileage: 180,551*

Agenda Item#

54

STEVE SISOLAK
Governor

STATE OF NEVADA



TERRY REYNOLDS
Director B&I

DAWN GIBBONS
Chairman

GEORGE ASSAD
Commissioner

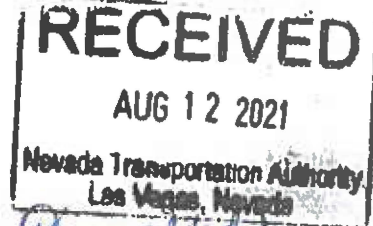
DAVID NEWTON
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY

NEVADA TRANSPORTATION AUTHORITY

PETITION TO DEVIATE

REVISED 21-08016



To: Deputy Commissioner, Nevada Transportation Authority

Company Name: The Tow Truck Company

Telephone: 702-434-7175

Mailing Address: 3975 W. Hacienda

Reason for request: Requesting approval for use of electronic signatures via the Omadi

Software System. Additionally we would like to request a temporary approval of use of
omadi signatures to continue business.

"Revised" Docket # 21-080616

Signature: [Signature]

Date: 8-12-2021

Printed Name and Title: Brian Howard GM

CPCN: 7134

☐ \$50 Filing Fee

☐ \$50 Interim Authority Fee

For NTA Office Use Only

Docket # _____

Assigned Hearing Officer: _____

Agenda Item#

55

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of All The Right Moves, LLP)
for authority to modify tariff rates pursuant to NAC)
706.1384.)
_____) Docket 21-07032

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Nevada Transportation Authority ("Authority") makes the following findings:

1. That an Application was filed with the Authority by All The Right Moves, LLP ("Applicant"), a carrier certificated to provide transportation of household goods as described in Certificate of Public Convenience and Necessity ("CPCN") 3340, Sub 2, for authority to modify tariff rates pursuant to NAC 706.1384.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That the Applicant seeks to:
 - a. Remove all "Each Additional Vehicle Mileage" rates and increase the remaining mileage rates by \$1.00.
 - b. Combine the vehicle and driver rates into a single rate of \$65.00 and increase all other hourly rates to \$65.00.
 - c. Remove the "Single and Multiple Item Delivery" rates.
4. That the proposed rates are within the range of rates currently charged by the industry for similar

services.

5. That the Applicant has not requested a rate increase since July 2017.
6. That based upon all the records relating to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The proposed tariff modification will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The tariff modification proposed by All The Right Moves, LLP is hereby GRANTED.
2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

ALL THE RIGHT MOVES
HOUSEHOLD GOODS TARIFF. NO. 1

Page 12

CPCN 3340, SUB 2

NTA No. 1

SECTION II	MILEAGE RATES- Dollars and cents per mile
ITEM NO. 400 Rates in this item apply on all shipments of Household Goods as embraced in Item No. 20. Value declared in writing by the shipper or agreed upon in writing as the released value of the property subject to conditions set forth in Item No. 100. See Item No. 10 Method for determining distance. See Item No. 130 for definition of vehicle. Note: 150 miles and under Section IV hourly rates apply.	

MILES	ONE VEHICLE (per mile)	EACH ADDITIONAL VEHICLE (per mile)
151 miles to 200 miles	\$11.00 per mile	ADDITIONAL \$5.50 per mile
201 miles to 250 miles	\$10.25 per mile	ADDITIONAL \$5.12 per mile
251 miles to 300 miles	\$9.75 per mile	ADDITIONAL \$4.88 per mile
301 miles to 400 miles	\$8.00 per mile	ADDITIONAL \$4.00 per mile
Over 401 miles	\$6.50 per mile	ADDITIONAL \$3.25 per mile

The provisions published herein will, if effective, not result in effect on the quality of the human environment.

ISSUED BY:
CHARLES G DAUGHERTY, OWNER
235 W. PUEBLO
RENO NV, 89509



**ALL THE RIGHT MOVES
HOUSEHOLD GOODS TARIFF NO. 1**

Page 17

CPCN 3340, SUB 2

NTA No. 1

ITEM	SECTION IV	HOURLY RATES
700	APPLICATION OF RATES For definition of a vehicle, see item 130 of this tariff The following hourly rates apply to shipments moving not more than 150 miles from the main post office of carrier's base of operations and include loading and unloading, driving between origin and destination and driving time from and return to carrier's dock. Applying to shipments having point of origin and destination within the State of Nevada. <div style="display: flex; justify-content: space-between;"> <div> Furnish vehicle Driver Packer, loader, unloader Hand moving (no vehicle) Other Extra Help </div> <div> \$30.00 per hour \$40.00 per hour \$40.00 per hour \$40.00 per hour \$40.00 per hour </div> </div>	
705	DISCOUNTS A 10% senior discount will be given upon proof of age 60 years or older.	
710	SINGLE AND MULTIPLE ITEM DELIVERY CHARGES The following charges apply to those customers that have purchased new or used furniture from a store or other seller and needs those items delivered to there dwelling, office, or other place of business. <div style="display: flex; justify-content: space-between;"> <div> 1 to 3 items not requiring more than two movers Each additional item not requiring more than two movers 1 to 3 items requiring 3 movers Each additional item requiring 3 movers 1 to 3 items requiring 4 or more movers Each additional item requiring 4 or more movers </div> <div> \$80.00 \$20.00 \$130.00 \$35.00 \$200.00 \$50.00 </div> </div> If any of the deliveries are at a greater distance than 35 miles from point of pick up to point of delivery regular hourly rates listed in section 700 of this tariff will apply.	

The provisions published herein will, if effective, not result in effect on the quality of the human environment.

ISSUED BY:
CHARLES G DAUGHERTY, OWNER
235 W. PUEBLO
RENO NV, 89509



ALL THE RIGHT MOVES
N.T.A. NO. 1
HOUSEHOLD GOODS TARIFF. NO. 1

SECTION II	MILEAGE RATES- Dollars and cents per mile
ITEM NJO. 400 Rates in this item apply on all shipments of Household Goods as embraced in Item No. 20. Value declared in writing by the shipper or agreed upon in writing as the released value of the property subject to conditions set forth in Item No. 100. See Item No. 10 Method for determining distance. See Item No. 130 for definition of vehicle. Note: 150 miles and under Section IV hourly rates apply.	

MILES	PER VEHICLE (per mile)	
151 miles to 200 miles	\$12.00 per mile	
201 miles to 250 miles	\$11.25 per mile	
251 miles to 300 miles	\$10.75 per mile	
301 miles to 400 miles	\$9.00 per mile	
Over 401 miles	\$7.50 per mile	

The provisions published herein will, if effective, not result in effect on the quality of the human environment.

ISSUED BY:
CHARLES G DAUGHERTY, OWNER
235 W. PUEBLO
RENO NV, 89509

ALL THE RIGHT MOVES
N.T.A. NO. 1
HOUSEHOLD GOODS TARIFF. NO. 1

ITEM	SECTION IV	HOURLY RATES
700	APPLICATION OF RATES For definition of a vehicle, see item 130 of this tariff The following hourly rates apply to shipments moving not more than 150 miles from the main post office of carrier's base of operations and include loading and unloading, driving between origin and destination and driving time from and return to carrier's dock. Applying to shipments having point of origin and destination within the State of Nevada. Furnish vehicle and driver \$65.00 per hour Packer, loader, unloader \$65.00 per hour Hand moving (no vehicle) \$65.00 per hour Other Extra Help \$65.00 per hour	
705	DISCOUNTS A 10% senior discount will be given upon proof of age 60 years or older.	

The provisions published herein will, if effective, not result in effect on the quality of the human environment.

ISSUED BY:
CHARLES G DAUGHERTY, OWNER
235 W. PUEBLO
RENO NV, 89509

Agenda Item#

56

BEFORE THE TRANSPORTATION SERVICES AUTHORITY OF NEVADA

In Re: The Application of Sin City BJ, LLC d/b/a)
Zippy shell of Las Vegas, d/b/a Zippy Shell for) Docket 21-08003
authority to modify tariff rates pursuant to NAC)
706.1384.)

At a general session of the Transportation Services
Authority of Nevada held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Transportation Services Authority of Nevada
("Authority") makes the following findings:

1. That an Application was filed with the Authority by Sin City BJ, LLC d/b/a Zippy shell of Las Vegas, d/b/a Zippy Shell ("Applicant"), a carrier certificated to operate as a household goods mover in the State of Nevada pursuant to Certificate of Public Convenience and Necessity (CPCN) 3380 for authority to modify tariff rates pursuant to NAC 706.1384.
2. That the carrier simultaneously filed a Petition for Interim Authority.
3. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene ("PLTI") or Protests filed.
4. That the period to file a PLTI did not expire until August 23, 2021
5. That the request was granted on August 17, 2021, by Commissioner George Assad, acting as Presiding Officer in this matter, conditioned on no PLTIs being filed by August 23, 2021.

///

///

6. That the Applicant seeks to:

- a. Increase the trip charge from \$99.00 per truck to \$119.00 per truck.
- b. Add new rates for the following:

5 men and 1 truck	\$249.00 per hour
4 men and 2 trucks	\$249.00 per hour
5 men and 2 trucks	\$299.00 per hour
6 men and 2 trucks	\$359.00 per hour
Load or Unload a 15 foot Zippy Shell	\$319.00
Load or Unload a 10 foot Zippy Shell	\$279.00
Load or Unload an 8 foot Zippy Shell	\$249.00
Load/Unload a POD or Pack Rat Container	\$369.00
Stair/Elevator Fee	\$75.00
Safe Fee (under 250 lbs.)	\$99.00
Safe Fee (over 250 lbs.)	\$249.00
Upright Piano Fee	\$129.00
Baby Grand Piano Fee	\$249.00

7. That the proposed rates are within the range of rates currently charged by the industry for similar services.
8. That this is the Applicant's first tariff modification since it was certificated in March 2020.
9. That based upon all the records relating to the Application, and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The proposed tariff modification will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The tariff modification proposed by Sin City BJ, LLC d/b/a Zippy shell of Las Vegas, d/b/a Zippy Shell is hereby GRANTED.

2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Docket 21-08003

1. That the Applicant seeks to make the following changes:
 - a. Increase the trip charge from \$99.00 per truck to \$119.00 per truck.
 - b. Add new rates for the following:

5 men and 1 truck	\$249.00 per hour
4 men and 2 trucks	\$249.00 per hour
5 men and 2 trucks	\$299.00 per hour
6 men and 2 trucks	\$359.00 per hour
Load or Unload a 15 foot Zippy Shell	\$319.00
Load or Unload a 10 foot Zippy Shell	\$279.00
Load or Unload an 8 foot Zippy Shell	\$249.00
Load/Unload a POD or Pack Rat Container	\$369.00
Stair/Elevator Fee	\$75.00
Safe Fee (under 250 lbs.)	\$99.00
Safe Fee (over 250 lbs.)	\$249.00
Upright Piano Fee	\$129.00
Baby Grand Piano Fee	\$249.00

OK


8/24/21

**Sin City BJ LLC, Inc.
dba Zippy Shell of Las Vegas
dba Zippy Shell**

Household Goods Tariff No. 1

RATES AND CHARGES

295

Estimate of Charges

Carrier shall, if requested by the shipper after a visual inspection of the goods, give to the shipper a written estimate of the charges. The original estimate shall be delivered to the shipper and a copy maintained by Carrier in Carrier's electron files.

The estimate shall be based on the carrier's tariff filed with the Nevada Transportation Authority. The final charge for transporting shipper's goods may not exceed the estimate unless the customer requests services that are not included in the written estimate and agrees to pay for the additional services so requested. If the final charge is less than the estimate, the Carrier shall only collect the actual charge for the service.

300

Application of Rates

Applying to shipments having a point of origin and/or destination within Clark County.

2 men and 1 truck	\$129/hour and \$119 trip charge
3 men and 1 truck	\$159/hour and \$119 trip charge
4 men and 1 truck	\$199/hour and \$119 trip charge
5 men and 1 truck	\$249/hour and \$119 trip charge
4 men and 2 trucks	\$249/hour and \$119 trip charge per truck
5 men and 2 trucks	\$299/hour and \$119 trip charge per truck
6 men and 2 trucks	\$359/hour and \$119 trip charge per truck

Issued:	Issued by: Brian Linsey, Owner Sin City BJ LLC, Inc. dba Zippy Shell of Las Vegas dba Zippy Shell 882 American Pacific Drive Suite C Henderson, NV 89014	Effective:
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**Sin City BJ LLC, Inc.
dba Zippy Shell of Las Vegas
dba Zippy Shell**

Household Goods Tariff No. 1

RATES AND CHARGES

300 Cont. Application of Rates

Load or Unload a 15' Zippy Shell \$319

Load or Unload a 10' Zippy Shell \$279

Load or Unload an 8' Zippy Shell \$239

Load/Unload a POD or PackRat container \$369

Stair/Elevator Fee \$75

Safe Fee (under 250 lbs) \$99


Safe Fee (over 250 lbs) \$249

Upright Piano Fee \$129

Baby Grand Piano Fee \$249

All shipments are subject to a 2 hour minimum charge and a trip charge of \$119 per truck utilized shall be applied as a Travel and Equipment fee. After 2 hours, time will be prorated in 15 minute increments of the hourly charge, rounding down from six minutes, and rounding up from seven minutes.

- A. If a shipment has a point of origin and point of destination within Clark County, the hourly charges apply from the point of origin to the point of destination, meaning charges start when we arrive at the shipper's load address and end upon completion of the move at the shipper's final offload address.

Issued:	Issued by: Brian Linsey, Owner Sin City BJ LLC, Inc. dba Zippy Shell of Las Vegas dba Zippy Shell 882 American Pacific Drive Suite C Henderson, NV 89014	Effective: 
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**Sin City BJ LLC, Inc.
dba Zippy Shell of Las Vegas
dba Zippy Shell**

Household Goods Tariff No. 1

RATES AND CHARGES

295

Estimate of Charges

Carrier shall, if requested by the shipper after a visual inspection of the goods, give to the shipper a written estimate of the charges. The original estimate shall be delivered to the shipper and a copy maintained by Carrier in Carrier's electron files.

The estimate shall be based on the carrier's tariff filed with the Nevada Transportation Authority. The final charge for transporting shipper's goods may not exceed the estimate unless the customer requests services that are not included in the written estimate and agrees to pay for the additional services so requested. If the final charge is less than the estimate, the Carrier shall only collect the actual charge for the service.

300

Application of Rates

Applying to shipments having a point of origin and/or destination within Clark County.

2 men and 1 truck	\$129/hour
3 men and 1 truck	\$159/hour
4 men and 1 truck	\$199/hour

All shipments are subject to a 2 hour minimum charge and a trip charge of \$99 per truck utilized shall be applied as a Travel and Equipment fee. After 2 hours, time will be prorated in 15 minute increments of the hourly charge, rounding down from six minutes, and rounding up from seven minutes.

Issued: 3.16.20	Issued by: Brian Linsey, Owner Sin City BJ LLC, Inc. dba Zippy Shell of Las Vegas dba Zippy Shell 882 American Pacific Drive Suite C Henderson, NV 89014	Effective: ACCEPTED MAR 16 2020 Nevada Transportation Authority Las Vegas, Nevada
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**Sin City BJ LLC, Inc.
dba Zippy Shell of Las Vegas
dba Zippy Shell**

Household Goods Tariff No. 1

RATES AND CHARGES

300 Cont. Application of Rates

- A. If a shipment has a point of origin and point of destination within Clark County, the hourly charges apply from the point of origin to the point of destination, meaning charges start when we arrive at the shipper's load address and end upon completion of the move at the shipper's final offload address.
- B. If a shipment has a point of origin or point of destination outside of Clark County, the Carrier will be provided a written estimate of the cost of the move to the Shipper prior to the move being booked.
- C. Material and Container Charges: Carrier will apply additional charges for all packing materials, which become the property of the customer (other than rented materials, e.g. moving pads).
- D. Overnight Fees: \$100 will be charged in addition to charges listed in tariff if shipper requests items to stay in truck overnight.
- E. Cancellations: All shipments are subject to a cancellation fee of \$89 if cancelled within 72 hours of scheduled move. Jobs cancelled on the scheduled day of shipment are subject to Carrier's two-hour minimum charge (actual charged based on number of movers scheduled, see rate above for 2, 3 and 4 man crews).

Issued: 3.16.20	Issued by: Brian Linsey, Owner Sin City BJ LLC, Inc. dba Zippy Shell of Las Vegas dba Zippy Shell 882 American Pacific Drive Suite C Henderson, NV 89014	Effective: <div style="border: 1px solid black; padding: 5px; text-align: center;">ACCEPTED MAR 16 2020 <small>Nevada Transportation Authority Las Vegas, Nevada</small></div>
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Agenda Item#

57

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Kaptyn Nevada, LLC d/b/a)
Presidential Limousine for authority to modify tariff) Docket 21-08009
rates pursuant to NAC 706.1384.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Nevada Transportation Authority ("Authority") makes the following findings:

1. That an Application was filed with the Authority by Kaptyn Nevada, LLC d/b/a Presidential Limousine, a carrier certificated to provide charter limousine service and special service as described in Certificate of Public Convenience and Necessity ("CPCN") 1007, Sub 8, for authority to modify tariff rates pursuant to NAC 706.1384.
2. That the carrier simultaneously filed a Petition for Interim Authority.
3. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
4. That on August 20, 2021, Commissioner George Assad, acting as Presiding Officer in this matter, granted the Petition for Interim Authority.
5. That the Applicant seeks to request the following rate changes (passenger count includes driver):

Vehicle Type	Old Rate	New Rate	High than Range
Walk Up and Reservation			
1 hr min/addt'l ¼ hr	\$55.00/\$13.70	\$60.00/\$15.00	
with amenities:			
1 hr min/addt'l ¼ hr	\$60.00/\$15.00	\$65.00/\$16.25	

with amenities:			
Add Reservation 1 ½ hr min/addt'1 ¼ hr		\$135.00/\$22.50	
Walk Up 1 hr min/addt'1 1/2 hr	\$80.00/\$20.00	\$90.00/\$45.00	by \$20.00
Walk Up and Reservation			
1 hr min/addt'1 ¼ hr	\$80.00/\$20.00	\$90.00/\$22.50	
Discount 1 hr min/addt'1 ¼ hr	\$70.00/\$17.50	\$80.00/\$20.00	
Add Reservation 1 ½ hr min/addt'1 ¼ hr		\$150.00/\$25.00	
Walk Up 1 hr min/addt'1 ½ hr	\$90.00/\$22.50	\$100.00/\$50.00	
Walk Up and			
Reservation			
1 hr min/addt'1 ¼ hr	\$90.00/\$22.50	\$100.00/\$25.00	
Add Reservation 1 ½ hr min/addt'1 ¼ hr		\$165.00/\$27.50	
Walk Up 1 hr min/addt'1 1/2 hr	\$100.00/\$25.00	\$110.00/\$55.00	
Walk Up and			
Reservation			
1 hr min/addt'1 ¼ hr	\$90.00/\$22.50	\$100.00/\$25.00	
Add Walk Up and Reservation 2 hr min/addt'1 ¼ hr		\$220.00/\$27.50	
Walk Up and			
Reservation			
1 hr min/addt'1 ¼ hr	\$115.00/\$28.75	\$120.00/\$30.00	
Discount 1 hr min/addt'1 ¼ hr	\$100.00/\$25.00	\$110.00/\$27.50	
Add Reservation 1 ½ hr min/addt'1 ¼ hr		\$195.00/\$32.50	
Walk Up 1 hr min/addt'1 ½ hr	\$120.00/\$30.00	\$130.00/\$65.00	
Increase the Airport Passenger Arrival fee	\$10.00	\$20.00	
Walk Up and Reservation			
1 hr min/addt'1 ¼ hr	\$60.00/\$15.00	\$65.00/\$16.25	
1 hr min/addt'1 ¼ hr	\$65.00/\$16.25	\$70.00/\$17.50	
Walk Up and Reservation			
1 hr min/addt'1 ¼ hr	\$65.00/\$16.25	\$75.00/\$18.75	
Discount 1 hr min/ad	\$45.00/\$11.25	\$55.00/\$13.75	

Add Reservation 1 ½ hr min/addt'1 ¼ hr		\$120.00/\$20.00	
Walk Up 1 hr min/addt'1 ¼ hr	\$75.00/\$18.75	\$80.00/\$40.00	
<u>Walk Up and Reservation</u>			
1 hr min/addt'1 ¼ hr	\$75.00/\$18.75	\$85.00/\$22.50	
Add Reservation 1 ½ hr min/addt'1 ¼ hr		\$135.00/\$22.50	
Walk Up 1 hr min/addt'1 ¼ hr	\$85.00/\$21.25	\$90.00/\$45.00	
<u>Walk Up and Reservation</u>			
1 hr min/addt'1 ¼ hr	\$40.00/\$10.00	\$45.00/\$11.25	
1 hr min/addt'1 ¼ hr	\$55.00/\$13.75	\$60.00/\$15.00	
<u>Walk Up and Reservation</u>			
1 hr min/addt'1 ¼ hr	\$35.00/\$8.75	\$40.00/\$10.00	
1 hr min/addt'1 ¼ hr	\$42.00/\$10.50	\$45.00/\$11.25	

6. That the proposed rates are within the range of rates currently charged by the industry for similar services except as noted in the chart herein. Staff expresses no concern since the riding public can choose from other charter limousine carriers and other modes of transportation that charge less.
7. That the Applicant has not requested a tariff modification since June 2021.
8. That based upon all the records relating to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The proposed tariff modification will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The tariff modification proposed by Kaptyn Nevada, LLC d/b/a Presidential Limousine is hereby GRANTED.

2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest:

Jennifer De Rose, Deputy Commissioner

Dated:

Las Vegas, Nevada

KAPTYN NEVADA, LLC
dba
PRESIDENTIAL LIMOUSINE

CHARTER SERVICES RATES AND CHARGES

(1)	Vehicles with a capacity of five (5) passengers, including the driver, in a standard SUV, without amenities Minimum charge, one hour Each subsequent one-quarter hour or less	\$55.00 \$13.70
(2)	Vehicles with a capacity of five (5) passengers, including the driver, in a standard SUV with amenities** Minimum charge, one hour Each subsequent one-quarter hour or less	\$60.00 \$15.00
(3)	Vehicles with a capacity of seven (7) passengers, including the driver, in a stretch SUV limousine without amenities Minimum charge, one hour Each subsequent one-quarter hour or less Minimum charge, one hour*** Each subsequent one-quarter hour or less*** *** Requires usage by customer of 200 hours or more in any calendar month, only if the previous three (3) months of customer usage averages 200 hours or more per month	\$80.00 \$20.00 \$70.00 \$17.50
(4)	Vehicles with a capacity of seven (7) passengers, including the driver, in a stretch SUV with amenities** Minimum charge, one hour Each subsequent one-quarter hour or less	\$80.00 \$20.00
(5)	Vehicles with a capacity of nine (9) passengers, including the driver, in a stretch SUV limousine without amenities Minimum charge, one hour Each subsequent one-quarter hour or less Minimum charge, one hour*** Each subsequent one-quarter hour or less*** ***Requires usage by customer of 200 hours or more in any calendar month, only if the previous three (3) months of customer usage averages 200 hours or more per month	\$80.00 \$20.00 \$70.00 \$17.50
(6)	Vehicles with a capacity of nine (9) passengers, including the driver, in a stretch SUV limousine with amenities** Minimum charge, one hour Each subsequent one-quarter hour or less	\$90.00 \$22.50
(7)	Vehicles with a capacity of eleven (11) passengers, including the driver, in a stretch SUV limousine without amenities Minimum charge, one hour Each subsequent one-quarter hour or less	\$90.00 \$22.50

ACCEPTED

JUN 14 2021

Nevada Transportation Authority
 Effective: Las Vegas, Nevada

Issued:

05/07/2021

Issued by:

Andrew Meyers
 Kaptyn Nevada, LLC
 1900 Industrial Rd.
 Las Vegas, NV 89102

ACCEPTED

Interim
 JUN 01 2021

21-05014
 Nevada Transportation Authority
 Las Vegas, Nevada

KAPTYN NEVADA, LLC
dba
PRESIDENTIAL LIMOUSINE

CHARTER SERVICES - RATES AND CHARGES (Continued)

(8)	Vehicles with a capacity of eleven (11) passengers, including the driver, in a stretch SUV limousine, with amenities** Minimum charge, one hour Each subsequent one-quarter hour or less	\$100.00 \$25.00
(9)	Vehicles with a capacity of thirteen (13) passengers, including the driver, in a Limo Van with amenities** Minimum charge, one hour Each subsequent one-quarter hour or less	\$100.00 \$25.00
(10)	Vehicles with a capacity of thirteen (13) passengers, including the driver, in a Limo Van without amenities Minimum charge, one hour Each subsequent one-quarter hour or less	\$90.00 \$22.50
(11)	Vehicles with a capacity of fifteen (15) passengers, including the driver, in a stretch SUV with amenities** Minimum charge, one hour Each subsequent one-quarter hour or less	\$120.00 \$30.00
(12)	Vehicles with a capacity of fifteen (15) passengers, including the driver, in a stretch SUV limousine without amenities Minimum charge, one hour Each subsequent one-quarter hour or less Minimum charge, one hour*** Each subsequent one-quarter hour or less*** *** Requires usage by customer of 200 hours or more in any calendar month, only if the previous three (3) months of customer usage averages 200 hours or more per month	\$115.00 \$28.75 \$100.00 \$25.00
(13)	Vehicles with a capacity of fifteen (15) passengers, including the driver, in a super stretch SUV ("Hummer") with amenities** Minimum charge, two hours Each subsequent one-quarter hour or less	\$250.00 \$31.25
(14)	Airport Fee (per Charter Order)	\$6.00

ACCEPTED

JUN 14 2021

Nevada Transportation Authority
Las Vegas, Nevada

Issued:

05/07/2021

Issued by:

Andrew Meyers
Kaptyn Nevada, LLC
1900 Industrial Rd.
Las Vegas, NV 89102

Effective:

ACCEPTED

Interim
JUN 01 2021


01-050114
Nevada Transportation Authority
Las Vegas, Nevada

Continuation of PFS(a)

(15)	Airport Passenger Arrival Fee (Excludes E-Hail passengers and account holders)	\$10.00
(16)	Airport Passenger Gate Meet Fee (per Charter Order)	\$30.00
	** Amenities include ice, glasses, water only	

This pf was removed on the new Tariff



Issued: 05/07/2021	Issued by: Andrew Meyers Kaptyn Nevada, LLC 1900 Industrial Rd. Las Vegas, NV 89102	Effective: 
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KAPTYN NEVADA, LLC
dba
PRESIDENTIAL LIMOUSINE

CHARTER SERVICES - RATES AND CHARGES (Continued)

(17)	Vehicles with a capacity of eight (8) passengers, including the driver, in a large SUV, without amenities** Minimum charge, one hour Each subsequent one-quarter hour or less	\$60.00 \$15.00
(18)	Vehicles with a capacity of eight (8) passengers, including the driver, in a large SUV, with amenities** Minimum charge, one hour Each subsequent one-quarter hour or less	\$65.00 \$16.25

ACCEPTED

JUN 14 2021

Nevada Transportation Authority
Las Vegas, Nevada

Issued:

05/07/2021

Issued by:

Andrew Meyers
Kaptyn Nevada, LLC
1900 Industrial Rd.
Las Vegas, NV 89102

Effective:

ACCEPTEDInterim
JUN 01 2021
21-050112Nevada Transportation Authority
Las Vegas, Nevada

KAPTYN NEVADA, LLC
dba
PRESIDENTIAL LIMOUSINE

CHARTER SERVICES - RATES AND CHARGES

(1)	Vehicles with a capacity of eight (8) passengers, including the driver with amenities:** Minimum charge, one hour Each subsequent one-quarter hour or less	\$75.00 \$18.75
(2)	Vehicles with a capacity of ten (10) passengers, including the driver, with amenities:** Minimum charge, one hour Each subsequent one-quarter hour or less	\$85.00 \$21.25
(3)	Vehicles with a capacity of ten (10) passengers, including the driver, without amenities: Minimum charge, one hour Each subsequent one-quarter hour or less	\$75.00 \$18.75
(4)	Vehicles with a capacity of eight (8) passengers, including the driver, without amenities: Minimum charge, one hour Each subsequent one-quarter hour or less Minimum charge, one hour*** Each subsequent one-quarter hour or less*** (*** Requires usage by customer of 200 hours or more in any calendar month, only if the previous three (3) months of customer usage averages 200 hours or more per month	\$65.00 \$16.25 \$45.00 \$11.25
(5)	Vehicles with a capacity of five (5) passengers, including the driver, without amenities: Minimum charge, one hour Each subsequent one-quarter hour or less	\$40.00 \$10.00
(6)	Vehicles with a capacity of five (5) passengers, including the driver, with amenities:** Minimum charge, one hour Each subsequent one-quarter hour or less	\$55.00 \$13.75
(7)	Vehicles with a capacity of four (4) passengers, including the driver, without amenities: Minimum charge, one hour Each subsequent one-quarter hour or less	\$35.00 \$8.75
(8)	Vehicles with a passenger capacity of four (4) passengers, including the driver, with amenities:** Minimum charge, one hour Each one-quarter hour of less	\$42.00 \$10.50
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> ACCEPTED JUN 14 2021 Nevada Transportation Authority Las Vegas, Nevada </div>		

Issued: 05/07/2021	Issued by: Andrew Meyers Kaptyn Nevada, LLC 1900 Industrial Rd. Las Vegas, NV 89102	Effective: <div style="border: 1px solid black; padding: 5px; display: inline-block;"> ACCEPTED Interim JUN 01 2021 <i>21-05014</i> Nevada Transportation Authority Las Vegas, Nevada </div>
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Revised Page 6(a)
1007

CPCN No.

KAPTYN NEVADA, LLC
dba
PRESIDENTIAL LIMOUSINE

CHARTER SERVICES RATES AND CHARGES (Continued)

(9)	Airport Fee (per Charter Order)	\$6.00
(10)	Airport Fee for vehicles with passenger capacity of 16-30, including driver	\$10.00
(11)	Airport Fee for vehicles with passenger capacity of 31 or more, including driver	\$25.00
(12)	Airport Passenger Arrival Fee (per Charter Order) (Excludes E-Hail passengers and account holders)	\$10.00
(13)	Airport Passenger Gate Meet Fee	\$30.00
** Amenities include ice, glasses, sodas and drink mixes only		

Issued:

02/01/2020

Issued by:

Andrew Meyers
Kaptyn Nevada, LLC
1900 Industrial Rd.
Las Vegas, NV 89102

Effective:

ACCEPTED

JAN 20 2021

Nevada Transportation Authority
Las Vegas, Nevada

KAPTYN NEVADA, LLC
dba
PRESIDENTIAL LIMOUSINE

(1)	Standard SUV with seating capacity of 5 passengers, including driver, no amenities Minimum charge, one hour Each subsequent one-quarter hour or less	\$60.00 15.00
(2)	Standard SUV with seating capacity of 5 passengers, including the driver, with amenities Minimum charge, one hour Each subsequent one-quarter hour or less	\$65.00 16.25
(3)	Stretch SUV limousine with seating capacity of 7 passengers, including the driver, without amenities Minimum charge, one hour Each subsequent one-quarter hour or less Minimum charge, one hour*** Each subsequent one-quarter hour or less***	\$80.00 20.00 \$70.00 17.50
(4)	Stretch SUV limousine with seating capacity of 7 passengers, including the driver, with amenities Minimum charge, one and one half hours (90 minutes) pre-arranged Each subsequent one-quarter hour or less Minimum charter, one hour (walk up only) Each additional one-half hour or less, after the first hour	\$135.00 22.50 \$90.00 45.00
(5)	Stretch SUV limousine with seating capacity of 9 passengers, including the driver, without amenities Minimum charge, one hour Each subsequent one-quarter hour or less Minimum charge, one hour*** Each subsequent one-quarter hour or less***	\$90.00 22.50 \$80.00 20.00
(6)	Stretch SUV limousine with seating capacity of 9 passengers, including the driver, with amenities Minimum charge, one and one half hours (90 minutes) pre-arranged Each subsequent one-quarter hour or less Minimum charge, one hour (walk-up only) Each additional one-half hour or less, after the first hour	\$150.00 25.00 \$100.00 50.00
(7)	Stretch SUV limousine with seating capacity of 11 passengers, including the driver, without amenities Minimum charge, one hour Each subsequent one-quarter hour or less	\$100.00 25.00

Issued: 8/3/2021	Issued by: Andrew Meyers Kaptyn Nevada, LLC 1900 Industrial Rd. Las Vegas, NV 89102	Effective: <div style="border: 2px solid black; padding: 5px; text-align: center;"> ACCEPTED <i>Int'l</i> AUG 20 2021 21-08009 Nevada Transportation Authority Las Vegas, Nevada </div>
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KAPTYN NEVADA, LLC
dba
PRESIDENTIAL LIMOUSINE

(8)	Stretch SUV limousine with seating capacity of 11 passengers, including the driver, with amenities Minimum charge, one and one half hours (90 minutes) pre-arranged Each subsequent one-quarter hour or less Minimum charge, one hour (walk-up only) Each additional one-half hour or less, after the first hour	\$165.00 27.50 \$110.00 55.00
(9)	Limo Van with seating capacity of 13 passengers, including the driver, with amenities Minimum charge, two hours Each subsequent one-quarter hour or less	\$220.00 27.50
(10)	Limo Van with seating capacity of 13 passengers, including the driver, without amenities Minimum charge, one hour Each subsequent one-quarter hour or less	\$100.00 25.00
(11)	Stretch SUV with seating capacity of 15 passengers, including the driver, with amenities Minimum charge, one and one half hours (90 minutes) pre-arranged Each subsequent one-quarter hour or less Minimum charge, one hour (walk-up only) Each additional one-half hour or less, after the first hour	\$195.00 32.50 \$130.00 65.00
(12)	Stretch SUV with seating capacity of 15 passengers, including driver, without amenities Minimum charge, one hour Each subsequent one-quarter hour or less Minimum charge, one hour*** Each subsequent one-quarter hour or less***	\$120.00 30.00 \$110.00 27.50
(13)	Super-stretch SUV ("Hummer") with seating capacity of 15 passengers, including driver, with amenities Minimum charge, two hours Each subsequent one-quarter hour or less	\$250.00 \$31.25
(14)	Airport Fee (per Charter Order)	\$6.00
(15)	Airport Passenger Arrival Fee (Excludes E-Hail passengers and account holders)	\$20.00
(16)	Airport Passenger Gate Meet Fee (per Charter Order)	\$30.00

Issued:

8/3/2021

Issued by:

Andrew Meyers
 Kaptyn Nevada, LLC
 1900 Industrial Rd.
 Las Vegas, NV 89102

Effective



KAPTYN NEVADA, LLC
dba
PRESIDENTIAL LIMOUSINE

(17)	Large SUV with seating capacity of 8 passengers, including the driver, without amenities Minimum charge, one hour Each subsequent one-quarter hour or less	\$65.00 16.25
(18)	Large SUV with seating capacity of 8 passengers, including the driver, with amenities Minimum charge, one hour Each subsequent one-quarter hour or less	\$70.00 17.50

*** Requires usage by customer of 200 hours or more in any calendar month, only if the previous three (3) months of customer usage averages 200 hours or more per month


** Amenities include ice, glasses, water only

<p>Issued:</p> <p>8/3/2021</p>	<p>Issued by:</p> <p>Andrew Meyers Kaptyn Nevada, LLC 1900 Industrial Rd. Las Vegas, NV 89102</p>	<p>Effective:</p> <div data-bbox="1023 1764 1339 1963" style="border: 1px solid black; padding: 5px; text-align: center;"> <p>ACCEPTED <i>Interim</i> AUG 20 2021 <i>21-0809</i> Nevada Transportation Authority Las Vegas, Nevada</p> </div>
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KAPTYN NEVADA, LLC
dba
PRESIDENTIAL LIMOUSINE

(1)	Vehicles with seating capacity of 8 passengers, including the driver with amenities: Minimum charge, one and one half hours (90 minutes), pre-arranged Each subsequent one-quarter hour or less	\$120.00 20.00
	Minimum charge, one hour (walk-up service only) Each additional one-half hour or less, after the first hour	\$80.00 40.00
(2)	Vehicles with seating capacity of 10 passengers, including the driver, with amenities: Minimum charge, one and one half hours (90 minutes), pre-arranged Each subsequent one-quarter hour or less	\$135.00 22.50
	Minimum charge, one hour (walk-up service only) Each additional one-half hour or less, after the first hour	\$90.00 45.00
(3)	Vehicles with seating capacity of 10 passengers, including the driver, without amenities: Minimum charge, one hour Each subsequent one-quarter hour or less	\$85.00 22.50
(4)	Vehicles with seating capacity of 8 passengers, including the driver, without amenities: Minimum charge, one hour Each subsequent one-quarter hour or less Minimum charge, one hour*** Each subsequent one-quarter hour or less***	\$75.00 18.75 55.00 13.75
(5)	Vehicles with seating capacity of 5 passengers, including the driver, without amenities: Minimum charge, one hour Each subsequent one-quarter hour or less	\$45.00 11.25
(6)	Vehicles with seating capacity of 5 passengers, including the driver, with amenities: Minimum charge, one hour Each subsequent one-quarter hour or less	\$60.00 15.00
(7)	Vehicles with seating capacity of 4 passengers, including the driver, without amenities: Minimum charge, one hour Each subsequent one-quarter hour or less	\$40.00 10.00
(8)	Vehicles with seating capacity of 4 passengers, including the driver, with amenities: Minimum charge, one hour Each one-quarter hour of less	\$45.00 11.25

*** Requires usage by customer of 200 hours or more in any calendar month, only if the previous three (3)

Issued: 8/3/2021	Issued by: Andrew Meyers Kaptyn Nevada, LLC 1900 Industrial Rd. Las Vegas, NV 89102	Effective: 
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KAPTYN NEVADA, LLC
dba
PRESIDENTIAL LIMOUSINE

(9)	Airport Fee (per Charter Order)	\$6.00
(10)	Airport Fee for vehicles with passenger capacity of 16-30, including driver	\$10.00
(11)	Airport Fee for vehicles with passenger capacity of 31 or more, including driver	\$25.00
(12)	Airport Passenger Arrival Fee (per Charter Order) (Excludes E-Hail passengers and account holders)	\$20.00
(13)	Airport Passenger Gate Meet Fee per charter order	\$30.00
** Amenities include ice, glasses, sodas and drink mixes only		

Issued:

8/3/2021

Issued by:

Andrew Meyers
Kaptyn Nevada, LLC
1900 Industrial Rd.
Las Vegas, NV 89102

Effective:



Agenda Item#

58

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Kaptyn Nevada, LLC d/b/a)
Kaptyn for authority to modify tariff rates pursuant to) Docket 21-08010
NAC 706.1384.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Nevada Transportation Authority ("Authority") makes the following findings:

1. That an Application was filed with the Authority by Kaptyn Nevada, LLC d/b/a Kaptyn, a carrier certificated to provide charter limousine service and special service as described in Certificate of Public Convenience and Necessity ("CPCN") 1040, Sub 5, for authority to modify tariff rates pursuant to NAC 706.1384.
2. That the carrier simultaneously filed a Petition for Interim Authority.
3. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
4. That on August 20, 2021, Commissioner George Assad, acting as Presiding Officer in this matter, granted the Petition for Interim Authority.
5. That the Applicant seeks to request the following rate changes (passenger count does not include driver):

Vehicle Type	Old Rate	New Rate	High than Range
4-Passenger Sedan Non Airport Walk Up:			
1 st addt'l ½ hr after 1 st ½ hr	\$12.00	\$15.00	
Ea. addt'l ¼ hr after 1 st hr	\$10.50	\$11.35	

Vehicle Type	Old Rate	New Rate	High than Range
<u>Reservation and Airport Walk Up</u>			
1 hr min/addt'1 ½ hr	\$42.00/\$21.00	\$45.00/\$22.50	
<u>5-Passenger SUV Walk Up and Reservation</u>			
1 hr min/addt'1 ½ hr	\$60.00/\$30.00	\$65.00/\$32.50	by \$5.00
<u>4-Passenger Luxury Sedan Walk Up and Reservation</u>			
1 hr min/addt'1 ½ hr	\$55.00/\$27.50	\$60.00/\$30.00	by \$5.00
<u>7-Passenger Large SUV Walk Up and Reservation</u>			
1 hr min/addt'1 ½ hr	\$65.00/\$32.50	\$70.00/\$35.00	
<u>6-Passenger Stretch</u>			
Add Reservation 1 1/2hrs min/addt'1 1/2 hr		\$120.00/\$40.00	by \$7.50
Walk Up 1 hr min/addt'1 ½ hr	\$75.00/\$37.50	\$80.00/\$40.00	by \$5.00
<u>8-Passenger Super Stretch</u>			
Add Reservation 1 1/2hrs min/addt'1 ½ hr		\$135.00/\$45.00	by \$7.50
Walk Up 1 hr min/addt'1 ½ hr	\$85.00/\$42.50	\$90.00/\$45.00	by \$5.00
<u>14-Passenger SUV</u>			
Add Reservation 1 1/2hrs min/addt'1 ½ hr		\$195.00/\$65.00	
Walk Up 1 hr min/addt'1 ½ hr	\$120.00/\$60.00	\$130.00/\$65.00	
<u>12-Passenger Executive Van</u>			
Walk Up and Reservation 1 hr min/addt'1 ½ hr	\$100.00/\$50.00	\$110.00/\$55.00	
<u>12-Passenger Livery Limo</u>			
Add 2 hr min/addt'1 ½ hr		\$220.00/\$55.00	
Increase the Airport Passenger Greeting fee	\$10.00	\$20.00	
Remove the cell phone fee	\$2.00	\$0.00	

6. That the proposed tariff rates are within the range of rates currently charged by the industry for similar services except as noted in the chart herein. Staff expresses no concern since the riding public can choose from other charter limousine carriers and other modes of transportation that charge less.
7. That the Applicant has not requested a tariff modification since June 2021.
8. That based upon all the records relating to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State

of Nevada and within the regulatory jurisdiction of the Authority.

- b. The proposed tariff modification will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The tariff modification proposed by Kaptyn Nevada, LLC d/b/a Kaptyn is hereby GRANTED.
2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

KAPTYN NEVADA LLCdba
KAPTYN**LIMOUSINE RATES AND CHARGES**

(1) Sedans – Vehicles with a seating capacity of 4 passengers, plus driver:	
<u>Walkout (not available at airport)</u>	
Minimum charge, one half hour (30 minutes)	\$30.00
First additional half hour or less, after the first half hour	12.00
Each additional one-quarter hour or less, after the first hour	10.50
Minimum charge, one half hour (30 minutes) *, **, ***	30.00
First additional half hour or less, after the first half hour *, **, ***	10.00
Each additional one-quarter hour or less, after the first hour *, **, ***	10.00
<u>Pre-arranged Reservations and Airport Walkout</u>	
Minimum charge, one hour	\$42.00
Each one-half hour or less, after the first hour	21.00
Minimum charge, one hour*	40.00
Each one-half hour or less, after the first hour*	20.00
Minimum charge, one hour**	40.00
Each one-half hour or less, after the first hour**	20.00
Minimum charge, one hour***	40.00
Each one-half hour or less, after the first hour***	20.00
(2) Standard Sports Utility Vehicles with a seating capacity of 5 passengers, plus driver:	
Minimum charge, one hour	\$60.00
Each one-half hour or less, after the first hour	30.00
Minimum charge, one hour*	57.00
Each one-half hour or less, after the first hour*	28.50
Minimum charge, one hour**	55.00
Each one-half hour or less, after the first hour**	27.50
Minimum charge, one hour***	46.00
Each one-half hour or less, after the first hour***	23.00
(1A) Luxury Sedans – Vehicles with a seating capacity of 4 passengers, plus driver:	
Minimum charge, one hour	\$55.00
Each one-half hour or less, after the first hour	27.50
Minimum charge, one hour*	40.00
Each one-half hour or less, after the first hour*	20.00
Minimum charge, one hour**	40.00
Each one-half hour or less, after the first hour**	20.00
Minimum charge, one hour***	40.00
Each one-half hour or less, after the first hour***	20.00

*, **, *** see page 12 for definitions

ACCEPTED**JUL 27 2021**Nevada Transportation Authority
Las Vegas, Nevada

Issued:

03/16/2021

Issued by:

Andrew Meyers
Kaptyn Nevada, LLC
4675 Wynn Road
Las Vegas, NV 89103

Effective:

ACCEPTEDInterim
JUN 01 2021
21-05017Nevada Transportation Authority
Las Vegas, Nevada

KAPTYN NEVADA LLC
dba
KAPTYN

LIMOUSINE RATES AND CHARGES (Continued)

(3)	Large Sports Utility Vehicles with a seating capacity of 7 passengers, plus driver:	
	Minimum charge, one hour	\$65.00
	Each additional one-half hour or less, after the first hour	32.50
	Minimum charge, one hour*	63.00
	Each one-half hour or less, after the first hour*	31.50
	Minimum charge, one hour**	62.00
	Each one-half hour or less, after the first hour**	31.00
	Minimum charge, one hour***	46.00
	Each one-half hour or less, after the first hour***	23.00
(4)	Stretch – Vehicles with a seating capacity of 6 passengers, plus driver:	
	Minimum charge, one hour	\$75.00
	Each additional one-half hour or less, after the first hour	37.50
	Minimum charge, one hour*	73.00
	Each one-half hour or less, after the first hour*	36.50
	Minimum charge, one hour**	71.00
	Each one-half hour or less, after the first hour**	35.50
	Minimum charge, one hour***	46.00
	Each one-half hour or less, after the first hour***	23.00

*, **, *** see page 12 for definitions

ACCEPTED

JUL 27 2021

Nevada Transportation Authority
Las Vegas, Nevada

Issued:

03/16/2021

Issued by:

Andrew Meyers
Kaptyn Nevada, LLC
4675 Wynn Road
Las Vegas, NV 89103

Effective:



KAPTYN NEVADA LLC
dba
KAPTYN

LIMOUSINE RATES AND CHARGES (Continued)

<p>(5) Super stretch – Vehicles with a seating capacity of 8 passengers, plus driver:</p> <p>Minimum charge, one hour</p> <p>Each additional one-half hour or less, after the first hour</p> <p>Minimum charge, one hour*</p> <p>Each one-half hour or less, after the first hour*</p> <p>Minimum charge, one hour**</p> <p>Each one-half hour or less, after the first hour**</p> <p>Minimum charge, one hour***</p> <p>Each one-half hour or less, after the first hour***</p>	<p>\$85.00</p> <p>42.50</p> <p>83.00</p> <p>41.50</p> <p>81.00</p> <p>40.50</p> <p>46.00</p> <p>23.00</p>
<p>(6) Specialty vehicles (sports utility vehicles with frames lengthened, with a seating capacity of 14 passengers, plus driver, and/or import luxury sedans with frames lengthened, with a seating capacity of 14 passengers, plus driver):</p> <p>Minimum charge, one hour</p> <p>Each one-half hour or less, after the first hour</p> <p>Minimum charge, one hour*</p> <p>Each one-half hour or less, after the first hour*</p> <p>Minimum charge, one hour**</p> <p>Each one-half hour or less, after the first hour**</p> <p>Minimum charge, one hour***</p> <p>Each one-half hour or less, after the first hour***</p>	<p>\$120.00</p> <p>60.00</p> <p>118.00</p> <p>59.00</p> <p>116.00</p> <p>58.00</p> <p>95.00</p> <p>47.50</p>

, *, **, *** see page 12 for definitions

ACCEPTED

JUL 27 2021

Nevada Transportation Authority
Las Vegas, Nevada

Issued:

03/16/2021

Issued by:

Andrew Meyers
Kaptyn Nevada, LLC
4675 Wynn Road
Las Vegas, NV 89103

Effective:

ACCEPTED
Interim
JUN 01 2021
21-05017
Nevada Transportation Authority
Las Vegas, Nevada

KAPTYN NEVADA LLC

dba

KAPTYN**LIMOUSINE RATES AND CHARGES (Continued)**

(8)	Executive Livery – vans with seating capacity of 12 passengers, plus driver; leather interiors:	
	Minimum charge, one hour	\$100.00
	Each additional one-half hour or less, after the first hour	50.00
	Minimum charge, one hour*	98.00
	Each one-half hour or less, after the first hour*	49.00
	Minimum charge, one hour**	96.00
	Each one-half hour or less, after the first hour**	48.00
	Minimum charge, one hour***	60.00
	Each one-half hour or less, after the first hour***	30.00
(9)	Livery Limo – limo vans with seating capacity of 12 passengers, plus driver; leather interiors:	
	Minimum charge, one hour	\$100.00
	Each additional one-half hour or less, after the first hour	50.00
	Minimum charge, one hour*	98.00
	Each one-half hour or less, after the first hour*	49.00
	Minimum charge, one hour**	96.00
	Each one-half hour or less, after the first hour**	48.00
	Minimum charge, one hour***	95.00
	Each one-half hour or less, after the first hour***	47.50

ACCEPTED

JUL 27 2021

Nevada Transportation Authority
Las Vegas, Nevada

Issued:

03/16/2021

Issued by:

Andrew Meyers
Kaptyn Nevada, LLC
4675 Wynn Road
Las Vegas, NV 89103

Effective:

ACCEPTEDInterim
JUN 01 2021
21-05017Nevada Transportation Authority
Las Vegas, Nevada

KAPTYN NEVADA LLC
dba
KAPTYN

LIMOUSINE RATES AND CHARGES (Continued)

- | | | |
|------|---|-------------------------------|
| (11) | Cellular telephone charges per minute | \$ 2.00 |
| (12) | Amenities will be at cost plus per amenity
Amenities will include flowers and gifts, but is not meant to be all inclusive | \$10.00 |
| (13) | Airport fee - for any trip originating at the airport:
Airport Fee for vehicles with a passenger capacity of 1-15, including driver
Airport Fee for vehicles with a passenger capacity of 16-30, including driver
Airport fee for vehicles with a passenger capacity of 31 or more, including driver | \$ 6.00
\$10.00
\$25.00 |
| (14) | Airport Passenger Greeting Charge | \$10.00 |

Issued: 10/15/2020	Issued by: Andrew Meyers Kaptyn Nevada, LLC 4675 Wynn Road Las Vegas, NV 89103	Effective: <div>ACCEPTED OCT 15 2020 Nevada Transportation Authority Las Vegas, Nevada</div>
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KAPTYN NEVADA LLC

dba

KAPTYN**LIMOUSINE RATES AND CHARGES**

(1)	Sedans – Vehicles with a seating capacity of 4 passengers, plus driver:	
	<u>Walkout (not available at airport)</u>	
	Minimum charge, one half hour (30 minutes)	\$30.00
	First additional half hour or less, after the first half hour	15.00
	Each additional one-quarter hour or less, after the first hour	11.35
	Minimum charge, one half hour (30 minutes) *, **, ***	30.00
	First additional half hour or less, after the first half hour *, **, ***	10.00
	Each additional one-quarter hour or less, after the first hour *, **, ***	10.00
	<u>Pre-arranged Reservations and Airport Walkout</u>	
	Minimum charge, one hour	\$45.00
	Each one-half hour or less, after the first hour	22.50
	Minimum charge, one hour*	40.00
	Each one-half hour or less, after the first hour*	20.00
	Minimum charge, one hour**	40.00
	Each one-half hour or less, after the first hour**	20.00
	Minimum charge, one hour***	40.00
	Each one-half hour or less, after the first hour***	20.00
(2)	Standard Sports Utility Vehicles with a seating capacity of 5 passengers, plus driver:	
	Minimum charge, one hour	\$65.00
	Each one-half hour or less, after the first hour	32.50
	Minimum charge, one hour*	57.00
	Each one-half hour or less, after the first hour*	28.50
	Minimum charge, one hour**	55.00
	Each one-half hour or less, after the first hour**	27.50
	Minimum charge, one hour***	46.00
	Each one-half hour or less, after the first hour***	23.00
(1A)	Luxury Sedans – Vehicles with a seating capacity of 4 passengers, plus driver:	
	Minimum charge, one hour	\$60.00
	Each one-half hour or less, after the first hour	30.00
	Minimum charge, one hour*	40.00
	Each one-half hour or less, after the first hour*	20.00
	Minimum charge, one hour**	40.00
	Each one-half hour or less, after the first hour**	20.00
	Minimum charge, one hour***	40.00
	Each one-half hour or less, after the first hour***	20.00

*, **, *** see page 12 for definitions

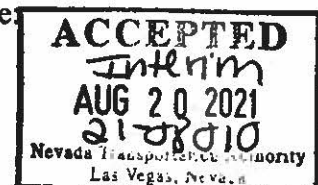
Issued:

03/16/2021

Issued by:

Andrew Meyers
Kaptyn Nevada, LLC
4675 Wynn Road
Las Vegas, NV 89103

Effective:



KAPTYN NEVADA LLC
dba
KAPTYN

LIMOUSINE RATES AND CHARGES (Continued)

(3)	Large Sports Utility Vehicles with a seating capacity of passengers, plus driver: 7	
	Minimum charge, one hour	\$70.00
	Each additional one-half hour or less, after the first hour	35.00
	Minimum charge, one hour*	63.00
	Each one-half hour or less, after the first hour*	31.50
	Minimum charge, one hour**	62.00
	Each one-half hour or less, after the first hour**	31.00
	Minimum charge, one hour***	46.00
	Each one-half hour or less, after the first hour***	23.00
(4)	Stretch – Vehicles with a seating capacity of 6 passengers, plus driver:	
	Minimum charge, one and one-half hours (90 minutes), pre-arranged	\$120.00
	Each additional one-half hour or less, after the first hour	40.00
	Minimum charge, one hour*	73.00
	Each one-half hour or less, after the first hour*	36.50
	Minimum charge, one hour**	71.00
	Each one-half hour or less, after the first hour**	35.50
	Minimum charge, one hour***	46.00
	Each one-half hour or less, after the first hour***	23.00
	Minimum charge, one hour, walk-up rate	\$80.00
	Each additional one-half hour or less, after the first hour	40.00

*, **, *** see page 12 for definitions

<p>Issued:</p> <p>08/12/2021</p>	<p>Issued by:</p> <p>Andrew Meyers</p> <p>Kaptyn Nevada, LLC</p> <p>4675 Wynn Road</p> <p>Las Vegas, NV 89103</p>	<p>Effective:</p> <div data-bbox="1084 1770 1385 1953" style="border: 1px solid black; padding: 5px;"> <p>ACCEPTED</p> <p>Interim</p> <p>AUG 20 2021</p> <p>21-08010</p> <p>Nevada Transportation Authority</p> <p>Las Vegas, Nevada</p> </div>
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KAPTYN NEVADA LLC

dba

KAPTYN**LIMOUSINE RATES AND CHARGES (Continued)**

(5)	<p>Super stretch – Vehicles with a seating capacity of 8 passengers, plus driver: Minimum charge, one and one half hours (90 minutes), pre-arranged Each additional one-half hour or less, after the first hour and one half hours Minimum charge, one hour* Each one-half hour or less, after the first hour* Minimum charge, one hour** Each one-half hour or less, after the first hour** Minimum charge, one hour*** Each one-half hour or less, after the first hour*** Minimum charge one hour walk up rate Each additional one-half hour or less, after the first hour</p>	<p>\$135.00 45.00 83.00 41.50 81.00 40.50 46.00 23.00 \$90.00 45.00</p>
(6)	<p>Specialty vehicles (sports utility vehicles with frames lengthened, with a seating capacity of 14 passengers, plus driver, and/or import luxury sedans with frames lengthened, with a seating capacity of 14 passengers, plus driver):</p> <p>Minimum charge, one and one half hours (90 minutes) pre-arranged Each one-half hour or less, after the first hour and one half hours Minimum charge, one hour* Each one-half hour or less, after the first hour* Minimum charge, one hour** Each one-half hour or less, after the first hour** Minimum charge, one hour*** Each one-half hour or less, after the first hour*** Minimum charge one hour walk up rate Each additional one-half hour or less, after the first hour</p>	<p>\$195.00 65.00 118.00 59.00 116.00 58.00 95.00 47.50 \$130.00 65.00</p>

, *, **, *** see page 12 for definitions

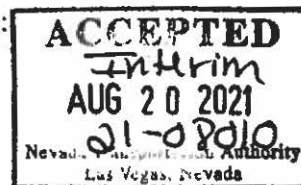
Issued:

08/12/2021

Issued by:

Andrew Meyers
Kaptyn Nevada, LLC
4675 Wynn Road
Las Vegas, NV 89103

Effective:



KAPTYN NEVADA LLC
dba
KAPTYN

LIMOUSINE RATES AND CHARGES (Continued)

(8)	Executive Livery – vans with seating capacity of 12 passengers, plus driver; leather interiors:	
	Minimum charge, one hour	\$110.00
	Each additional one-half hour or less, after the first hour	55.00
	Minimum charge, one hour*	98.00
	Each one-half hour or less, after the first hour*	49.00
	Minimum charge, one hour**	96.00
	Each one-half hour or less, after the first hour**	48.00
	Minimum charge, one hour***	60.00
	Each one-half hour or less, after the first hour***	30.00
(9)	Livery Limo – limo vans with seating capacity of 12 passengers, plus driver; leather interiors:	
	Minimum charge, two hours	\$220.00
	Each additional one-half hour or less, after the first two hours	55.00
	Minimum charge, one hour*	98.00
	Each one-half hour or less, after the first hour*	49.00
	Minimum charge, one hour**	96.00
	Each one-half hour or less, after the first hour**	48.00
	Minimum charge, one hour***	95.00
	Each one-half hour or less, after the first hour***	47.50

Issued:

08/21/2021

Issued by:

Andrew Meyers
 Kaptyn Nevada, LLC
 4675 Wynn Road
 Las Vegas, NV 89103

Effective:



KAPTYN NEVADA LLC
dba
KAPTYN

LIMOUSINE RATES AND CHARGES (Continued)

- | | | |
|------|---|-------------------------------|
| (12) | Amenities will be at cost plus per amenity
Amenities will include flowers and gifts, but is not meant to be all inclusive | \$10.00 |
| (13) | Airport fee - for any trip originating at the airport:
Airport Fee for vehicles with a passenger capacity of 1-15, including driver
Airport Fee for vehicles with a passenger capacity of 16-30, including driver
Airport fee for vehicles with a passenger capacity of 31 or more, including driver | \$ 6.00
\$10.00
\$25.00 |
| (14) | Airport Passenger Greeting Charge | \$20.00 |

Issued: 10/15/2020	Issued by: Andrew Meyers Kaptyn Nevada, LLC 4675 Wynn Road Las Vegas, NV 89103	Effective: <div>ACCEPTED Interim AUG 20 2021 21-08010 Nevada Transportation Authority Las Vegas, Nevada</div>
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Agenda Item#

59

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of AWG Ambassador, LLC)
d/b/a AWG Charter Services, AWG Ambassador) Docket 21-08032
for authority to modify tariff rates pursuant to NAC)
706.1384.)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Nevada Transportation Authority ("Authority") makes the following findings:

1. That an Application was filed with the Authority by AWG Ambassador, LLC d/b/a AWG Charter Services, AWG Ambassador, a carrier certificated to provide airport transfer service, special service, and charter bus service as described in Certificate of Public Convenience and Necessity ("CPCN") 2030, Sub 3, for authority to modify tariff rates pursuant to NAC 706.1384.
2. That the carrier simultaneously filed a Petition for Interim Authority.
3. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
4. That on August 27, 2021, Chairman Dawn Gibbons, acting as Presiding Officer in this matter, granted the Petition for Interim Authority.
5. That the Applicant seeks to add an airport transfer rate of \$40.00 one way, per person for transfers between the Allegiant Stadium and McCarran Airport.
6. That the proposed rate is higher than the range of rates when compared to airport transfer rates with

similar distances and within the range of rates when compared to special service rates with similar distances.

7. That the Applicant has not requested a rate increase since April 2021.
8. That based upon all the records relating to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The proposed tariff modification will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The tariff modification proposed by AWG Ambassador, LLC d/b/a AWG Charter Services, AWG Ambassador is hereby GRANTED.
2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

AWG AMBASSADOR, LLC
dba
AWG AMBASSADOR and AWG CHARTER SERVICES
AIRPORT TRANSFER SERVICE RATES AND CHARGES
(CONTINUED)

Fares are for One Way and Round Trip Service in either direction between the points indicated, per passenger.	Signature Terminal		McCarran Field	
	One way	Round Trip	One way	Round Trip
<u>Zone #7</u> Rancho Strip: points and places along Rancho Drive between Sahara Ave. and one mile on either side. (Requires a 4 person min.)	\$25.50	\$45.50	\$25.50	\$45.50
<u>Zone #8</u> Lake Las Vegas	\$35.50	\$60.50	\$35.50	\$60.50
<u>Zone #9</u> Hotels/Motels from points north of Nellis AFB to Mesquite, Nevada bus stops at Casablanca, Oasis and Virgin River Resorts. (Requires an 8 person min.)	\$40.50	N/A	\$40.50	N/A

Issued:

Issued by: Alan Waxler, Manager
AWG Ambassador, LLC
3654 Naples Drive
Las Vegas, NV 89103

ACCEPTED

APR 01 2021

Nevada Transportation Authority
Las Vegas, Nevada

2030

AWG AMBASSADOR, LLC
dba
AWG AMBASSADOR and AWG CHARTER SERVICES
AIRPORT TRANSFER SERVICE RATES AND CHARGES

(CONTINUED)

Fares are for One Way and Round Trip Service in either direction between the points indicated, per passenger.	Signature Terminal		McCarran Field	
	One way	Round Trip	One way	Round Trip
Zone #7 Rancho Strip: points and places along Rancho Drive between Sahara Ave. and one mile on either side. (Requires a 4 person min.)	\$25.50	\$45.50	\$25.50	\$45.50
Zone #8 Lake Las Vegas	\$35.50	\$60.50	\$35.50	\$60.50
Zone #9 Hotels/Motels from points north of Nellis AFB to Mesquite, Nevada bus stops at Casablanca, Oasis and Virgin River Resorts. (Requires an 8 person min.)	\$40.50	N/A	\$40.50	N/A
ALLEGiant STADIUM Direct, non-stop service from the Airport to Allegiant Stadium Direct, non-stop service from Allegiant Stadium to Airport	\$40.00		\$40.00	

Issued:

Issued by: Alan Waxler, Manager
AWG Ambassador, LLC
3564 W. Naples Drive
Las Vegas, NV 89103

Effective:



Agenda Item# 60

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of AWG Ambassador, LLC)
d/b/a Ambassador Limousine, AWG Ambassador,) Docket 21-08033
and AWG Charter Services, for authority to modify)
tariff rates pursuant to NAC 706.1384.)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Nevada Transportation Authority ("Authority") makes the following findings:

1. That an Application was filed with the Authority by AWG Ambassador, LLC d/b/a Ambassador Limousine, AWG Ambassador, and AWG Charter Services, a carrier certificated to provide airport transfer service, special service, and charter limousine service as described in Certificate of Public Convenience and Necessity ("CPCN") 1041, Sub 6, for authority to modify tariff rates pursuant to NAC 706.1384.
2. That the carrier simultaneously filed a Petition for Interim Authority.
3. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
4. That on August 27, 2021, Chairman Dawn Gibbons, acting as Presiding Officer in this matter, granted the Petition for Interim Authority.
5. That the Applicant seeks to add an airport transfer rate of \$40.00 one way, per person for transfers between the Allegiant Stadium and McCarran Airport.

6. That the proposed rate is higher than the range of rates when compared to airport transfer rates with similar distances and within the range of rates when compared to special service rates with similar distances.
7. That the Applicant has not requested a rate increase since April 2021.
8. That based upon all the records relating to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The proposed tariff modification will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The tariff modification proposed by AWG Ambassador, LLC d/b/a AWG Limousine, AWG Ambassador, and AWG Charter Services, is hereby GRANTED.
2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

1041

AWG AMBASSADOR, LLC

dba

**AWG AMBASSADOR, AMBASSADOR LIMOUSINE and AWG CHARTER SERVICES
AIRPORT TRANSFER SERVICE RATES AND CHARGES
(Continued)**

Fares are for One Way and Round Trip Service in either direction between the points indicated, per passenger.	Signature Terminal		McCarran Field	
	One way	Round Trip	One way	Round Trip
<u>Zone #7</u> Rancho Strip: points and places along Rancho Drive between Sahara Ave. and one mile on either side. (Requires a 4 person min.)	\$25.50	\$45.50	\$25.50	\$45.50
<u>Zone #8</u> Lake Las Vegas	\$35.50	\$60.50	\$35.50	\$60.50
<u>Zone #9</u> Hotels/Motels from points north of Nellis AFB to Mesquite, Nevada bus stops at Casablanca, Oasis and Virgin River Resorts. (Requires an 8 person min.)	\$40.50	N/A	\$40.50	N/A
<u>ALLEGiant STADIUM</u> Direct, non-stop service from the Airport to Allegiant Stadium Direct, non-stop service from Allegiant Stadium to Airport	\$40.00		\$40.00	

Issued:

Effective:

Issued by: Alan Waxler, Manager
AWG Ambassador, LLC
3564 W. Naples Drive
Las Vegas, NV 89103



AWG AMBASSADOR, LLC

dba

**AWG AMBASSADOR, AMBASSADOR LIMOUSINE and AWG CHARTER SERVICES
AIRPORT TRANSFER SERVICE RATES AND CHARGES
(Continued)**

Fares are for One Way and Round Trip Service in either direction between the points indicated, per passenger.	Signature Terminal		McCarran Field	
	One way	Round Trip	One way	Round Trip
<u>Zone #7</u> Rancho Strip: points and places along Rancho Drive between Sahara Ave. and one mile on either side. (Requires a 4 person min.)	\$25.50	\$45.50	\$25.50	\$45.50
<u>Zone #8</u> Lake Las Vegas	\$35.50	\$60.50	\$35.50	\$60.50
<u>Zone #9</u> Hotels/Motels from points north of Nellis AFB to Mesquite, Nevada bus stops at Casablanca, Oasis and Virgin River Resorts. (Requires an 8 person min.)	\$40.50	N/A	\$40.50	N/A

Issued:**Effective:**

**Issued by: Alan Waxler, Manager
AWG Ambassador, LLC
3654 W. Naples Drive
Las Vegas, NV 89103**



Agenda Item# 61

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: the Application of All Star Towing, LLC)
d/b/a All Star Towing for authority to modify tariff) Docket 21-08037
rates pursuant to NAC 706.1384.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

Based on the evidence of record, the Nevada Transportation Authority ("Authority") makes the following findings:

1. That an Application was filed with the Authority by All Star Towing, LLC d/b/a All Star Towing, a carrier certificated to provide consent and non-consent tow car service within the State of Nevada as described in Certificate of Public Convenience and Necessity 7317, for authority to modify their tariff rates pursuant to NAC 706.1384.
2. That the Application was properly noticed to the public and there were no Petitions for Leave to Intervene or Protests filed.
3. That the Applicant seeks to increase rates as outlined in the attachment.

(Note: Category C Rates with an unladen weight of 15,000 lbs. or less will be indicated as "Light" and with an unladen weight of more than 15,000 lbs. will be indicated as "Heavy")

4. That this is the carrier's first request for a tariff modification since their CPCN was issued on March 14, 2014.
5. That based upon all the records relating to the Application and after investigation:
 - a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.

- b. The proposed tariff modification will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The tariff modification proposed by All Star Towing, LLC d/b/a All Star Towing, is hereby GRANTED.
2. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

Tow Service		Old Rate	New Rate	% Difference
				Increase/(Decrease)
After Hours	Category C, Light-Night	35.00	75.00	114%
HOOKUP FLAT - CATEGORY C	Category C, Light-Day	200.00	235.00	18%
	Category C, Light-Night	225.00	255.00	13%
Hookup Mileage 10.1 - 50	Category C, Light-Day	New	8.50	N/A
	Category C, Light-Night	New	8.50	N/A
Hookup Mileage 10.1 - 50	Category C, Light-Day	New	7.00	N/A
	Category C, Light-Night	New	7.00	N/A
LIEN FEE	Category A, B, and C (1/2 of lien fee)	90.00	130.00	44%
Lot Visit	Category C, Light-Day	25.00	50.00	100%
Off Hook	Category C, Light-Day	112.00	140.00	25%
	Category C, Light-Night	122.00	150.00	23%
Set Out	Category C, Light	New	50.00	N/A
Storage, Secured	Category C, Light	35.00	40.00	14%
		45.00	70.00	56%
Storage, Inside	Category C, Light			
Tape	Category C, Light	New	35.00	N/A

Nevada Transportation Authority -- Model Tow Form (Flat Rate)

- Tow car operator shall itemize on a tow bill each rate used or fee charged to compute the bill. All charges shall be substantiated in writing and attached to the bill. (NAC 706.420) --
- Timed services are to be billed in full increments for each increment during which any such services are performed --
- On MULTIPLE TOWS - timed services not attributable to any particular vehicle will be shared equally between the towed vehicles --
- All rates set forth below include the services of the driver --

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov	Category A		Category B		Category C - Requiring tow truck with untowed weight of 15,000 lbs. or less		Category C - Requiring tow truck with untowed weight of more than 15,000 pounds	
Tow Service and Rate Method	Day	Night	Day	Night	Day	Night	Day	Night
AIR BAG SYSTEM Per Bag	N/A	N/A	N/A	N/A	X		X	
AFTER HOURS Flat	N/A	N/A	N/A	N/A	N/A	35.00	N/A	N/A
AUCTION PREPARATION Cost Plus	Cost Plus 15%				Cost Plus 15%			
CLEAN UP (no charge for the first 30 minutes) Per 30 Minutes	N/A	N/A	N/A	N/A	X		X	
CONVERTER GEAR Flat	N/A	N/A	N/A	N/A	X		X	
CONVERTER GEAR, Mileage Per Loaded Mile	N/A	N/A	N/A	N/A	X		X	
DOLLY Flat	N/A	N/A	N/A	N/A	X		X	
DOLLY, MILEAGE Per Loaded Mile	N/A	N/A	N/A	N/A	X		X	
EXCESS DEADHEAD MILEAGE Per Excess Mile	N/A	N/A	N/A	N/A	X		X	
EXTRA LABOR, Skilled Per 15 Minutes**	N/A	N/A	N/A	N/A	X		X	
EXTRA LABOR, Unskilled Per 15 Minutes**	N/A	N/A	N/A	N/A	X		X	
FACILITATE Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
ISSUED:	TOW CAR OPERATOR: CPCN # 7317 Freddy Sanchez-Marquez All Star Towing LLC All Star Towing LLC 2882 Marco Street Las Vegas NV 89115				EFFECTIVE: <div>ACCEPTED</div> <div>MAR 14 2014</div> <div>Nevada Transportation Authority Las Vegas, Nevada</div>			

** The charge commences at the time of departure to scene of tow and terminates at the time of return to tow operator's yard.

X - Rate not charged for Category C

N/A - Not applicable

Nevada Transportation Authority – Model Tow Tariff (Flat Rate)

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov		Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method		Day	Night	Day	Night	Day	Night	Day	Night
FOUR-WHEEL DRIVE VEHICLE	One (1) hour minimum**	N/A	N/A	N/A	N/A				
(In lieu of HOOKUP rate)	Per Additional 15 Minutes**	N/A	N/A	N/A	N/A	X		X	
HAZARDOUS MATERIAL and/or WASTE DISPOSAL FEE	Cost Plus	Cost Plus 15%				X		X	
HOOKUP FLAT - CATEGORY A/B Single Vehicle	Flat	N/A	N/A	N/A	N/A	X		X	
HOOKUP FLAT - OVERSIZE VEHICLES	Flat	and HOOKUP MILEAGE Plus 25%		N/A	N/A	X		X	
HOOKUP FLAT - CATEGORY A/B COMBINATION VEHICLES	Flat	HOOKUP FLAT-Single Vehicle Plus 50% and HOOKUP MILEAGE Plus 50%		HOOKUP FLAT-Single Vehicle Plus 50% and HOOKUP MILEAGE see TABLE 1		X		X	
HOOKUP FLAT - CATEGORY C SINGLE AND COMBINATION VEHICLES	Flat	N/A	N/A	N/A	N/A	200.00	225.00	N/A	N/A
HOOKUP MILEAGE, 10.1 - 50	Per Loaded Mile	N/A	N/A	See TABLE 1 on page 5		N/A	N/A	See TABLE 1 on page 5	
HOOKUP MILEAGE, 50.1 and over	Per Loaded Mile	N/A	N/A	See TABLE 1 on page 5		N/A	N/A	See TABLE 1 on page 5	
LAY-OVER	Per Night, Per Man	N/A				X		X	
LIEN FEE (after 4 business days)	Flat, 1/2 Lien Rate	N/A				90.00			
LIEN FEE (after 336 Hours)	Flat, 1/2 Lien Rate	N/A				90.00			
LOT VISIT (no charge first visit DAY hours)	Per Visit	N/A	N/A	N/A	N/A	25.00	X	N/A	X
ISSUED:		TOW CAR OPERATOR: CPCN # 7317 Freddy Sanchez-Marquez All Star Towing LLC All Star Towing 2882 Marco St Las Vegas NV 89115				EFFECTIVE: <div>ACCEPTED MAR 14 2014 Nevada Transportation Authority Las Vegas, Nevada</div>			

Nevada Transportation Authority – Model Tow Tariff (Flat Rate)

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov	Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method	Day	Night	Day	Night	Day	Night	Day	Night
LOW EQUIPMENT TRAILER Per Loaded Mile	N/A	N/A	N/A	N/A	X		X	
OFF HOOK Flat	N/A	N/A	N/A	N/A	112.00	122.00	N/A	N/A
OFF ROAD TRAVEL Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
RECOVERY requiring less than 15,000 lb. tow truck Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
RECOVERY requiring 15,000 to 20,000 lb. tow truck Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
RECOVERY requiring over 20,000 lb. tow truck Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
RECOVERY requiring 50-Ton Boom Tow Truck Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
RECOVERY requiring tow truck with Rotating Boom Capacity Over 50 Tons Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
REPLACEMENT TOW Flat	N/A	N/A	N/A	N/A	X		X	
SET OUT Flat	N/A		N/A		N/A		N/A	
SPECIALIZED EQUIPMENT Cost Plus	Cost Plus 15%				X		X	
STAND BY (no charge for the first 30 minutes) Per 30 Minutes	N/A	N/A	N/A	N/A	X		X	
ISSUED:	TOW CAR OPERATOR: CPCN # 7317 Freddy Sanchez-Marquez All Star Towing LLC All Star Towing 2882 Marco St Las Vegas NV 89115				EFFECTIVE: <div>ACCEPTED</div> <div>MAR 14 2014</div> <div>Nevada Transportation Authority Las Vegas, Nevada</div>			

** The charge commences at the time of departure to scene of tow and terminates at the time of return to tow operator's yard.
 X - Rate not charged for Category C

Nevada Transportation Authority - Motor Tow Rate (Flat Rate)

Definitions of these tow services are available for review from the tow car operator or at www.nja.nv.gov		Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method		Day	Night	Day	Night	Day	Night	Day	Night
STORAGE, as evidence	Per 24-Hour Period	N/A		N/A		X		X	
STORAGE, unsecured	Per 24-Hour Period	N/A		N/A		N/A		N/A	
STORAGE, secured	Per 24-Hour Period	N/A		N/A		35.00		N/A	
STORAGE, Inside	Per 24-Hour Period	N/A		N/A		45.00		N/A	
STORAGE, OVERSIZE VEHICLES	Per 24-Hour Period	Storage Plus 25%		N/A		Storage Plus 25%		X	
STORAGE, Police Hold - after 15th day	Per 24-Hour Period	5.00		5.00		X		X	
STORAGE, Stolen Vehicle - released within five days of recovery	Reduction	50% of Storage		50% of Storage		X		X	
TAPE	Flat Per Vehicle	N/A		N/A		N/A		N/A	
TIRE CHAINS	Flat	N/A	N/A	N/A	N/A	X		X	
TIRE CHAINS, Mileage for Single Axle	Per Installed Mile	N/A	N/A	N/A	N/A	X		X	
TIRE CHAINS, Mileage for Dual Axle	Per Installed Mile	N/A	N/A	N/A	N/A	X		X	
ISSUED:		TOW CAR OPERATOR: CPCN # 7317 Freddy Sanchez-Marquez All Star Towing LLC All Star Towing 2882 Marco St Las Vegas NV 89115				EFFECTIVE: <div style="border: 2px solid black; padding: 5px; transform: rotate(-2deg); display: inline-block;"> ACCEPTED MAR 14 2014 Nevada Transportation Authority Las Vegas, Nevada </div>			

** The charge commences at the time of departure to scene of tow and terminates at the time of return to tow operator's yard.
 Y - Rate not charged for Category C

Nevada Transportation Authority -- Model Tow Tariff (Flat Rate)

- Tow car operator shall itemize on a tow bill each rate used or fee charged to compute the bill. All charges shall be substantiated in writing and attached to the bill. (NAC 706.420) --
- Timed services are to be billed in full increments for each increment during which any such services are performed --
- On MULTIPLE TOWS - timed services not attributable to any particular vehicle will be shared equally between the towed vehicles --
- All rates set forth below include the services of the driver --

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov	Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method	Day	Night	Day	Night	Day	Night	Day	Night
ADMINISTRATIVE FEE (law enforcement tows) Flat	N/A		N/A		X		X	
AIR BAG SYSTEM Per Bag	N/A	N/A	N/A	N/A	X		X	
AFTER HOURS Flat	N/A	N/A	N/A	N/A	N/A	75.00	N/A	N/A
AUCTION PREPARATION Cost Plus	Cost Plus 15%				Cost Plus 15%			
CLEAN UP (no charge for the first 30 minutes) Per 30 Minutes	N/A	N/A	N/A	N/A	X		X	
CONVERTER GEAR Flat	N/A	N/A	N/A	N/A	X		X	
CONVERTER GEAR, Mileage Per Loaded Mile	N/A	N/A	N/A	N/A	X		X	
DOLLY Flat	N/A	N/A	N/A	N/A	X		X	
DOLLY, MILEAGE Per Loaded Mile	N/A	N/A	N/A	N/A	X		X	
EXCESS DEADHEAD MILEAGE Per Excess Mile	N/A	N/A	N/A	N/A	X		X	
EXTRA LABOR, Skilled Per 15 Minutes**	N/A	N/A	N/A	N/A	X		X	
EXTRA LABOR, Unskilled Per 15 Minutes**	N/A	N/A	N/A	N/A	X		X	
FACILITATE Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
ISSUED: (enter date)	TOW CAR OPERATOR: CPCN #7317 Freddy Sanchez- Marquez All Star Towing L.L.C All Star Towing 3735 N Nellis #125B Las Vegas NV 89115				EFFECTIVE:			

** The charge commences at the time of departure to scene of tow and terminates at the time of return to tow operator's yard.

Nevada Transportation Authority -- Model Tow Tariff (Flat Rate)

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov	Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method	Day	Night	Day	Night	Day	Night	Day	Night
FOUR-WHEEL DRIVE VEHICLE One (1) hour minimum**	N/A	N/A	N/A	N/A				
(In lieu of HOOKUP rate) Per Additional 15 Minutes**	N/A	N/A	N/A	N/A	X		X	
HAZARDOUS MATERIAL and/or WASTE DISPOSAL FEE Cost Plus	Cost Plus 15%				X		X	
HOOKUP FLAT - CATEGORY A/B Single Vehicle Flat	N/A	N/A	N/A	N/A	X		X	
HOOKUP FLAT - OVERSIZE VEHICLES Flat	HOOKUP FLAT-Single Vehicle Plus 25% and HOOKUP MILEAGE Plus 25%		N/A	N/A	X		X	
HOOKUP FLAT - CATEGORY A/B COMBINATION VEHICLES Flat	HOOKUP FLAT-Single Vehicle Plus 50% and HOOKUP MILEAGE Plus 50%		HOOKUP FLAT-Single Vehicle Plus 50% and HOOKUP MILEAGE see TABLE 1		X		X	
HOOKUP FLAT - CATEGORY C SINGLE AND COMBINATION VEHICLES Flat	N/A	N/A	N/A	N/A	235.00	255.00	N/A	N/A
HOOKUP MILEAGE, 10.1 - 50 Per Loaded Mile	N/A	N/A	See TABLE 1 on page 5		8.50	8.50	See TABLE 1 on page 5	
HOOKUP MILEAGE, 50.1 and over Per Loaded Mile	N/A	N/A	See TABLE 1 on page 5		7.00	7.00	See TABLE 1 on page 5	
LAY-OVER Per Night, Per Man	N/A				X		X	
LIEN FEE (after 4 business days) Flat, 1/2 Lien Rate	N/A				130.00			
LIEN FEE (after 336 Hours) Flat, 1/2 Lien Rate	N/A				130.00			
LOT VISIT (no charge first visit DAY hours) Per Visit	N/A	N/A	N/A	N/A	50.00	X	N/A	X
ISSUED: (enter date)	TOW CAR OPERATOR: CPCN #7317 Freddy Sanchez- Marquez All Star Towing L.L.C All Star Towing 3735 N Nellis #125B Las Vegas NV 89115				EFFECTIVE:			

** The charge commences at the time of departure to scene of tow and terminates at the time of return to tow operator's yard.

Nevada Transportation Authority -- Model Tow Tariff (Flat Rate)

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov	Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method	Day	Night	Day	Night	Day	Night	Day	Night
LOW EQUIPMENT TRAILER Per Loaded Mile	N/A	N/A	N/A	N/A	X		X	
OFF HOOK Flat	N/A	N/A	N/A	N/A	140.00	150.00	N/A	N/A
OFF ROAD TRAVEL Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
RECOVERY requiring less than 15,000 lb. tow truck Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
RECOVERY requiring 15,000 to 20,000 lb. tow truck Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
RECOVERY requiring over 20,000 lb. tow truck Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
RECOVERY requiring 50-Ton Boom Tow Truck Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
RECOVERY requiring tow truck with Rotating Boom Capacity Over 50 Tons Per 15 Minutes	N/A	N/A	N/A	N/A	X		X	
REPLACEMENT TOW Flat	N/A	N/A	N/A	N/A	X		X	
SET OUT Flat	N/A		N/A		50.00		N/A	
SPECIALIZED EQUIPMENT Cost Plus	Cost Plus 15%				X		X	
STAND BY (no charge for the first 30 minutes) Per 30 Minutes	N/A	N/A	N/A	N/A	X		X	
ISSUED: (enter date)	TOW CAR OPERATOR: CPCN #7317 Freddy Sanchez- Marquez All Star Towing L.L.C All Star Towing 3735 N Nellis #125B Las Vegas NV 89115				EFFECTIVE:			

Nevada Transportation Authority -- Model Tow Tariff (Flat Rate)

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov	Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method	Day	Night	Day	Night	Day	Night	Day	Night
STORAGE, as evidence Per 24-Hour Period	N/A		N/A		X		X	
STORAGE, unsecured Per 24-Hour Period	N/A		N/A		N/A		N/A	
STORAGE, secured Per 24-Hour Period	N/A		N/A		40.00		N/A	
STORAGE, inside Per 24-Hour Period	N/A		N/A		70.00		N/A	
STORAGE, OVERSIZE VEHICLES Per 24-Hour Period	Storage Plus 25%		N/A		Storage Plus 25%		X	
STORAGE, Police Hold - after 15th day Per 24-Hour Period	5.00		5.00		X		X	
STORAGE, Stolen Vehicle - released within five days of recovery Reduction	50% of Storage		50% of Storage		X		X	
TAPE Flat Per Vehicle	N/A		N/A		35.00		N/A	
TIRE CHAINS Flat	N/A	N/A	N/A	N/A	X		X	
TIRE CHAINS, Mileage for Single Axle Per Installed Mile	N/A	N/A	N/A	N/A	X		X	
TIRE CHAINS, Mileage for Dual Axle Per Installed Mile	N/A	N/A	N/A	N/A	X		X	
ISSUED: (enter date)	TOW CAR OPERATOR: CPCN #7317 Freddy Sanchez- Marquez All Star Towing L.L.C All Star Towing 3735 N Nellis #125B Las Vegas NV 89115				EFFECTIVE:			

Nevada Transportation Authority -- Model Tow Tariff (Flat Rate)

Definitions of these tow services are available for review from the tow car operator or at www.nta.nv.gov	Category A		Category B		Category C - Requiring tow truck with unladen weight of 15,000 lbs. or less		Category C - Requiring tow truck with unladen weight of more than 15,000 pounds	
Tow Service and Rate Method	Day	Night	Day	Night	Day	Night	Day	Night

TABLE 1

Weight of the Single Vehicle Being Towed:

HOOKUP MILEAGE, 10.1 - 100

10,000 - 14,999 lbs.	Per Loaded Mile	0.00	0.00
15,000 - 26,999 lbs.		0.00	0.00
27,000 - 35,999 lbs.		0.00	0.00
36,000 - 45,999 lbs.		0.00	0.00
46,000 - 65,999 lbs.		0.00	0.00
66,000 - 85,999 lbs.		0.00	0.00
86,000 - 109,999 lbs.		0.00	0.00
110,000 lbs. and over		0.00	0.00

HOOKUP MILEAGE, 100.1 and over

10,000 - 14,999 lbs.	Per Loaded Mile	0.00	0.00
15,000 - 26,999 lbs.		0.00	0.00
27,000 - 35,999 lbs.		0.00	0.00
36,000 - 45,999 lbs.		0.00	0.00
46,000 - 65,999 lbs.		0.00	0.00
66,000 - 85,999 lbs.		0.00	0.00
86,000 - 109,999 lbs.		0.00	0.00
110,000 lbs. and over		0.00	0.00

COMBINATION VEHICLES (Weight of the First Unit) Being Towed:

HOOKUP MILEAGE, 10.1 - 100

10,000 - 14,999 lbs.	Per Loaded Mile	0.00	0.00
15,000 - 26,999 lbs.		0.00	0.00
27,000 - 35,999 lbs.		0.00	0.00
36,000 - 45,999 lbs.		0.00	0.00
46,000 - 65,999 lbs.		0.00	0.00
66,000 - 85,999 lbs.		0.00	0.00
86,000 - 109,999 lbs.		0.00	0.00
110,000 lbs. and over		0.00	0.00

HOOKUP MILEAGE, 100.1 and over

10,000 - 14,999 lbs.	Per Loaded Mile	0.00	0.00
15,000 - 26,999 lbs.		0.00	0.00
27,000 - 35,999 lbs.		0.00	0.00
36,000 - 45,999 lbs.		0.00	0.00
46,000 - 65,999 lbs.		0.00	0.00
66,000 - 85,999 lbs.		0.00	0.00
86,000 - 109,999 lbs.		0.00	0.00
110,000 lbs. and over		0.00	0.00

Agenda Item# 62

Public Comment

Agenda Item# 63

Web Ex Instructions



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

WebEx and Teleconferencing Instructions

This meeting can be accessed via the video conference link or teleconference number below.

Please note your device must have microphone capabilities in order to participate in the web conference.

Video Conference Link Instructions for Agenda Meeting on September 30, 2021:

Open a browser on your computer and type in the following URL:

<https://businessnv2.webex.com>

At the Join A Meeting screen, enter the following in the grey area labeled Enter meeting information: **2485 198 0690**

The next screen will ask for a password. Type in the following: **kmFGidRp359**

If your device does not have the Cisco Application (App) WebEx Meeting installed, you will be prompted to download the App at this time. If so, download the app and follow the instructions. You may be asked to provide your name and email address.

Teleconference Call Instructions:

On your cell phone or desk phone dial the following toll-free number:

1-844-621-3956

Next you will be asked for an access code or meeting number. Punch in the following: **2485 198 0690**

At the next prompt push the # sign to be placed in the meeting.

Below are the instructions for use throughout the meeting.

1. Keep your phone or microphone muted until called upon by the coordinator.
2. If joining by phone, you will mute and unmute yourself by pressing star six (*6) and you will state the following information:
 - a. Your first and last name.
 - b. The name of your company, if applicable.
 - c. Your item number on the agenda.
3. For all comments, please do the following to let us know you wish to speak:
 - a. By web, raise your hand in the participant box.
 - b. By phone, press star three (*3).
 - c. Wait to be recognized by the coordinator before unmuting your phone/mic to speak.
 - d. State your name as you begin your comments for the record.

Agenda Item# 64

Public
Comment

Agenda Item#

65



BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re: Citations 21980, 21981, 21983, and
21984 issued to As'ad Marji for violation of
NRS 706.386 (5 counts).

Citations 21980, 21981, 21982,
21983 and 21984

**MOTION FOR RECONSIDERATION OF FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER FILED AUGUST 3, 2021**

COMES NOW, Respondent, AS'AD MARJI by and through his attorney of record, JAMES S. KENT, ESQ., and hereby files his MOTION FOR RECONSIDERATION OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FILED AUGUST 3, 2021.

This motion is made and based upon the papers and pleadings on file herein, the Points and Authorities included herewith and the argument of counsel as allowed the hearing on the motion.

DATED this 18th day of August, 2021.

JAMES S. KENT, LTD.

/s/ James S. Kent

By: JAMES S. KENT, ESQ.
Nevada Bar No. 5034
9480 S. Eastern Ave.
Suite 228
Las Vegas, Nevada 89123
(702) 385-1100
Attorney for Respondent

**POINTS & AUTHORITIES IN SUPPORT OF MOTION FOR RECONSIDERATION OF
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FILED AUGUST 3, 2021**

I. OVERVIEW

About the one thing the Decision issued on August 3, 2021 got correct was that this stemmed from an investigation into the Respondent, As'ad Marji ("Marji") amid allegations of his operating illegal transportation. Beyond that, the Decision offers little facts, great conjecture, and, quite frankly, provides no basis whatsoever of any finding or basis for the imposition of \$50,000 in fines against Marji. The citations issued against Marji were all for operating without a CPCN, but the NTA failed to prove whatsoever that Marji was operating anything at the time of each citation.

1 **II. STATEMENT OF PERTINENT FACTS**

2 The hearing in this matter took place on April 21, 2021. The hearing was brought about by an
3 investigation started by NTA staff in or about 2019. Five citations were issued for transportation
4 provided in or about October, 2019. Nowhere in any report did the NTA provide any evidence, actual
5 evidence, much less prove that Marji owned any of the vehicles in question, drove any of the vehicles
6 in question, was paid by anyone to provide transportation, or that he had arranged any of the rides in
7 question. At best, NTA staff obtained hearsay from some people who claimed they were paid by Marji,
8 or that he dispatched them, but there was no proof of a receipt for payment, text of a dispatch, or
9 anything to verify or back up these allegations. In fact, despite seeming to have the ability to take
10 statements from any and all of these persons, the NTA obtained none.

11 Additionally, when the NTA actually stopped a vehicle (which was not doing anything illegal
12 at the time) and were told Marji was inside the building at that location dispatching vehicles, the NTA
13 did nothing to investigate or actually prove any of the allegations. In essence, the NTA staff just relies
14 upon and just states what they want from who they want, without any attempt to obtain or provide any
15 actual documentation or testimony. The belief is that the actual evidence and witness statements, were
16 any to be obtained, would not fit the narrative NTA staff has prepared, and thus they do not want actual
17 evidence but rather prefer to rely upon whatever they want to write.

18 Much like the hearing itself, the Decision is lacking in most every aspect, but in particular the
19 requirement for specific findings, and as such, absent those findings, the Decision must be set aside.

20 **III. LEGAL ARGUMENT**

21 NRS 233B.125 requires as follows:

22 **A decision or order adverse to a party in a contested case must be in writing or stated**
23 **in the record. Except as provided in subsection 5 of NRS 233B.121, a final decision must**
24 **include findings of fact and conclusions of law, separately stated. Findings of fact and**
25 **decisions must be based upon a preponderance of the evidence. Findings of fact, if**
26 **set forth in statutory language, must be accompanied by a concise and explicit**
27 **statement of the underlying facts supporting the findings. If, in accordance with**
28 **agency regulations, a party submitted proposed findings of fact before the**
commencement of the hearing, the decision must include a ruling upon each proposed
finding. Parties must be notified either personally or by certified mail of any decision or
order. Upon request a copy of the decision or order must be delivered or mailed forthwith
to each party and to the party's attorney of record.

28 This obviously was a decision adverse to Marji.

1 The most glaring omission of the Order is any indication of the law or regulation allegedly
2 violated, and any proof of how the facts justify violation of said law or regulation. NRS 233B.125 seems
3 to be straightforward in that they want the violation (i.e. the statutory language) to be presented with "a
4 concise and explicit statement of the underlying facts support the findings." We simply do not have that
5 here. In fact, other than by citation number and claiming the provision of illegal rides, the only reference
6 to specific wrongdoing alleged against Marji is "that the five violations of NRS 706.386, relating to
7 operating as a fully regulated carrier without authority, be affirmed." If Marji were to appeal this
8 decision, there is little to nothing for a appellate review officer to line up specific facts to a specific
9 violation to determine whether there was an abuse of discretion or not. For that reason alone this
10 decision and order needs to be reconsidered and modified accordingly.

11 The next greatest error by the hearing officer, and this Commission, was first to find by *a*
12 *preponderance of the evidence* was that Maji was the owner of 2 Drink or had control over any of the
13 vehicles or the operation as claimed by the NTA investigators. The standard "'preponderance of the
14 evidence" merely refers to "[t]he greater weight of the evidence.'" See McClanahan v. Raley's, Inc., 117
15 Nev. 921, 34 P.3d 573, 576 (2001) (citing Black's Law Dictionary 1201 (7th ed.1999)). This standard
16 has also been stated as "more likely to be true than untrue."

17 Under Findings of Fact, ¶1, it states that Marji was the owner and operator of 2 Drink, LLC.
18 Unfortunately, despite the significance of this finding, there is no factual reference as to how this
19 conclusion was reached. That is likely because the evidence presented by NTA staff was the use of a
20 third party, unknown website from September, 2018. State's Exhibit 2, pages 8-9. This document
21 showed Marji as a manager of 2 Drink. However, the 2018 annual list filed with the official State of
22 Nevada Secretary of State website, filed on August 28, 2018, was signed by Alan Chang, Manager or
23 Managing Member. Respondent's Hearing Exhibit B. Of even more significance is that Mr. Chang
24 signed it on that date, at the bottom of the document, listing his title as Owner. This was well over a year
25 before the NTA started their investigation. Further, the entity information, again from the Nevada
26 Secretary of State website, stated as of February 10, 2020, that Marji had no association with 2 Drink,
27 and Chang was in fact the Manager. Exhibit C. Why would the NTA find and rely upon any website
28 other than the Nevada Secretary of State, especially an unknown/unverified website? Because it gave

1 them the answer they wanted, whether truthful or not. Nonetheless, despite this lopsided preponderance
2 that showed Chang, not Marji, was the owner of 2 Drink, the hearing officer still stated he found Marji
3 to not be credible. This is likely because Marji's testimony did not fit the narrative of NTA staff.
4 Preponderance of the evidence should favor an actual state filed document rather than an unknown
5 source.

6 The *actual and true* evidence is that Marji was not an owner or a manager of 2 Drink, and that
7 he had no relationship with 2 Drink at the time of the alleged wrongdoing by the NTA. There was no
8 evidence, especially of any credibility or weight, which showed otherwise. Thus, this finding that Marji
9 was the owner and operator of 2 Drink, LLC was not proven by a preponderance of the evidence, and
10 Findings of Fact ¶1 must be stricken as such finding cannot be sustained. Further, every reference to
11 Marji as the owner and/or operator should likewise be stricken, meaning Findings of Fact paragraphs
12 2, 4, 6 and 7 need to be likewise stricken.

13 Findings of Fact, ¶3 is simply false and there is no basis whatsoever for it in the record. The
14 reality is that of the five citations issued, not one of those times was any vehicle stopped for providing
15 illegal rides. State's Exhibits 3-13. While trying to be respectful, it is difficult to state this in any other
16 fashion other than to justify the desire to destroy Marji, whoever wrote the decision simply wrote what
17 they wanted to be the situation rather than what the situation really was.

18 This is a large part of Marji's concerns for the findings of the hearing officer and this authority,
19 and the basis for his reconsideration. Not one time was a vehicle stopped in the process of an illegal
20 transportation. The only time a vehicle was stopped was when it was leaving a commercial office
21 without having provided any transportation to any passengers that day. The decision is simply wrong.

22 This plays into a larger concern of the actual citations and finding of illegal transportation,
23 especially against Marji. Not once did an officer stop a vehicle during an alleged violation to speak with
24 the passengers to determine how they obtained a ride, who, if anyone, did they pay (and what did they
25 pay), who was their contact to get the ride, or anything else related to the ride. Further, there was never
26 any proof or evidence of who was driving the vehicle in at least three of the alleged violations. NTA
27 staff never proved who the driver was, who the passengers were, or even how this was an illegal
28 transportation. For all we know, the driver could have been using the vehicle to provide transportation

1 to members of his or her own family. The NTA's case was built solely upon conjecture and speculation,
2 and as evidenced by the lack of any specificity in the decision, their proof at the hearing was likewise
3 absent.

4 What is more appalling is the statement in the Decision that "[i]n every instance each driver who
5 was providing the illegal ride stated that they worked for As'ad Marji." This is simply false, if not an
6 outright known lie. As stated, no vehicle was stopped during any alleged instance, so how could "the
7 driver in each instance" be quoted as saying anything. This is without even any hearsay or other
8 allowance. This is simply false and this finding, and quite frankly the entire decision, needs to be thrown
9 out. In fact, the hearing officer, as drafter of this document, should be reprimanded if not removed for
10 making such a blanket and damning false statement. The State will likely argue that upon the one and
11 only stop, drivers stated they drove for Marji, but when faced with possible citations and huge fines,
12 many persons will say whatever the investigators want. Further, as noted above, there were no written
13 statements or any other evidence to substantiate the claims and allegations. At some point, when you
14 are going to fine someone \$50,000, there should be some actual proof, and the State simply has none.

15 Likewise for ¶5 and ¶6. ¶5 again alleges that the vehicles were stopped for providing illegal
16 transportation when in fact none of the vehicles impounded were providing any transportation, illegal
17 or not, at the time of their impoundment. ¶6 references "that at least 6 of the drivers who were providing
18 illegal transportation" yet there are only five citations issued in this instance. Tough to have 6 illegal
19 drivers when there are only 5 alleged illegal instances.

20 Finally, there is the NTA's failure to prove that Marji had anything to do with the alleged illegal
21 rides. All five citations issued were for a violation of NRS 706.386, which requires that prior to a
22 "[f]ully regulated common motor carrier to operate as a carrier of intrastate commerce" they just first
23 obtain a CPCN. NRS 706.041 defines a common motor carrier of passengers, among other things, as
24 "any person or operator . . . who is held out to the public as willing to transport by vehicle from place
25 to place. . . ." We know that Marji was not an owner or manager of 2 Drink. We know he was not the
26 owner of either of the two vehicles impounded, nor was he the owner or manager of any entity which
27 may have owned or operated the vehicle illegally. There was no evidence that Marji controlled either
28 of the vehicles impounded. There was no proof Marji held himself out to the public to provide

1 transportation for all who may have so desired. There was no proof that Marji received any funds, nor
2 paid any funds (proof, meaning something actual, not just a hearsay statement). There was no proof that
3 any of the passengers for these alleged illegal rides had known, communicated with, or otherwise had
4 any connection or relation with Marji; in fact, there is no proof that any of the passengers ever texted,
5 emailed, called, spoke, used sign language, or took any other act in furtherance of seeking or obtaining
6 a ride from Marji. There simply is nothing, hence the lack of any "concise and explicit statement" of
7 any alleged wrongdoing. Again, plenty of speculation and conjecture, but not actual evidence of a
8 violation.

9 Oh, but there is hearsay to save the day. Yes, hearsay is allowed in administrative hearings, but
10 the question is how much weight should it be given. In State Emp. Security v. Hilton Hotels, 102 Nev.
11 606, 729 P.2d 497, (1986), the facts and ruling were a bit in contravention to what we have here. In that
12 instance, the court considered the hearsay evidence, but decided to give greater weight to the person who
13 was actually at the hearing and able to testify. In our instance, the only non-hearsay evidence by the
14 investigators was that there were five rides involving two vehicles in which transportation was provided.
15 That is it. They know the vehicles did not have CPCNs, but that, in and of itself, does not make a ride
16 illegal. As part of their reports, there was no indication to rule out these may have been a TNC ride.
17 There is no non-hearsay evidence that these were not rides between family members or friends, rides that
18 happen everyday yet are illegal. Yes, the investigators may claim these vehicles provided numerous
19 rides, but so what? Maybe there is a large family. And one could understand if a vehicle was stopped
20 but the passengers ran off, but in this case staff never so much as attempted to stop the vehicles during
21 the transportation in question, much less get an actual, admissable, statement.

22 So with that, we have Marji's testimony, subject to cross examination, that stated he had nothing
23 to do with the rides, the vehicles, or anything remotely evidencing an operation. In fact, the one piece
24 of evidence that was verifiable from a third party was the owner of 2 Drink, as shown by the Nevada
25 Secretary of State. Not only did the hearing officer accept hearsay evidence over that of an actual
26 witness, but found that witness to not be credible despite his testimony being accurate and that of the
27 hearsay statements being false. Again, while Hilton may not be on point or offer controlling law, the
28 fact that a witness who is subject to cross examination, and in our instance be the provider of actually

1 accurate and truthful testimony, should be given greater weight than hearsay testimony, especially when
2 proven false, is much more appropriate that was done in this matter.

3 Additionally, the State's reliance upon hearsay evidence to try and prove a point was taken to the
4 extremes in this matter. State's Exhibit 14 shows the lengths that the NTA is going through to try and
5 get something to stick to the wall. Exhibit 14 is an email from someone at the Nevada DMV, who in
6 an unsworn statement, claims that Marji registered the SUV in question. First off, so what? The vehicle
7 was registered to 2 Drink LLC, which we established above that Marji has not interest in. Second, even
8 if he did register it for 2 Drink, that means nothing. What if 2 Drink hired one of those companies that
9 registers your vehicle- would they be facing \$50,000 in fines? Third, how does the person from the
10 DMV know Marji registered the vehicle? Did he seem him walk in, or is he reviewing some other
11 unauthenticated document to make this speculation? Is it even appropriate for this person to be
12 reviewing financial transactions of third persons? So not only is this information irrelevant, but it is
13 hearsay upon hearsay upon unverified documentation. This is not what a case, especially one that issues
14 \$50,000 of fines, should be based upon.

15 IV. THE FINES ARE EXCESSIVE

16 Marji was fined \$10,000 for each violation, for a total of \$50,000. Now, this may be appropriate
17 for someone who has had been found in violation before and given increasing fines, but this is only
18 Marji's second citation for which a finding of a violation was actually entered. Attached to the end of
19 most of the NTA reports (States Exhibits 8-13) are the entries of four citations. Please read them
20 carefully for regardless of that the emphasis is stated on these, Marji only had one finding of
21 wrongdoing, and even then he had his fine of \$15,000 held in abeyance. If there is a finding of
22 wrongdoing, this is a second offense and especially in light of the scant, if any, actual evidence of
23 wrongdoing, any fine imposed should be significantly smaller.

24 V. CONCLUSION

25 By this point, anyone reading this would likely come to the conclusion that Marji, and his
26 counsel, have real issues with this case, the investigators who handled it, and the hearing officer who
27 decided it, and those persons would be correct. By the history provided, it is clear Mr. Marji has been
28 in the cross-hairs of those referenced above, and it is further clear by the decision and the fine that the

1 same persons did not care how it was arrived it, it was a foregone conclusion the day the investigation
2 started. Maybe those persons were upset that they felt Marji was getting away with something and for
3 whatever reasons, no prior investigations and citations resulted in the desired outcome. Maybe they just
4 don't like him. Maybe they don't like people he used to associate with. Regardless, none of those are
5 reasons for citations, findings, and fines. Citations, findings and fines are to be based upon facts, even
6 hearsay facts, but they cannot be based upon falsities and speculation. This may not have the high
7 standards of other litigation, but this needs to have some degree of credibility. The Decision as written
8 is wrong and unsupported and needs to be set aside for those reasons alone. As to the merits of the
9 actual decision, the Commission needs to take a real, hard look at what it is accepting for facts and
10 evidence, and the lack of what constitutes a nexis between those and an ultimate finding. Simply doing
11 what you want and then saying if you do not like it then appeal it, while technically accurate, is not the
12 way the NTA should be doing business. The Commission needs to require legitimacy and accuracy, two
13 items missing in this decision. The decision itself needs to be reconsidered and vacated.

14 DATED this 18th day of August, 2021.

15 JAMES S. KENT, LTD.

16
17 

18 By: JAMES S. KENT, ESQ.
19 Nevada Bar No. 5034
20 9480 S. Eastern Ave.
21 Suite 228
22 Las Vegas, Nevada 89123
23 (702) 385-1100
24 Attorney for Respondent
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CERTIFICATE OF SERVICE

I hereby certify that I am employed in the County of Clark, State of Nevada, am over the age of 18 years and not a party to this action. My business address is James S. Kent, Ltd., 9480 S. Eastern Ave., Suite 228, Las Vegas, Nevada 89123.

On this day I served the **MOTION FOR RECONSIDERATION OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FILED AUGUST 3, 2021** in this action or proceeding via U. S. Postal Service and email, which will cause this document to be served upon the following counsel of record:

Dawn Gibbons, Chairwoman
Nevada Transportation Authority
3300 W. Sahara Ave., Suite 200
Las Vegas, Nevada 89102
Telephone: (702) 486-3303
Email: nta@nta.nv.gov

Louis V. Csoka, Attorney General
555 E Washington Ave #3900
Las Vegas, NV 89101
Telephone: (702) 486-3420
Email: LCsoka@ag.nv.gov

I certify under penalty that the foregoing is true and correct, and that I executed this Certificate of Service on August 18, 2021, at Las Vegas, Nevada.

/s/ Alesha Dessaints

An employee of James S. Kent, Ltd.

Debt Summary Review

21-08023 PFR – As’ad Marji outstanding debt for Citation 21980-21984.

Summary:

- Citation 21980-21984 was issued to As’ad Marji / 2 Drink LLC. on 11/04/2019 by Investigator Hawkins and former Investigator Park for violations of NRS. The hearing date indicated on the citation was 12/13/2019 at 2:00pm.
- The matters were rescheduled to 01/24/2020 and 02/10/2020. On 02/10/2020 the hearing was held and the respondent “2Drink LLC” failed to appear. James Kent Esq. was present for As’ad Marji and accepted service of the citations on behalf of 2Drink LLC.
 - 2Drink LLC. was fined \$50,000 pursuant to the conditions set forth in the Order of the Authority approved at the 07/22/2020 General Session Meeting. The order and corresponding debt letter were sent 08/04/2020 with payment due in 20 days. After request for review by Attorney James Kent, a revised debt letter was issued 08/14/2020 to 2 Drink LLC with no change in debt information owed. No payment was received. A final letter was issued 09/11/2020 with payment due within 14 days. No payment was received. On 10/02/2020 the debt in the total amount of \$50,000 was submitted to the State Controller’s Office (SCO) for collection.
- The matters with reference to As’ad Marji were rescheduled to 03/31/2021, 04/20/2021. On 04/20/2021 the hearing was held and the respondent As’ad Marji was represented by James Kent Esq.
 - As’ad Marji was fined a total of \$50,000 pursuant to the conditions set forth in the Order of the Authority approved at the 07/27/2021 General Session Meeting. The order and corresponding debt letter were sent 08/03/2021 with payment due in 20 days
- On 08/19/2021 Attorney James Kent filed a Motion for Reconsideration of Findings of Fact, Conclusions of Law and Order Filed August 3, 2021.
- On 09/20/2021 an Amended Order was issued to amend the prior order relative to 2Drink LLC. dated 08/04/2020 thereby adding As’ad Marji as Owner of 2Drink LLC. now jointly and severally liable for the administrative fine of \$50,000 with 2Drink, LLC. As a result, the Citation Debt for 21890-84 for 2Drink LLC was recalled from the SCO and the current debt for As’ad Marji resides with the NTA.

Citation debt 21980-21984 for As’ad Marji currently resides with the NTA with no payments or payment plan arrangement confirmed.

11/18/19 jh
EDB/CAL

ADMINISTRATIVE CITATION AND VERIFIED COMPLAINT

ISSUED PURSUANT TO NRS 706.771

No. 21980

STATE OF NEVADA

County of Clark City of LAS VEGAS
Time 8:15 P.M. Day of MON Date 10 14 20 19
Location CAESARS PALACE
Name MARSI ASAD
Last First Middle
Residence Address 3934 AVILA ST
LAS VEGAS NV 89103
City State Zip
Operator License No. [REDACTED] State NV
D.O.B. [REDACTED] M 5'4" 190 BLK BRO
Mo. Day Yr. Sex Ht. Wt. Hair Eyes
Company Name Z Drink LLC MV/CPCN NONE
Company Address _____
Street

Vehicle 2016 CHEV TAHOE BLK
Year Make Body Color
Vehicle License LVX547 NV 20
Number State Year
Respondent Z DRINK LLC / ASAD MARSI / F00007 + ASSOC

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSES/INFRACTIONS:

1. Violation No CPCN NRS/NAC 706.386 ☐ CFR ☐ Other _____

To wit: RESPONDENT DID ACT AS A FULLY REGULATED MOTOR CARRIER WITHOUT THE REQUIRED CPCN

2. Violation _____ NRS/NAC ☐ CFR ☐ Other _____

To wit: _____

I certify (or declare) under penalty of perjury under the laws of the State of Nevada that I have grounds/probable cause to believe and do believe that above named respondent committed the above infraction(s) and/or violation(s) contrary to law.

Officer/Complainant's Name INV. S. HAWKINS Officer/Complainant's Signature [Signature] P No. 5050 Date 11-4-19

The potential fine for each of the above violations is up to \$10,000. You are hereby notified to appear before the Nevada Transportation Authority at:

- ☒ 3300 W. Sahara Ave., Suite 200, Las Vegas, Nevada 89102
☐ 1755 E. Plumb Lane, Suite 216, Reno, Nevada 89502

on DECEMBER 13, 2019, at 2 am/pm (P)
Month Day

Signature [Signature] I promise to appear at the time and place indicated.

Carefully review the explanation of rights, responsibility to appear, the consequences of failing to appear and notice of hearing set forth on the reverse side of this citation. **Signing of this citation constitutes a promise to appear in this matter and is an acknowledgement that you have been advised to carefully review the information contained on the reverse side of this citation. Signing does not constitute an admission of guilt or culpability. Please read back of citation carefully → →**

WHITE—Complaint; GREEN—Notice to Appear

11/18/19 jh
EDB/CAL

ADMINISTRATIVE CITATION AND VERIFIED COMPLAINT
ISSUED PURSUANT TO NRS 706.771

No. 21981

STATE OF NEVADA

County of CLARK City of LAS VEGAS
Time 9:02 PM Day of SUN Date 10 27 20 19
Location STRATOSPHERE HOTEL + CASINO
Name MARSI ASAD
Residence Address 3934 AVILA ST
LAS VEGAS NV 89103
City State Zip
Operator License No. [REDACTED] State NV
D.O.B. 11 504 190 Sex BLK Ht. 360
Mo. Day Yr. Sex Ht. Wt. Hair Eyes
Company Name Z Drink LLC MV/CPCN NONE
Company Address _____
Street

City State Zip
Vehicle 2016 CHEV TABOE BLK
Year Make Body Color
Vehicle License LVX547 NV 20
Number State Year
Respondent Z Drink LLC / ASAD MARSI / 60202 + ASSOC

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSES/INFRACTIONS:

1. Violation No CPCN 706.386 ☐ CFR
RESPONDENT DID ACT AS A FULLY LICENSED
MOTOR CARRIER WITHOUT THE REQUIRED CPCN
To wit: RESPONDENT DID ACT AS A FULLY LICENSED
2. Violation 1 706.386 ☐ CFR
1 706.386 ☐ Other
To wit: 1

I certify (or declare) under penalty of perjury under the laws of the State of Nevada that I have grounds/probable cause to believe and do believe that above named respondent committed the above infraction(s) and/or violation(s) contrary to law.

Officer/Complainant's Name INV. S HAWKINS Officer/Complainant's Signature [Signature] P No. 550 Date 11-4-19
The potential fine for each of the above violations is up to \$10,000. You are hereby notified to appear before the Nevada Transportation Authority at:

- ☒ 3300 W. Sahara Ave., Suite 200, Las Vegas, Nevada 89102
☐ 1755 E. Plumb Lane, Suite 216, Reno, Nevada 89502

on DECEMBER 13, 2019, at 2 am / pm
Month Day

Signature [Signature]
I promise to appear at the time and place indicated.

Carefully review the explanation of rights, responsibility to appear, the consequences of failing to appear and notice of hearing set forth on the reverse side of this citation. **Signing of this citation constitutes a promise to appear in this matter and is an acknowledgement that you have been advised to carefully review the information contained on the reverse side of this citation. Signing does not constitute an admission of guilt or culpability.**
Please read back of citation carefully → →

WHITE—Complaint; GREEN—Notice to Appear

11/18/19 jh
EDB/CAL

ADMINISTRATIVE CITATION AND VERIFIED COMPLAINT
ISSUED PURSUANT TO NRS 706.771

No. 21982

STATE OF NEVADA

County of Clark City of Las Vegas
Time 9:19 AM, Day of SUN Date 10 13 2019
Location HARRY FLYNT'S Hustler Club
Name MARTI ASAD Y
Last First Middle
Residence Address 3934 AVILA ST
Las Vegas NV 89103
City State Zip

Operator License No. [REDACTED] State NV
D.O.B. [REDACTED] Sex M 5'4" 170 BLK BLU
Ht. Wt. Hair Eyes

Company Name 2 Drink LLC MV/CPCN N/A
Company Address 3934 AVILA ST
Las Vegas NV 89103
City State Zip

Vehicle 2001 Lin. Lin WNT
Year Make Body
Vehicle License 109G17 NV FOR002 ASGC
Number State Year

Respondent ASAD Y. MARTI, 2 Drink LLC.

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSES/INFRACTIONS:

1. Violation NO CPCN 706.386 ☐ CFR ☐ Other

To wit: Respondent provided Passenger Transportation without a CPCN

2. Violation / / / ☒ CFR ☐ Other

To wit: / / /

I certify (or declare) under penalty of perjury under the laws of the State of Nevada that I have grounds/probable cause to believe and do believe that above named respondent committed the above infraction(s) and/or violation(s) contrary to law.

Officer/Complainant's Name Todd Park Officer/Complainant's Signature Todd Park P No. 5646 Date 11/14/2019

The potential fine for each of the above violations is up to \$10,000. You are hereby notified to appear before the Nevada Transportation Authority at:

- ☒ 3300 W. Sahara Ave., Suite 200, Las Vegas, Nevada 89102
☐ 1755 E. Plumb Lane, Suite 216, Reno, Nevada 89502

on December 13, 2019, at 2:00 am/pm pm
Month Day

Signature Todd Park
I promise to appear at the time and place indicated.

Carefully review the explanation of rights, responsibility to appear, the consequences of failing to appear and notice of hearing set forth on the reverse side of this citation. **Signing of this citation constitutes a promise to appear in this matter and is an acknowledgement that you have been advised to carefully review the information contained on the reverse side of this citation. Signing does not constitute an admission of guilt or culpability. Please read back of citation carefully → →**

WHITE—Complaint; GREEN—Notice to Appear

11/18/19 jh
EDB/CAL

ADMINISTRATIVE CITATION AND VERIFIED COMPLAINT
ISSUED PURSUANT TO NRS 706.771

No. 21983

STATE OF NEVADA

County of Clark City of Las Vegas
Time 9:35 p.m. Day of Saturday Date Oct 19 2019
Location TREASURES Gentlemen's Club
Name Mari Asad Y
Last First Middle
Residence Address 3934 Avila St
Las Vegas NV 89103
City State Zip

Operator License No. [REDACTED] State NV

D.O.B. [REDACTED] M 5'4" 190 BLK BRN
Mo. Day Yr. Sex Ht. Wt. Hair Eyes

Company Name 2 Drink LLC MV/CPCN N/A

Company Address 3934 Avila St
Las Vegas NV 89103
City State Zip

Vehicle 2001 Lincoln White
Year Make Body Color

Vehicle License 109G17 NV 2000
Number State Year

Respondent Asad Mari, 2 Drink LLC, Farooz F Asad

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSES/INFRACTIONS:

1. Violation No CPCN 706.386 ☐ CFR ☐ Other
NRS/NAC

To wit: Respondant Provided Passenger Transportation without a CPCN

2. Violation / / ☐ CFR ☐ Other
NRS/NAC

To wit: /

I certify (or declare) under penalty of perjury under the laws of the State of Nevada that I have grounds/probable cause to believe and do believe that above named respondent committed the above infraction(s) and/or violation(s) contrary to law.

Officer/Complainant's Name Todd Park Officer/Complainant's Signature Todd Park P No. 1546 Date 11/14/19

The potential fine for each of the above violations is up to \$10,000. You are hereby notified to appear before the Nevada Transportation Authority at:

- ☒ 3300 W. Sahara Ave., Suite 200, Las Vegas, Nevada 89102
☐ 1755 E. Plumb Lane, Suite 216, Reno, Nevada 89502

on December 13 2019 at 2:00 am com
Month Day Year

Signature Todd Park
I promise to appear at the time and place indicated.

Carefully review the explanation of rights, responsibility to appear, the consequences of failing to appear and notice of hearing set forth on the reverse side of this citation. **Signing of this citation constitutes a promise to appear in this matter and is an acknowledgement that you have been advised to carefully review the information contained on the reverse side of this citation. Signing does not constitute an admission of guilt or culpability.**
Please read back of citation carefully → →

WHITE—Complaint; GREEN—Notice to Appear

11/18/19 jh
EDB/CAL

ADMINISTRATIVE CITATION AND VERIFIED COMPLAINT
ISSUED PURSUANT TO NRS 706.771

No. 21984

STATE OF NEVADA

County of Clark City of LAS Vegas
Time 12:40 P.M. Day of SUN Date 10 27, 2019
Location Throne's Gentlemen's Club
Name Sheets Jason Allen
Last First Middle
Residence Address 10273 North Orchid Ct
Las Vegas NV 89183
City State Zip

Operator License No. [REDACTED] State NV
D.O.B. M 6'1" 245 Bld HAZ
Sex Ht. Wt. Hair Eyes

Company Name J Drink LLC MV/CPCN N/A
Company Address 3934 Avila St
Las Vegas NV 89103
City State Zip

Vehicle 2001 Lin Limo WHT
Year Make Body Color
Vehicle License 109G17 NV 2020
Number State Year

Respondent Jason Sheets, Head Mgr, J Drink LLC
DID THEN AND THERE COMMIT THE FOLLOWING OFFENSES/INFRACTIONS Forced
Assol

1. Violation NRS/NAC ☐ CFR 706.386
NO CPCN ☐ Other

To wit: Respondent Provided Transportation
Without a CPCN

2. Violation NRS/NAC ☐ CFR
☐ Other

To wit:

I certify (or declare) under penalty of perjury under the laws of the State of Nevada that I have grounds/probable cause to believe and do believe that above named respondent committed the above infraction(s) and/or violation(s) contrary to law.

Officer/Complainant's Name Todd Park Officer/Complainant's Signature Todd Pk. P No. J046 Date 11/4/19

The potential fine for each of the above violations is up to \$10,000. You are hereby notified to appear before the Nevada Transportation Authority at:

☒ 3300 W. Sahara Ave., Suite 200, Las Vegas, Nevada 89102
☐ 1755 E. Plumb Lane, Suite 216, Reno, Nevada 89502

on December 13, 2019, at 2:00 am pm
Month Day

Signature [Signature]
I promise to appear at the time and place indicated.

Carefully review the explanation of rights, responsibility to appear, the consequences of failing to appear and notice of hearing set forth on the reverse side of this citation. **Signing of this citation constitutes a promise to appear in this matter and is an acknowledgement that you have been advised to carefully review the information contained on the reverse side of this citation. Signing does not constitute an admission of guilt or culpability. Please read back of citation carefully** → →

WHITE—Complaint; GREEN—Notice to Appear

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re Administrative Citation Number 21980-21984)

issued to 2Drink LLC, Marij, Forooz + Assoc. STIPULATED CONTINUANCE
Sheets REQUEST AND ORDER

REQUEST

Date: Dec 16, 2019

At the (circle one) Respondent's/Staff's request, the parties to the above-captioned Citation hereby stipulate to a continuance of the matter.

- Matter is currently set for hearing on Dec 13, 2019 at 2:00 am / pm.
- Requesting a _____-day continuance.
- Reason for request see attached email.
- Matter rescheduled to Jan 24, 2020 at 1:30 a.m. / pm and
Respondent waives further notice of hearing reschedule date.

see attached email
Respondent Signature

Respondent Printed Name

[Signature]
Deputy AG Signature
Louis Cant
Deputy AG Printed Name

Respondent Address: _____

Telephone number: _____

ORDER

Continuance GRANTED / DENIED.

[Signature]
Hearing Officer

Dated this 17 day of December, 2019 / Las Vegas, Nevada.

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re Administrative Citation Number 21980-21984 + 21831-21833

issued to 2 Drink LLC, Manji, Fowor & Assoc.,
Waman

STIPULATED CONTINUANCE
REQUEST AND ORDER

REQUEST

Date: 1/21, 2020

At the (circle one) Respondent's/Staff's request, the parties to the above-captioned Citation hereby stipulate to a continuance of the matter.

- Matter is currently set for hearing on January 24, 2020 at 2:00 am pm.
- Requesting a 17-day continuance.
- Reason for request camel unavailable.
- Matter rescheduled to February 10, 2020 at 2:00 a.m. p.m. and
Respondent waives further notice of hearing reschedule date.

per attached email
Respondent Signature

Respondent Printed Name

[Signature]
Deputy AG Signature

Louis Clark
Deputy AG Printed Name

Respondent Address: _____

Telephone number: _____

ORDER

Continuance GRANTED DENIED.

[Signature]
Hearing Officer

Dated this 21 day of January, 2020 / Las Vegas, Nevada.

Jennifer Hill

From: Louis V. Csoka <LCsoka@ag.nv.gov>
Sent: Tuesday, January 21, 2020 10:31 AM
To: Jennifer Hill
Subject: Fw: 2Drink/Warrow citations

Please print e-mail below. Thank you very much.

From: Alesha Dessaints <alesha@jamiekent.org>
Sent: Tuesday, January 21, 2020 9:05 AM
To: Mark Liapis; Louis V. Csoka; Rita Brownawell
Cc: Jamie S. Kent, Esq.
Subject: [] RE: 2Drink/Warrow citations

Good Morning:

Sorry for our delay in response, the week of February 10th works best for us as well.
We have the afternoon of the 10th 11th and 12th open for this matter.

Thank you,

Alesha Dessaints
Legal Assistant to,
James S. Kent, Ltd.
9480 S. Eastern Ave.
Suite 228
Las Vegas, Nevada 89123
Telephone: (702) 385-1100
Facsimile: (702) 385-3474

Confidentiality Note:

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From: Mark Liapis <mliapis@nta.nv.gov>
Sent: Wednesday, January 08, 2020 4:05 PM
To: Jamie S. Kent, Esq. <jamie@jamiekent.org>; Louis V. Csoka <LCsoka@ag.nv.gov>
Cc: Rita Brownawell <rbrownawell@nta.nv.gov>
Subject: RE: 2Drink/Warrow citations

Jamie and Louis,

Presiding Officer has a scheduling conflict on January 24. Reschedule to the afternoon of January 21 or the week of February 10 preferably in the afternoon. Let Rita know the date and time you choose.

Mark T. Liapis
Administrative Attorney
Nevada Transportation Authority
3300 West Sahara Avenue, Suite 200
Las Vegas, Nevada 89102
(702) 486-8722
mliapis@nta.nv.gov

From: Louis V. Csoka <LCsoka@ag.nv.gov>
Sent: Wednesday, January 08, 2020 3:15 PM
To: Mark Liapis <mliapis@nta.nv.gov>
Cc: Rita Brownawell <rbrownawell@nta.nv.gov>; Jamie S. Kent, Esq. <jamie@jamiekent.org>
Subject: Re: 2Drink/Warrow citations

Dear Jamie,

I am told that we need to reschedule these Citations.

Please suggest some workable alternatives.

Thank you very much.

Louis

Rita Brownawell

From: Alesha Dessaints [alesha@jamiekent.org]
Sent: Monday, December 16, 2019 3:32 PM
To: Louis V. Csoka; Jamie S. Kent, Esq.; Mark Liapis; Rita Brownawell
Subject: RE: Findlay Credit dab 9-1-1 Towing

Mr. Csoka-

The 24th for 2Drink and Warrow should be fine. We have an evidentiary hearing that day we are expecting to come off calendar, we just do not have the final order yet.

Thank you,

Alesha Dessaints
Legal Assistant to,
James S. Kent, Ltd.
9480 S. Eastern Ave.
Suite 228
Las Vegas, Nevada 89123
Telephone: (702) 385-1100
Facsimile: (702) 385-3474

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From: Louis V. Csoka
Sent: Monday, December 16, 2019 1:55 PM
To: Jamie S. Kent, Esq. ; Alesha Dessaints ; Mark Liapis ; Rita Brownawell
Subject: Re: Findlay Credit dab 9-1-1 Towing

Yes. This is relative to the 2 Drink and Warrow matters only.

This has nothing to do with the 911 matters (sorry about my e-mail response responding to your e-mail requesting the same, picking up the 911 subject line. The same subject line requesting the continuance for Warrow was on the e-mail provided by your office.)

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

Citations 21980, 21981 and 21983)	
Issued to 2Drink LLC, Asad Marji, and)	
Farooz & Associates; 21982 issued to	)	Citations 21980, 21981, 21982,
2Drink LLC and Asad Marji; and Citation	)	21983 and 21984
21984, issued to 2Drink LLC, Asad Marji,)	
Farooz & Associates and Jason Sheets,)	
alleging violations of)	
NRS 706.386 (5 counts total).)	
_____)	

At a general session of the Nevada Transportation
Authority held on July 22, 2020.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. On November 4, 2019, the Enforcement Staff of the Authority ("Staff") issued Citations 21980, 21981, 21982, 21983, and 21984 to 2Drink, LLC, Asad Marji, Farooz & Associates, and Jason Sheets, each citation alleging one violation of Nevada Revised Statutes ("NRS"), section 706.386, for operating as a motor carrier without a certificate of public convenience and necessity issued by the Authority.
2. On November 4, 2019, Staff served those citations on James A. Kent, Esq., who accepted them on behalf of 2Drink LLC, and Asad Marji. Sheets was personally served.

3. On February 10, 2020, the Authority convened a hearing on the citations before Commissioner Assad, Presiding Officer.
4. Appearance at the hearing was made by Louis V. Csoka, Esq., on behalf of Staff. Respondent 2Drink, LLC failed to appear. Mr. Kent appeared at this hearing on behalf of Marji and confirmed that he had accepted service of the citations on behalf of 2Drink LLC.
5. The instant order addresses the citations as against only 2Drink LLC ("Respondent") as identified herein and not any other respondent shown in any citation. Jason Sheets was withdrawn as Respondent by Staff from Citation 21984.
6. For each citation, Staff offered into evidence its investigative report, and associated supplemental report, designated State's Exhibits 1 and 5, respectively. All exhibits were admitted.
7. Scott Hawkins and Todd Park, Compliance Enforcement Officers for the Authority, testified on behalf of Staff.
8. The officers authenticated the reports that each prepared, admitted as exhibits, and swore that all statements and assertions therein are true.
9. Having reviewed the reports, the Presiding Officer found that, in every instance, notice was proper to Respondent and that it had violated NRS 706.386 as alleged.
10. For each violation, the Presiding Officer recommended a fine against Respondent of \$10,000.00.
11. The Authority finds it is in the public interest to adopt the recommendation of the Presiding Officer and impose fines accordingly.

BASED ON THE FOREGOING, it is ORDERED that:

1. Regarding Citations 21980, 21981, 21982, 21983 and 21984, Respondent 2Drink, LLC, violated NRS 706.386 in every instance alleged (5 counts total);

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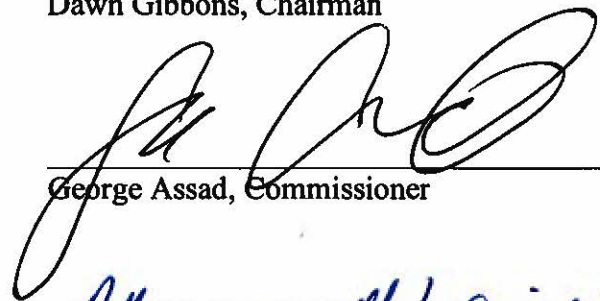
///

2. Respondent is FINED \$10,000.00 per violation, for a total fine of \$50,000.00; and
3. The Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,



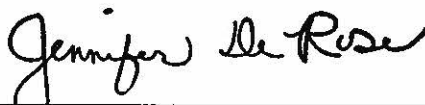
Dawn Gibbons, Chairman



George Assad, Commissioner



David Newton, Commissioner

Attest: 
Jennifer De Rose, Deputy Commissioner

Dated: Aug 4, 2020
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

STEVE SISOLAK
Governor

STATE OF NEVADA



22
TERRY REYNOLDS
Director B&I

DAWN GIBBONS
Chairman

GEORGE ASSAD
Commissioner

DAVID NEWTON
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

2 DRINK LLC
3355 S HIGHLAND DR STE 111
LAS VEGAS NV 89109
Via First Class Mail & Certified Mail #7018 1830 0002 1243 6374

FOROOZ & ASSOC
3355 S HIGHLAND DR STE 111
LAS VEGAS NV 89109

ASAD MARJI
3934 AVILA ST
LAS VEGAS NV 89103
Via First Class Mail & Certified Mail #7018 1830 0002 1243 6565

JAMES S KENT LTD
9480 S EASTERN AVE STE 228
LAS VEGAS NV 89123

FOROOZ & ASSOCIATES INC.
SAID DANESHFOROOZ
2201 PARADISE ROAD
LAS VEGAS NV 89104
Via First Class Mail & Certified Mail #7018 1830 0002 1243 6572

SUBJECT: ORDER OF THE AUTHORITY

Dear 2 DRINK LLC/ FOROOZ & ASSOCIATES INC./ASAD MARJI/SAID DANESHFOROOZ:

On July 22, 2020 you were fined \$50,000 for Citation number 21980, 21981, 21982, 21983, 21984 for violations of NRS or NAC 706 pursuant to the conditions set forth in the Order of the Authority.

Your payment of \$50,000 must be received no later than twenty (20) days from the date of this letter. Pursuant to NRS 353.1467, effective July 1, 2008, all payments of money to a state agency for obligations of \$10,000 or more must be made by electronic transfer.

If payment is not received in twenty (20) days from the date of this letter, your driver's license will be suspended and this matter will be turned over to a collection agency. Any amount that was held in abeyance in return for timely payment of the amount owed will become due and subject to collection. Pursuant to NRS Ch. 353C, if your debt is turned over to a collection agency, you will be required to pay a 2 percent fee to the State Controller, as well as collection costs and fees of up to 35 percent of the debt or \$50,000, whichever is less. Information concerning your debt can be placed on the Controller's website for public inspection. NRS Chapter 353C also allows that the State may suspend, cancel, or refuse to renew certain licenses and permits you and your company may hold. Furthermore, an individual may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) for failure to pay a fine owed to the Authority, failure to appear for a hearing on an administrative citation, or are found in violation of NRS 706 or NAC 706 more than five times within three years. Names of disqualified drivers are placed on the NTA's website.

Questions concerning this matter should be directed to our NTA General Email at nta@nta.nv.gov or you may leave a detailed voice message for call back during limited staffing hours with Hope DiBartolomeo at (702) 486-6533.

Sincerely,

Handwritten signature of Jennifer De Rose in black ink.
Jennifer De Rose, Deputy Commissioner
Enclosure

Dated: Aug 4, 2020
Las Vegas, Nevada

From: [Jamie S. Kent, Esq.](#)
To: [nta: "LCsoka@ag.nv.gov"; Gary Mathews](#)
Cc: [Alesha Dessaints: "sabos_paradise@hotmail.com"](#)
Subject: RE: Order- Citations 21980, 21981, 21982, 21983, and 21984
Date: Friday, August 14, 2020 3:35:48 PM

Thank you for your attention and cooperation.

Jamie
James S. Kent, Esq.
James S. Kent, Ltd.
9480 S. Eastern Ave., Suite 228
Las Vegas, NV 89123
702-385-1100 office
702-385-3474 facsimile

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From: Jennifer DeRose <jderose@nta.nv.gov> **On Behalf Of** nta
Sent: Friday, August 14, 2020 3:34 PM
To: Jamie S. Kent, Esq. <jamie@jamiekent.org>; nta <nta@nta.nv.gov>; 'LCsoka@ag.nv.gov' <LCsoka@ag.nv.gov>; Gary Mathews <gary.mathews@nta.nv.gov>
Cc: Alesha Dessaints <alesha@jamiekent.org>; 'sabos_paradise@hotmail.com' <sabos_paradise@hotmail.com>
Subject: RE: Order- Citations 21980, 21981, 21982, 21983, and 21984

Mr. Kent,
Thank you for your response. I am attaching a copy of the revised debt letter which will be go out in certified mail on Monday, August 17, 2020. I appreciate your notifying me regarding your concerns about the original debt letter sent out. We have revised the verbiage to ensure that the debt letter clearly names 2Drink, LLC as the respondent ordered to pay the fine in the attached order.
Respectfully,

Jennifer De Rose
Deputy Commissioner
Nevada Transportation Authority
702-486-6566
jderose@nta.nv.gov

From: Jamie S. Kent, Esq. <jamie@jamiekent.org>
Sent: Friday, August 14, 2020 2:53 PM
To: nta <nta@nta.nv.gov>; 'LCsoka@ag.nv.gov' <LCsoka@ag.nv.gov>
Cc: Alesha Dessaints <alesha@jamiekent.org>; 'sabos_paradise@hotmail.com' <sabos_paradise@hotmail.com>
Subject: RE: Order- Citations 21980, 21981, 21982, 21983, and 21984

While I believe I may have represented all at different times or another, in regards to these citations I believe I only represent Asad Marji. I believe his hearings are still pending, and if memory serves me correctly, no service was ever made on either Forooz party, thus why the order applied solely to 2 Drink.

I hope that answered what you were looking for; if not, please let me know.

Jamie
James S. Kent, Esq.
James S. Kent, Ltd.
9480 S. Eastern Ave., Suite 228
Las Vegas, NV 89123
702-385-1100 office
702-385-3474 facsimile

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From: Hope Dibartolomeo <hdibart@nta.nv.gov> **On Behalf Of** nta
Sent: Friday, August 14, 2020 12:50 PM
To: Jamie S. Kent, Esq. <jamie@jamiekent.org>; nta <nta@nta.nv.gov>; 'LCsoka@ag.nv.gov' <LCsoka@ag.nv.gov>
Cc: Alesha Dessaints <alesha@jamiekent.org>; 'sabos_paradise@hotmail.com' <sabos_paradise@hotmail.com>
Subject: RE: Order- Citations 21980, 21981, 21982, 21983, and 21984

Mr. Kent,

Thank you for your concern regarding this matter. We will address the issue. Please advise who you

represent in this matter.

Jennifer De Rose for NTA

Las Vegas Office Phone: (702) 486-3303 | Fax: (702) 486-2590

Reno Office Phone: (775) 688-2800 | Fax: (775) 688-2802



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From: Jamie S. Kent, Esq. <jamie@jamiekent.org>

Sent: Thursday, August 13, 2020 3:04 PM

To: nta <nta@nta.nv.gov>; 'LCsoka@ag.nv.gov' <LCsoka@ag.nv.gov>

Cc: Alesha Dessaints <alesha@jamiekent.org>; 'sabos_paradise@hotmail.com' <sabos_paradise@hotmail.com>

Subject: Order- Citations 21980, 21981, 21982, 21983, and 21984

Dear Ms. De Rose:

I am in receipt of your letter/notice of Order regarding the above-referenced citations. I have some concerns with how the letter is written/worded, and ask that the letter be amended to supplemented to address these concerns. The letter (attached hereto with the Order), while addressed to myself and four separate parties/entities, opens as follows:

Dear 2 DRINK LLC/ FOROOZ & ASSCOIATES INC./ ASAD MARJI/SAID DANESHFOROOZ:

On July 22, 2020, you were fined \$50,000 for Citation number 21980, 21981, 21982, 21983, 21984 for violations of NRA or NAC 706 pursuant to the conditions set forth in the Order of the Authority.

As I read that letter, it would appear the \$50,000 fine to be applicable against 2 Drink LLC, Forooz & Associates, Inc., Asad Marji, and Said Daneshforooz (as no distinction is made and only the vague, possibly plural "you" is used); however, the Order itself was specific to and only effective against 2Drink LLC. See Paragraph 5 of Order.

I want the record to be clear that the \$50,000 fine is only applicable against 2 Drink LLC and not against any of the other mentioned parties. Accordingly, I would ask that a revised letter be sent specifying that only 2 Drink has been and is fined that amount. I am worried that from the face of the letter, and without looking specifically to the Order, someone could mistake the effect of the Order and actually demand or take other action against any of the other three parties. I appreciate and welcome all parties may be copied as they were associated with the case, but it needs to be clear that the fine has only been assessed against 2 Drink.

If I am incorrect and the letter is to put the other parties (i.e. Asad Marji or Forooz & Assoc.) on notice that they somehow have a responsibility for this judgment, please let me know ASAP so I can take appropriate action. Thank you for your time and attention to this matter, and please feel free to contact me if you have any issues/wish to discuss this matter.

Respectfully,

Jamie

James S. Kent, Esq.

James S. Kent, Ltd.

9480 S. Eastern Ave., Suite 228

Las Vegas, NV 89123

702-385-1100 office

702-385-3474 facsimile

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BEFORE THE NEVADA TRANSPORTATION AUTHORITY

Citations 21980, 21981 and 21983)	
Issued to 2Drink LLC, Asad Marji, and)	
Farooz & Associates; 21982 issued to	)	Citations 21980, 21981, 21982,
2Drink LLC and Asad Marji; and Citation	)	21983 and 21984
21984, issued to 2Drink LLC, Asad Marji,)	
Farooz & Associates and Jason Sheets,)	
alleging violations of)	
NRS 706.386 (5 counts total).)	

At a general session of the Nevada Transportation
Authority held on July 22, 2020.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Commissioner David Newton
Deputy Commissioner Jennifer De Rose

ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. On November 4, 2019, the Enforcement Staff of the Authority ("Staff") issued Citations 21980, 21981, 21982, 21983, and 21984 to 2Drink, LLC, Asad Marji, Farooz & Associates, and Jason Sheets, each citation alleging one violation of Nevada Revised Statutes ("NRS"), section 706.386, for operating as a motor carrier without a certificate of public convenience and necessity issued by the Authority.
2. On November 4, 2019, Staff served those citations on James A. Kent, Esq., who accepted them on behalf of 2Drink LLC, and Asad Marji. Sheets was personally served.

3. On February 10, 2020, the Authority convened a hearing on the citations before Commissioner Assad, Presiding Officer.
4. Appearance at the hearing was made by Louis V. Csoka, Esq., on behalf of Staff. Respondent 2Drink, LLC failed to appear. Mr. Kent appeared at this hearing on behalf of Marji and confirmed that he had accepted service of the citations on behalf of 2Drink LLC.
5. The instant order addresses the citations as against only 2Drink LLC ("Respondent") as identified herein and not any other respondent shown in any citation. Jason Sheets was withdrawn as Respondent by Staff from Citation 21984.
6. For each citation, Staff offered into evidence its investigative report, and associated supplemental report, designated State's Exhibits 1 and 5, respectively. All exhibits were admitted.
7. Scott Hawkins and Todd Park, Compliance Enforcement Officers for the Authority, testified on behalf of Staff.
8. The officers authenticated the reports that each prepared, admitted as exhibits, and swore that all statements and assertions therein are true.
9. Having reviewed the reports, the Presiding Officer found that, in every instance, notice was proper to Respondent and that it had violated NRS 706.386 as alleged.
10. For each violation, the Presiding Officer recommended a fine against Respondent of \$10,000.00.
11. The Authority finds it is in the public interest to adopt the recommendation of the Presiding Officer and impose fines accordingly.

BASED ON THE FOREGOING, it is ORDERED that:

- 1. Regarding Citations 21980, 21981, 21982, 21983 and 21984, Respondent 2Drink, LLC, violated NRS 706.386 in every instance alleged (5 counts total);**

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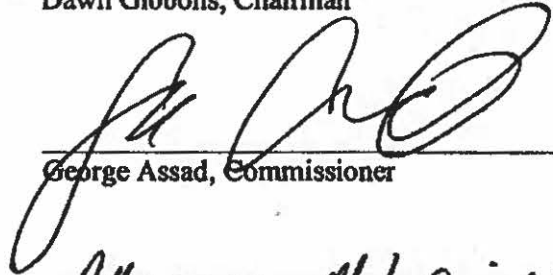
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2. Respondent is FINED \$10,000.00 per violation, for a total fine of \$50,000.00; and
3. The Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,



Dawn Gibbons, Chairman

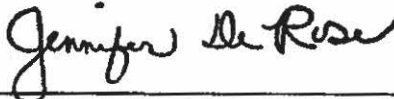


George Assad, Commissioner



David Newton, Commissioner

Attest:



Jennifer De Rose, Deputy Commissioner

Dated:

Aug 4, 2020
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

STEVE SISOLAK
Governor

STATE OF NEVADA



TERRY REYNOLDS
Director B&I

DAWN GIBBONS
Chairman

GEORGE ASSAD
Commissioner

DAVID NEWTON
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

2 DRINK LLC
3355 S HIGHLAND DR STE 111
LAS VEGAS NV 89109
Via First Class Mail & Certified Mail #7014 2870 0001 8498 4506

FOROOZ & ASSOC
3355 S HIGHLAND DR STE 111
LAS VEGAS NV 89109

ASAD MARJI
3934 AVILA ST
LAS VEGAS NV 89103

JAMES S KENT LTD
9480 S EASTERN AVE STE 228
LAS VEGAS NV 89123

FOROOZ & ASSOCIATES INC.
SAID DANESHFOROOZ
2201 PARADISE ROAD
LAS VEGAS NV 89104

SUBJECT: **ORDER OF THE AUTHORITY – REVISED DEBT LETTER**

Dear 2 DRINK LLC:

On July 22, 2020 you were fined \$50,000 for Citation number 21980, 21981, 21982, 21983, 21984 for violations of NRS or NAC 706 pursuant to the conditions set forth in the Order of the Authority.

Your payment of \$50,000 must be received no later than twenty (20) days from the date of this letter. Pursuant to NRS 353.1467, effective July 1, 2008, all payments of money to a state agency for obligations of \$10,000 or more must be made by electronic transfer.

If payment is not received in twenty (20) days from the date of this letter, your driver's license will be suspended and this matter will be turned over to a collection agency. Any amount that was held in abeyance in return for timely payment of the amount owed will become due and subject to collection. Pursuant to NRS Ch. 353C, if your debt is turned over to a collection agency, you will be required to pay a 2 percent fee to the State Controller, as well as collection costs and fees of up to 35 percent of the debt or \$50,000, whichever is less. Information concerning your debt can be placed on the Controller's website for public inspection. NRS Chapter 353C also allows that the State may suspend, cancel, or refuse to renew certain licenses and permits you and your company may hold. Furthermore, an individual may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) for failure to pay a fine owed to the Authority, failure to appear for a hearing on an administrative citation, or are found in violation of NRS 706 or NAC 706 more than five times within three years. Names of disqualified drivers are placed on the NTA's website.

Questions concerning this matter should be directed to our NTA General Email at nta@nta.nv.gov or you may leave a detailed voice message for call back during limited staffing hours with Hope DiBartolomeo at (702) 486-6533.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer De Rose".

Jennifer De Rose, Deputy Commissioner
Enclosure

Dated:

8/14/2020
Las Vegas, Nevada



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

2 DRINK LLC
3355 S HIGHLAND DR STE 111
LAS VEGAS NV 89109
Via First Class Mail & Certified Mail #7014 2870 0001 8498 4834

SUBJECT: FINAL NOTICE

Dear 2 DRINK LLC:

On July 22, 2020 you were fined \$50,000 for Citation number 21980, 21981, 21982, 21983, 21984 for violations of NRS or NAC 706 pursuant to the conditions set forth in the Order of the Authority. As of this date, your payment has not been received.

This letter will serve as final demand that the total amount of \$400 for violations as assigned above owed to the NTA be satisfied within fourteen (14) days from the date of this letter. Due to COVID-19 office closures, we accept payments in the form of check, money order or cashier check sent to either of our office locations via mail service.

If you fail to make payment in a timely manner, your driver's license will be suspended and this matter will be turned over to the State Controller's Office for collection. Any amount that was held in abeyance in return for timely payment of the amount owed will become due and subject to collection. Pursuant to NRS Ch. 353C, if your debt is turned over to a collection agency, you will be required to pay a 2 percent fee to the State Controller, as well as collection costs and fees of up to 35 percent of the debt or \$50,000, whichever is less. Information concerning your debt can be placed on the Controller's website for public inspection. NRS Chapter 353C also allows that the State may suspend, cancel, or refuse to renew certain licenses and permits you and your company may hold. Furthermore, an individual may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) for failure to pay a fine owed to the Authority, failure to appear for a hearing on an administrative citation, or are found in violation of NRS 706 or NAC 706 more than five times within three years. Names of disqualified drivers are placed on the NTA's website.

Questions concerning this matter should be directed to our NTA General Email at nta@nta.nv.gov or you may leave a detailed voice message for call back during limited staffing hours with Hope DiBartolomeo at (702) 486-6533.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer De Rose".

Jennifer De Rose, Deputy Commissioner

Dated: 9/14/2020
Las Vegas, Nevada

From: [Alesha Dessaints](#)
To: [Jennifer Hill](#)
Cc: [Sabo Marji](#); [Jamie S. Kent, Esq.](#)
Subject: RE: Assad Marji
Date: Wednesday, March 31, 2021 11:23:45 AM

Perfect – thank you very much!

From: Jennifer Hill <jhill@nta.nv.gov>
Sent: Wednesday, March 31, 2021 11:21 AM
To: Alesha Dessaints <alesha@jamiekent.org>
Subject: RE: Assad Marji

Ok I will reschedule it to then. I will send you the new hearing information.

Jennifer Hill | Legal Secretary II

State of Nevada | Department of Business & Industry | Nevada Transportation Authority
3300 W Sahara Ste 200
Las Vegas, Nevada 89102
T: (702) 486-3303 ext. 66537 | F: (702) 486-2590 | E: jhill@nta.nv.gov



This communication, including any attachments, may contain confidential information and is intended only for the individual or entity to which it is addressed. Any review, dissemination or copying of this communication by anyone other than the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and delete all copies of the original message.

From: Alesha Dessaints <alesha@jamiekent.org>
Sent: Wednesday, March 31, 2021 11:19 AM
To: Jennifer Hill <jhill@nta.nv.gov>
Cc: Sabo Marji <sabos_paradise@hotmail.com>; Jamie S. Kent, Esq. <jamie@jamiekent.org>
Subject: RE: Assad Marji

Jennifer:

April 20th at 2 pm, please!

Thank you for all of your help with this matter!

Alesha Dessaints

Legal Assistant to,
James S. Kent, Ltd.
9480 S. Eastern Ave.
Suite 228
Las Vegas, Nevada 89123
Telephone: (702) 385-1100

Confidentiality Note:

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From: Jennifer Hill <jhill@nta.nv.gov>
Sent: Wednesday, March 31, 2021 10:15 AM
To: Alesha Dessaints <alesha@jamiekent.org>
Subject: RE: Assad Marji

Alesha,

I have April 20th or April 22nd at 2 pm that I can move this hearing to. Please let me know which day and time works.

Jennifer Hill | Legal Secretary II

State of Nevada | Department of Business & Industry | Nevada Transportation Authority
3300 W Sahara Ste 200
Las Vegas, Nevada 89102
T: (702) 486-3303 ext. 66537 | F: (702) 486-2590 | E: jhill@nta.nv.gov



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d time works for you.

From: Alesha Dessaints <alesha@jamiekent.org>

Sent: Wednesday, March 31, 2021 10:01 AM

To: Jennifer Hill <jhill@nta.nv.gov>

Subject: FW: Assad Marji

I am sorry to bother you, are we able to continue this hearing today?

Thank you!

Alesha Dessaints

Legal Assistant to,
James S. Kent, Ltd.
9480 S. Eastern Ave.
Suite 228
Las Vegas, Nevada 89123
Telephone: (702) 385-1100

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From: Louis V. Csoka <LCsoka@ag.nv.gov>

Sent: Tuesday, March 30, 2021 5:24 PM

To: Jamie S. Kent, Esq. <jamie@jamiekent.org>; Jennifer Hill <jhill@nta.nv.gov>

Cc: Alesha Dessaints <alesha@jamiekent.org>

Subject: Re: Assad Marji

Dear Jennifer,

Jamie is saying that he was unaware of the upcoming hearing. Please see his e-mail below.

So long as the Hearing Officer agrees, I have no problem with one final continuance.

Please also provide him with the Citation numbers, and Reports, if needed.

(Jamie, I will provide you that one additional bit of evidence, under separate cover, that we had just discussed.)

Thank you very much to all.

Louis

From: Jamie S. Kent, Esq. <jamie@jamiekent.org>
Sent: Tuesday, March 30, 2021 5:19 PM
To: Louis V. Csoka <LCsoka@ag.nv.gov>; Jennifer Hill <jhill@nta.nv.gov>
Cc: Alesha Dessaints <alesha@jamiekent.org>
Subject: RE: Assad Marji

Louis- I appreciate you reaching out, regardless of the reason. Yes, I would ask for a continuance and if you could, please provide a copy of the applicable reports as well as the additional information. I thought we had adjudicated his items previously, but obviously I am mistaken. Could you also provide or indicate what the citation(s) which will be the subject of the hearing (or at least the citation number(s)?

My apologies for having to do this, but as noted, I did not have this on my calendar or know of this, so I have not spoken with Mr. Marji in months. As I represented him at the last hearing and did not indicate to him that I was withdrawing, I believe I have to continue to represent him unless and/or until he tells me or I formally withdraw.

Thank you for your understanding and patience.

Jamie
James S. Kent, Esq.
James S. Kent, Ltd.
9480 S. Eastern Ave., Suite 228
Las Vegas, NV 89123
702-385-1100 office
702-385-3474 facsimile

Confidentiality Note:

The information contained in this transmission is legally privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone call to (702) 385-1100 and delete the message.

Thank you.

From: Louis V. Csoka <LCsoka@ag.nv.gov>
Sent: Tuesday, March 30, 2021 5:09 PM
To: Jamie S. Kent, Esq. <jamie@jamiekent.org>
Subject: Re: Assad Marji

It is now about him. The Citation against 2 Drink has already been adjudicated.

If you represent him, I need to send you additional information.

If you need the Reports again or a continuance, please let Jennifer know.

Thank you.

From: Jamie S. Kent, Esq. <jamie@jamiekent.org>
Sent: Tuesday, March 30, 2021 5:05 PM
To: Louis V. Csoka <LCsoka@ag.nv.gov>
Subject: RE: Assad Marji

Marji? I think so, but I did not have anything down for him tomorrow. Is it about him or 2 Drink (as I am not representing 2 Drink).

Jamie

From: Louis V. Csoka <LCsoka@ag.nv.gov>
Sent: Tuesday, March 30, 2021 5:03 PM
To: Jamie S. Kent, Esq. <jamie@jamiekent.org>
Subject: Assad Marji

Dear Jamie,

Do you still represent this Respondent?

If you do, I have some additional materials to provide for tomorrow's Hearing.

Thank you very much.

Louis

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Administrative Citation Number 21980,)	
21981, 21982, 21983 and 21984 issued to 2 Drink	)	Citation Number 21980,
LLC, Asad Marji, Forooz & Assoc, & Jason Sheets	)	21981,21982,21983 & 21984
for violations of NRS 706.386 (5 counts).)	
_____)	

NOTICE OF RESCHEDULED HEARING

The above matter was set for hearing on March 31, 2021. Prior to a hearing being held, Respondent requested a continuance. Accordingly, **NOTICE IS HEREBY GIVEN** that a hearing on this matter has been rescheduled as follows:

TUESDAY, April 20, 2021

2:00 p.m.

Via WebEx or via telephone (see attached instructions)

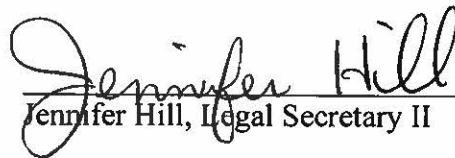
Nevada Transportation Authority

(702) 486-3303

At which time a Hearing Officer will receive testimony and evidence regarding the alleged violation and decide which testimony and evidence will be delivered to the Authority.

If Respondent fails to appear either by WebEx or by teleconference at the above time and place set for hearing, pursuant to NAC 706.4017(2), the Authority may impose a fine for the violations alleged in the complaint/citation.

By the Authority,


Jennifer Hill, Legal Secretary II

Dated: March 31, 2021
Las Vegas, Nevada

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citations 21980, 21981, 21982, 21983 and)	
21984 issued to As'ad Marji for violation of	)	Citations 21980, 21981, 21982,
NRS 706.386 (5 counts).	)	21983 and 21984
)	

At a general session of the Nevada Transportation
Authority held on July 27, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

On April 20, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority ("Authority"). The Respondent, As'ad Marji ("Marji") was represented by legal counsel, James Kent, Esq.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer makes the following findings of fact and conclusion of law.

Based on that proposed decision, the Authority makes the following Findings of Fact and Conclusions of Law, which constitute a final order affirming the decision of the Hearing Officer. Any Finding of Fact that would be better deemed a Conclusion of Law or vice versa shall be so construed. Under Nevada Revised Statutes ("NRS") 706.151, the Authority has legal jurisdiction and authority over this matter.

FINDINGS OF FACT

The Authority finds that there is substantial evidence in the record delivered by the Hearing Officer, which contains the legal evidence presented at the hearing, to establish each of the facts hereinafter set forth in these Findings of Facts.

1. About October of 2019, the Authority opened an investigation regarding a Las Vegas company which was providing illegal transportation. The company was identified as 2 Drink, LLC. The owner and operator of 2 Drink, LLC, was later identified as As'ad Marji. The investigation revealed that Marji was providing illegal transportation by utilizing various personally owned vehicles which were parked at Marji's residence located at 3934 Avila Street, Las Vegas, Nevada.
2. Several of the vehicles that were observed at Marji's residence were registered to Marji's company, 2 Drink, LLC. Over the next several months the Authority conducted surveillance which revealed that Marji was providing illegal transportation from various strip hotels to gentlemen clubs around Las Vegas.
3. That during the investigation, several vehicles dispatched by Marji were stopped for providing those illegal rides. In every instance each driver who was providing the illegal ride stated that they worked for As'ad Marji.
4. That Marji was the owner of 2 Drink, LLC, and that they were paid by him. On one occasion a driver was using a 2-way radio to communicate with Marji and admitted that he was dispatched by Marji.
5. That the vehicles that were stopped for providing the illegal transportation were impounded, and each driver was cited for failing to provide a Certificate of Public Convenience and Necessity ("CPCN").
6. Investigators Hawkins, Park and Scott all testified at the hearing that at least 6 of the drivers who were providing illegal transportation admitted they worked for Marji and that he was the owner of 2 Drink, LLC.

7. At the hearing Marji denied he was the owner of 2 Drink, LLC at the time of the violations nor did he provide any illegal rides. The Hearing Officer finds his testimony not credible.

CONCLUSIONS OF LAW

The Hearing Officer recommended that the five violations of NRS 706.386, relating to operating as a fully regulated carrier without authority, be affirmed.

The Authority adopts the above recommendations of the Hearing Officer.

DISCUSSION

The State requested a fine of \$10,000.00 for each of the NRS 706.386 violations for a total fine amount of \$50,000.00.

The Hearing Officer accepted the State's recommendations with regard to fines and remedies.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

That the recommendation of the Hearing Officer for Administrative Citations and Verified Complaints 21980, 21981, 21982, 21983 and 21984, issued to As'ad Marji for 5 violations of NRS 706.386 is hereby AFFIRMED,

1. That the *total fine* for Citations 21980, 21981, 21982, 21983 and 21984 shall be in the amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00); and

///

///

///

///

///

2. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.



By the Authority,

Dawn Gibbons

Dawn Gibbons, Chairman

George Assad

George Assad, Commissioner

Attest:

Jennifer De Rose
Jennifer De Rose, Deputy Commissioner

Dated:

8/3/2021
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

ASAD MARJI
3934 AVILA ST
LAS VEGAS NV 89103
Via First Class Mail and Certified Mail #7019 1640 0001 5786 5008

JAMES S KENT LTD
9480 S EASTERN AVE STE 228
LAS VEGAS NV 89123

SUBJECT: **ORDER OF THE AUTHORITY**

Dear ASAD MARJI:

On July 27, 2021, you were fined \$50,000 for Citation numbers 21980, 21981, 21982, 21983 and 21984 for violations of NRS or NAC 706 pursuant to the conditions as set forth in the attached Order.

Your payment of \$50,000 must be received no later than twenty (20) days from the date of this letter. Pursuant to NRS 353.1467, effective July 1, 2008, all payments of money to a state agency for obligations of \$10,000 or more must be made by electronic transfer.

If payment is not received in twenty (20) days from the date of this letter, your driver's license will be suspended and this matter will be turned over to a collection agency. Any amount that was held in abeyance in return for timely payment of the amount owed will become due and subject to collection. Pursuant to NRS Ch. 353C, if your debt is turned over to a collection agency, you will be required to pay a 2 percent fee to the State Controller, as well as collection costs and fees of up to 35 percent of the debt or \$50,000, whichever is less. Information concerning your debt can be placed on the Controller's website for public inspection. NRS Chapter 353C also allows that the State may suspend, cancel, or refuse to renew certain licenses and permits you and your company may hold. Furthermore, an individual may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) for failure to pay a fine owed to the Authority, failure to appear for a hearing on an administrative citation, or are found in violation of NRS 706 or NAC 706 more than five times within three years. Names of disqualified drivers are placed on the NTA's website.

Questions concerning this matter should be directed to our NTA General Email at nta@nta.nv.gov or you may contact Hope DiBartolomeo at (702) 486-6533.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer De Rose".

Jennifer De Rose, Deputy Commissioner

Dated: 8/3/2021
Las Vegas, Nevada

Enclosure

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citations 21980, 21981, 21982, 21983 and 21984 issued to As'ad Marji for violation of NRS 706.386 (5 counts).)))))	Citations 21980, 21981, 21982, 21983 and 21984
--	-----------------------	---

At a general session of the Nevada Transportation
Authority held on July 27, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND AMENDED ORDER**

On April 20, 2021, a hearing on the above-captioned matter was held before Commissioner George Assad, serving in his capacity as Hearing Officer for the Nevada Transportation Authority ("Authority"). The Respondent, As'ad Marji ("Marji") was represented by legal counsel, James Kent, Esq.

After hearing the allegations, the respective arguments, and having considered the evidence introduced by both parties and being fully advised, the Hearing Officer makes the following findings of fact and conclusion of law.

Based on that proposed decision, the Authority makes the following Findings of Fact and Conclusions of Law, which constitute a final order affirming the decision of the Hearing Officer. Any Finding of Fact that would be better deemed a Conclusion of Law or vice versa shall be so construed. Under Nevada Revised Statutes ("NRS") 706.151, the Authority has legal jurisdiction and authority over this matter.

FINDINGS OF FACT

The Authority finds that there is substantial evidence in the record delivered by the Hearing Officer, which contains the legal evidence presented at the hearing, to establish each of the facts hereinafter set forth in these Findings of Facts.

1. About October of 2019, the Authority opened an investigation regarding a Las Vegas company which was providing illegal transportation. The company was identified as 2 Drink, LLC. The owner and operator of 2 Drink, LLC, was later identified as As'ad Marji. The investigation revealed that Marji was providing illegal transportation by utilizing various personally owned vehicles which were parked at Marji's residence located at 3934 Avila Street, Las Vegas, Nevada.
 2. Several of the vehicles that were observed at Marji's residence were registered to Marji's company, 2 Drink, LLC. Over the next several months the Authority conducted surveillance which revealed that Marji was providing illegal transportation from various strip hotels to gentlemen clubs around Las Vegas.
 3. That during the investigation, several vehicles dispatched by Marji were stopped for providing those illegal rides. In every instance each driver who was providing the illegal ride stated that they worked for As'ad Marji.
 4. That Marji was the owner of 2 Drink, LLC, and that they were paid by him. On one occasion a driver was using a 2-way radio to communicate with Marji and admitted that he was dispatched by Marji.
 5. That the vehicles that were stopped for providing the illegal transportation were impounded, and each driver was cited for failing to provide a Certificate of Public Convenience and Necessity ("CPCN").
 6. Investigators Hawkins, Park and Scott all testified at the hearing that at least 6 of the drivers who were providing illegal transportation admitted they worked for Marji and that he was the owner of 2 Drink, LLC.
-

7. At the hearing Marji denied he was the owner of 2 Drink, LLC at the time of the violations nor did he provide any illegal rides. The Hearing Officer finds his testimony not credible.

CONCLUSIONS OF LAW

The Hearing Officer recommended that the five violations of NRS 706.386, relating to operating as a fully regulated carrier without authority, be affirmed.

The Authority adopts the above recommendations of the Hearing Officer.

DISCUSSION

The State requested a fine of \$10,000.00 for each of the NRS 706.386 violations for a total fine amount of \$50,000.00.

The Hearing Officer accepted the State's recommendations with regard to fines and remedies.

ORDER

IT IS THEREFORE ORDERED, based on the foregoing:

That this Order amends the Authority's prior Order relative to 2Drink, LLC, dated August 4, 2020, thereby adding As'ad Marji as Owner of 2Drink, LLC now jointly and severally liable for the administrative fine of \$50,000.00 with 2Drink, LLC.

That the recommendation of the Hearing Officer for Administrative Citations and Verified Complaints 21980, 21981, 21982, 21983 and 21984, issued to As'ad Marji for 5 violations of NRS 706.386 is hereby AFFIRMED,

1. That the *total fine* for Citations 21980, 21981, 21982, 21983 and 21984 shall be in the amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00); and

///

///

///

///


///

2. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.



By the Authority,


Dawn Gibbons, Chairman


George Assad, Commissioner

Attest: 
Jennifer DeRose, Deputy Commissioner

Dated: 
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706 483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.

Agenda Item#

66



21-08028

RECEIVED

AUG 23 2021

Nevada Transportation Authority
Las Vegas, Nevada

DEPARTMENT OF BUSINESS AND INDUSTRY

NEVADA TRANSPORTATION AUTHORITY

PETITION FOR RECONSIDERATION

Docket ☐ / Citation ☒ / Impound ☐ / Permit ☐ #: 22459

Petitioner's Name: Noriega Flores Telephone 702-815-5554

^{new} Mailing Address: 7084 SHIMMERING AVE HENDERSON NV 89011

Reason for request: ASKING FOR SOME MORE TIME TO
PAY, I CURRENTLY DO NOT HAVE THE ENTIRE
AMOUNT TO PAY IT, ALSO I'M ASKING
FOR A FINE REDUCTION, JUST TRYING TO
SAVE SOME MONEY SINCE MONEY IS TIGHT
RIGHT NOW AND WORK HASN'T REALLY BEEN
BUSY, PLEASE AND THANK YOU VERY
MUCH

Signature: [Signature]

Date: 8/18/21

\$50 Filing Fee

Debt Summary Review

21-08028 PFR Noriega Flores outstanding debt for Citation 22459.

Summary:

- Citation 22459 was issued to Noriega J. Flores-Santos on 04/14/2021 by Investigator Hawkins for violations of NRS. The hearing date indicated on the citation was 05/19/2021 at 8:30am. On 05/19/2021 the matter was rescheduled to 06/02/2021. On 06/02/2021 the hearing was held and the respondent failed to appear.
- Mr. Flores-Santos was fined \$2,500 pursuant to the conditions set forth in the Order of the Authority approved at the 07/27/2021 General Session Meeting. The order and corresponding debt letter were sent 08/03/2021 with payment due in 20 days.
- On 08/23/2021 Mr. Flores-Santos filed a Petition for Reconsideration (PFR).

Citation debt 22459 currently resides with the NTA with no payments made to date.

ADMINISTRATIVE CITATION AND VERIFIED COMPLAINT

ISSUED PURSUANT TO NRS 706.771

No. 22459

STATE OF NEVADA

County of CLARK City of LAS VEGAS

Time 7:00 PM Day of WED Date 4 14 2021

Location WYNN LAS VEGAS

Name FLORES-SANTOS NORIEGA JULIO

Residence Address 2151 CITRUS HILLS AVE #1151

LAS VEGAS NV 89106

Operator License No. [REDACTED] State NV

D.O.B. [REDACTED] Mo. 6 Day 13 Yr. 1981 Sex M Ht. 240 Wt. BLK Hair BLK Eyes BLK

Company Name [REDACTED] MV/CPCN [REDACTED]

Company Address [REDACTED] Street [REDACTED]

City [REDACTED] State [REDACTED] Zip [REDACTED]

Vehicle 2021 GMC YUKON BLK

Vehicle License NV52414 TX 2022

Respondent NORIEGA JULIO FLORES-SANTOS

DID THEN AND THERE COMMIT THE FOLLOWING OFFENSES/INFRACTIONS:

1. Violation NO CPCN NRS/NAC 706.386 ☐ CFR ☐ Other

To wit: RESPONDENT DID NOT OR PROVIDE INTERSTATE PASSENGER TRANSPORTATION W/O CPCN

2. Violation [REDACTED] NRS/NAC ☐ CFR ☐ Other

To wit: [REDACTED]

I certify (or declare) under penalty of perjury under the laws of the State of Nevada that I have grounds/probable cause to believe and do believe that above named respondent committed the above infraction(s) and/or violation(s) contrary to law.

Officer/Complainant's Name S. Hawkins Officer/Complainant's Signature [Signature] P No. 7050 Date 4/14/21

The potential fine for each of the above violations is up to \$10,000. You are hereby notified to appear before the Nevada Transportation Authority at:

☒ 8300 W. Sahara Ave., Suite 200, Las Vegas, Nevada 89102

☐ 1755 E. Plumb Lane, Suite 216, Reno, Nevada 89502

on 5 19 2021 at 8:30 am / pm

Signature [Signature] I promise to appear at the time and place indicated.

Carefully review the explanation of rights, responsibility to appear, the consequences of failing to appear and notice of hearing set forth on the reverse side of this citation. **Signing of this citation constitutes a promise to appear in this matter and is an acknowledgement that you have been advised to carefully review the information contained on the reverse side of this citation. Signing does not constitute an admission of guilt or culpability.** Please read back of citation carefully → →

WHITE—Complaint; GREEN—Notice to Appear

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Administrative Citation Number 22459)
issued to Noriega Julio Flores-Santos for violation) Citation Number 22459
of NRS 706.386.)
_____)

NOTICE OF RESCHEDULED HEARING

The above matter was set for hearing on May 19, 2021. The matter was not heard on that date as the Respondent failed to appear. Accordingly, **NOTICE IS HEREBY GIVEN** that a hearing on this matter has been rescheduled as follows:

WEDNESDAY, JUNE 2, 2021

8:30 a.m.

Via WebEx or via telephone (see attached instructions)

Nevada Transportation Authority
(702) 486-3303

At which time a Hearing Officer will receive testimony and evidence regarding the alleged violations and decide which testimony and evidence will be delivered to the Authority.

If Respondent fails to appear either by WebEx or by teleconference at the above time and place set for hearing, pursuant to NAC 706.4017(2), the Authority may impose a fine for the violations alleged in the complaint/citation.

By the Authority,



Jennifer Hill, Legal Secretary II

Dated: May 19, 2021
Las Vegas, Nevada

To request a copy of the investigation report prior to your hearing, please contact Rita Brownawell at (702) 486-6498 or rbrownawell@nta.nv.gov or Jennifer Hill at (702) 486-6537 or jhill@nta.nv.gov.

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: Citation 22459 issued to Noriega Julio	)	Citation 22459
Flores-Santos for a violation of NRS 706.386.)	
_____)	

At a general session of the Nevada Transportation
Authority held on July 27, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

ORDER

Under Nevada Revised Statutes (“NRS”) 706.151, the Nevada Transportation Authority (“Authority”) has legal jurisdiction and authority over the above matter.

At the time of issuance of the above-captioned Citation, Respondent was personally served notice that the matter was set for hearing at the Las Vegas office of the Authority at 8:30 a.m. on May 19, 2021. Respondent failed to appear. The matter was continued with the final appearance set for hearing on June 2, 2021, with notice mailed via regular mail to Respondent. Respondent failed to appear at the time and place set for hearing and failed to request a continuance of the matter.

The Hearing Officer found that proper notice of the June 2, 2021 hearing was provided to the Respondent in accordance with NRS Chapters 233B and 706. In accordance with Nevada Administrative Code (“NAC”) 706.4017, Authority Staff, by and through Deputy Attorney General Louis Csoka, requested that a finding be entered against the Respondent for a violation of NRS 706.386 and that a fine be imposed for said violation.

Commissioner George Assad, serving in his capacity as Hearing Officer for the Authority, considered the allegations and assertions contained in Citation 22459 and the related

Investigation Report (marked as State's Exhibit 1 and incorporated herein by reference) and entered a finding against the Respondent for one violation of NRS 706.386 related to no CPCN had been issued authorizing the operations undertaken by the Respondent.

Authority Staff requested that a fine be assessed in the amount of \$2,500.00 for the NRS 706.386 violation.

The Hearing Officer adopted the Staff's recommendation with respect to fines and remedies.

IT IS THEREFORE ORDERED:

1. That the recommendation of the Hearing Officer for Administrative Citation and Verified Complaint 22459, issued to Noriega Julio Flores-Santos for a violation of NRS 706.386, is hereby AFFIRMED;
2. That the *total* fine for Citation 22459 shall be in the amount of Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00); and

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3. That the Authority retains jurisdiction for correcting any errors that may have occurred in the drafting or issuance of this Order.



By the Authority,

Dawn Gibbons

Dawn Gibbons, Chairman

George Assad

George Assad, Commissioner

Attest:

Jennifer DeRose

Jennifer DeRose, Deputy Commissioner

Dated:

8/3/2021

Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

NOTICE: In accordance with NAC 706.229 and NAC 706.3751 (both recently amended, see Legislative Counsel Bureau File No. R111-10), you may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) if you fail to pay a fine owed to the Authority, you fail to appear for a hearing on an administrative citation, and/or you are found in violation of the provisions of NRS 706 or NAC 706 more than five times within three years.

NOTICE: Pursuant to NRS 706.772 and NRS 706.483.441, you may have your driver's license suspended by the Nevada Department of Motor Vehicles if you fail to pay the full amount of the administrative fine and any other costs which are due to the Authority as a result of the above final Order.



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

NORIEGA FLORES-SANTOS
2151 CITRUS HILLS AVE #1151
LAS VEGAS NV 89106
Via First Class Mail and Certified Mail #7019 1640 0001 5786 5053

SUBJECT: **ORDER OF THE AUTHORITY**

Dear NORIEGA FLORES-SANTOS:

On July 27, 2021, you were fined \$2,500 for Citation number 22459 for violation of NRS or NAC 706 pursuant to the conditions as set forth in the attached Order. Additional processing may be necessary to remedy any failure to appear. You may inquire with staff for additional information.

Your payment of \$2,500 may be mailed or hand delivered to either of our office locations. We accept payments during normal business hours, Monday through Friday.

If payment is not received in twenty (20) days from the date of this letter, your driver's license will be suspended and this matter will be turned over to a collection agency. Any amount that was held in abeyance in return for timely payment of the amount owed will become due and subject to collection. Pursuant to NRS Ch. 353C, if your debt is turned over to a collection agency, you will be required to pay a 2 percent fee to the State Controller, as well as collection costs and fees of up to 35 percent of the debt or \$50,000, whichever is less. Information concerning your debt can be placed on the Controller's website for public inspection. NRS Chapter 353C also allows that the State may suspend, cancel, or refuse to renew certain licenses and permits you and your company may hold. Furthermore, an individual may be disqualified from driving taxicabs (outside of Clark County) or charter limousines (statewide) for failure to pay a fine owed to the Authority, failure to appear for a hearing on an administrative citation, or are found in violation of NRS 706 or NAC 706 more than five times within three years. Names of disqualified drivers are placed on the NTA's website.

Questions concerning this matter should be directed to our NTA General Email at nta@nta.nv.gov or you may contact Hope DiBartolomeo at (702) 486-6533.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer De Rose".

Jennifer De Rose, Deputy Commissioner

Dated: 8/3/2021
Las Vegas, Nevada

Enclosure

Agenda Item#

67

Platinum Transportation
Petition for Relief
Docket 20-10039
September 30, 2021 General Session

Staff update:

The required filing is for 6 CPCN's for the 6 series LLC.s under Platinum Transportation, LLC. Both Whittlesee Taxi (CPCN 2118.5) and Celebrity Coaches (2105.1) are currently in operation.

The remaining 4 CPCNs are in various stages of temporary discontinuance, 2 of which are in expired status, Airport Mini Bus (CPCN 2350.9 Docket 20-04013 expired 2/18/2021) and Bell Limo (CPCN 1217.3 Docket 20-04014 also expired 2/18/2021). Platinum Transportation CPCN 2166.1, and Mammoth Limousine CPCN 1105.3 are within their current period of temporary discontinuance.

Application Status:

This matter was tabled from the July 2021 general session.

The six (6) applications were brought in on 8/25/21 but have not been accepted as complete as of this writing, 9/17/21. Staff notified the Applicant of the application omissions on 9/2/21, and has been working with the Applicant's Controller, Rich Nolan, on the financial requirements/exhibits since 9/9/21. The draft applications were returned to Attorney Brent Carson on 9/17/21.

Agenda Item# 68

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Application of Jbannes, LLC)
d/b/a Vegas Mob Weddings for a Certificate of Public) Docket 21-02005
Convenience and Necessity to provide scenic tour and)
charter limousine service within Clark County,)
Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That February 4, 2021, Jbannes, LLC d/b/a Vegas Mob Weddings ("Applicant") filed an application seeking Contract Carrier authority within Clark County, Nevada.
2. That the application was accepted and designated as docket 21-02005.
3. That on June 21, 2021, the application was amended from seeking Contract Carrier authority to seeking Common Carrier Authority with Scenic Tour and Charter Limousine authority.
4. That on June 22, 2021, the Application was properly noticed to the public and no Petitions for Leave to Intervene or Protests were filed.
5. That Staff requested the hearing on the Application be dispensed, pursuant to NRS 706.391 paragraph 9. Chairman Dawn Gibbons, serving in her capacity as Presiding Officer for the Authority, granted the request.
6. That Authority Staff reported the following:
 - a. Karen Rayson, Compliance Audit Investigator, investigated the Applicant's background and inspected documentation relative to the proposed operation. Ms.

Rayson reported no areas of concern regarding the Applicant's operational fitness and stated that he supported approval of the Application.

- b. Paul Servello, Financial Analyst for the Authority, inspected the Applicant's financial information. Mr. Servello reported no areas of concern regarding the Applicant's financial fitness and stated that he supported approval of the Application.
 - c. Liz Babcock, Applications Manager, reported that the Applicant met the requirements; Staff had no concerns; and supported approval of the Application.
7. Based on all records pertaining to the Application, after investigation, and pursuant to NRS 706.391:
- a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant is financially and operationally fit, willing, and able to perform the transportation service for which applied.
 - c. Granting the Application on file herein would be in the public interest, will tend to foster sound economic conditions in the industry, and will not unreasonably or adversely affect other carriers operating in the territory served under the Certificate.
 - d. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.
 - e. The operation contemplated by the Applicant will benefit and protect the safety and convenience of the traveling and shipping public and the motor carrier business in this State.
 - f. The proposed operation will provide service on a continuous basis.
 - g. The market identified by the Applicant as the market the Applicant intends to serve will support the proposed operation.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The Application on file herein shall be GRANTED for the transportation service specified below:

On-call, irregular route transportation of passengers in charter service by limousine and scenic tour service within Clark County, Nevada.

RESTRICTION:

The number of vehicles in the carrier's fleet shall be no more than three (3).

2. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 1146** shall be issued to Jbannes, LLC d/b/a Vegas Mob Weddings authorizing operation in intrastate commerce as is more particularly described in the first ordering paragraph hereinabove.
3. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational or financial fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence of the required insurance (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicles covered.
 - d. Make vehicles available for inspection by Authority Staff to ensure that they have been marked in accordance with NAC 706.170 including the carrier's name/logo and CPCN number. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles and registrations.
 - e. Ensure driver qualification files are set up in accordance with CFR391.51. Explain and make available set-up of time tracking method put into place. Ensure all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.30. Make available for inspection by Authority Staff the business and vehicle domiciles.
 - f. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - g. Provide a copy of a charter order with the CPCN number granted and with complaint/commendation language, in accordance with NACs which include the CPCN number granted.
 - h. Provide copies of all applicable business licenses.
 - i. File a tariff that includes a description of the Authority granted, CPCN number, and the name and address of the Applicant, to include the following changes:

1. State Passenger Capacity for each tour,
 2. Add a description for the Night Flight Tour,
 3. Modify the definition for Equipment Substitutions,
 4. Expand the definition for Luxury Sedan, and
 5. Add the 3% excise tax.
 - j. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also operate as a driver, the contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - k. Ensure all drivers have applied for temporary drivers' permits.
 - l. Apply for NTA decals.
 - m. Provide signed affidavit acknowledging requirements of NTA Annual Report pursuant to NRS 706.167.
 - n. Provide proof that Applicant is in compliance with all municipal, county, and homeowner's association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - o. Reimburse the Authority for all noticing fees pursuant to NAC 706.1355.
4. Compliance with the foregoing requirements must be made by the Applicant NO LATER THAN 120 days from the date of this Order. If the Applicant fails to comply within 120-day time period, the Deputy Commissioner of the Authority may vacate this Compliance Order and dismiss this Application.
5. ***This Order does not constitute operating authority; performance of the transportation service contemplated by this Order may not be instituted prior to the issuance of said Certificate referred to hereinabove.***
6. If Jbannes, LLC d/b/a Vegas Mob Weddings is cited by the Authority for any violation of NRS 706 prior to the close of the compliance period, the Deputy Commissioner shall vacate this Order and dismiss the Application unless the Authority orders otherwise.
7. The Deputy Commissioner shall be authorized to issue the above-referenced Certificate of

Public Convenience and Necessity upon the Applicant meeting all requirements set forth herein.

8. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

Jbannes, LLC
d/b/a Vegas Mob Weddings
Application for Charter Limousine & Scenic Tour Authorities
Docket 21-02005
May 17, 2018 General Session

Application Summary:

On February 4, 2021, Jbannes, LLC d/b/a Vegas Mob Weddings ("Applicant") filed an application seeking Contract Carrier authority within Clark County, Nevada, pursuant to contracts with International Vegas Weddings, LLC, 5 Star Grand Canyon Helicopter Tours, LLC, Lucky Little Chapel, Laila's Weddings & More, LLC, Luxlife Las Vegas, LLC, and Vegas Mobile Minister. The application was accepted and designated as docket 21-02005. Joseph Marino is the sole member of the LLC.

On June 21, 2021, the application was amended from seeking Contract Carrier authority to seeking Common Carrier Authority with Scenic Tour and Charter Limousine authority.

On June 22, 2021, the application was properly noticed to the public. No petitions for leave to intervene or protests were filed.

Staff's Analysis:

Staff supports this application operationally and financially and respectfully requests that the application hearing be dispensed per NRS 706.391(9). The following procedures were performed by Staff with acceptable results and is their basis to support this application:

1. The application was noticed and no petitions for leave to intervene or protests were filed.
2. Staff performed a background investigation with no areas of concern (**Attachment A**).
3. Market – This application has two markets. It is staff policy not to verify the Market for Scenic Tours. Letters of Support were received from Photographers as well as Wedding Chapels. Staff has verified the market and considers the projected Charter Limousine revenues to be conservative in relation to the support letters received.
4. Pro Forma Balance Sheet (PFBS)—The PFBS lists 3 vehicles (one currently owed and two to be financed in the future): a reported a 37.78% equity ratio and a 1.01 to 1 current ratio. There is also enough cash to cover the 90-days' worth of fixed expenses. A cash infusion of \$16,800 will be required in the compliance period. (**Attachment B and C**).
5. Pro Forma Income Statement (PFIS)—The Applicant projects 83,582 net income on \$519,579 of revenues. Approximately 4.5 Percent of revenues are derived from Charter Limousine revenues, with 95.5 percent allocated to scenic tour revenues. Staff's analysis on the PFIS disclosed revenues projected are aggressive for a start-up company. However, staff feels this is a unique market niche and did not find any areas of concern. (**Attachment D**).
6. Tariff— The proposed scenic tour rates are higher than the range of rates charged for scenic tour services. However, there really isn't a scenic tour offered by other certificated carriers that is comparable. The higher charge can be justified since Mr. Marino includes a mob themed element and vintage vehicles in his tours. (**Attachment E**).

Attachments:

- A. Investigator's Background Report, without exhibits

- B. Pro Forma Balance Sheet
- C. Capital Infusion Narrative
- D. Pro Forma Income Statement and Narratives
- E. Tariff

Compliance Items in addition to those listed in the Investigator's Background Report:

- 1) Provide proof of a cash infusion of \$16,800 into the company's bank account.
- 2) File a tariff that includes a the following changes:
 - a. State Passenger Capacity for each tour,
 - b. Add a description for the Night Flight Tour,
 - c. Modify the definition for Equipment Substitutions,
 - d. Expand the definition for Luxury Sedan, and
 - e. Add the 3% excise tax.

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR FULLY REGULATED CARRIERS**

DOCKET NUMBER: 21-02005	DATE APPLICATION WAS FILED: 02/04/21
APPLICANT NAME: Joseph Marino	TITLE: Owner
COMPANY NAME: JBANNES, LLC d/b/a Vegas Mob Weddings	
ADDRESS: 5855 Valley Dr, Unit 2050, North Las Vegas, NV 89031	
PHONE NUMBERS: 702-860-8479	
INVESTIGATOR : M. Burton/ K. Rayson	DATE ASSIGNED: 02/26/21 / 07/28/21

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?			
Charter Limousine	<input checked="" type="checkbox"/>	HHG	Airport Transfer
Scenic Tours	<input checked="" type="checkbox"/>	Special Services	Taxi
Contract Carrier		NEMT	

WHAT GEOGRAPHICAL AREA IS PROPOSED FOR SERVICE?			
Statewide		County	Which Counties: Clark

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE: YES				NO		X		What type of service?
Charter Limousine		Contract Carrier		Charter Bus		Airport Transfer		
Scenic Tours		Special Services		HHG		NEMT		
Tow Car		Tow Car		US DOT Authority		Other States		

Attach completed Application Oath page as Exhibit A	Exhibit A
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IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS			
Corporation		LLC	X
Partnership		Sole Proprietorship	

Identify each owner and their percentage of ownership: Joseph Marino – 100%	
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	Exhibit B
Attach as an exhibit, appropriate proof of ownership interest where applicable.	
Will the Applicant be operating under a fictitious firm name? If so, attach a copy of their fictitious firm name filing.	C

Briefly describe the responsibilities of each owner, (i.e. driver, operational manager, mechanic, bookkeeper, financial backing only, etc): Joseph Marino – Will be driver, Training, Hiring and Firing, Maintaining Driver Qualification and Vehicle Maintenance files, responsible for all daily operations.	
--	--

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name Joseph Marino			

Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES	NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)			
	YES	NO	X

Is Applicant operating in another state?	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
If so, Which State and under what type of Authority?				
Explain:				

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit
	N/A

Identify any key operational personnel who have no ownership interest and briefly describe their responsibilities:
Heidi Marino - Bookkeeping, Accounting, and Reservations. Will not have any other operational Control.

Describe the type and number of vehicles the applicant intends to operate:
A. Type of Vehicles:
Applicant currently owns a 1939 Ford Deluxe and plans to purchase two more similar vehicles.
B. Number of Vehicles:
Applicant is asking for authority for 3 vehicles.

Attach photographs of vehicles as an exhibit	Exhibit
	D
Attach as an exhibit, copies of vehicle titles and registration, if available	

Describe the facilities to be used for this operation:				
Applicant plans to begin operation as a home based business but plans to move to a commercial location after purchasing an additional vehicle.				
C. Address (If Known):				
5855 Valley Dr, Unit 2050, North Las Vegas, NV 89031				
Does the Applicant have an acceptable Timekeeping method?	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
If Yes, Describe:				

Does the Applicant plan to store their vehicles at a location other than their legal domicile?	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
D. If so, provide address (If known):				

Are the facilities adequate for the proposed service?									
Compliance									
Properly Zoned?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	Adequate?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
If inadequate, describe the Applicant's plan to remedy:									
Does the Applicant understand the operating authority sought, and is their plans consistent with that grant of authority?	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>					
Can the Applicant secure insurance as required by NAC 706.191?	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>					
Attach appropriate proof of insurance, or ability to obtain, as an exhibit	Exhibit								
	E								

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance of driver qualification files?	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>
Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records?	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>

Does the Applicant understand the requirements that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382?	YES	X	NO	
Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program?	YES		NO	X
If so, which laboratory?				
Does the Applicant have adequate personnel (drivers, managers, etc) to operate their business?	YES	X	NO	

Attach copies of the Applicant's charter orders, bills of lading, manifests, etc., as applicable. (Do not include copies of tariff or proposed contracts)				Exhibit F
Does the Applicant intend on using a Logo as contained in NAC 706.170(4)? <i>Limousine only</i>	YES		NO	X
Attach copies of proposed Logo				Exhibit N/A

Has the Applicant demonstrated adequate knowledge of the rules and regulations that pertain to operating authority sought; i.e., provisions of NRS Chapter 706, NAC Chapter 706, and the Federal Motor Carrier Safety Regulations?	YES	X	NO	
Does the Applicant understand the limitations inherent in their grant of operating authority?	YES	X	NO	
Has the Applicant read and signed the NTA Knowledge Statement?				
				YES X NO

Attach signed Knowledge Statement.	Exhibit G
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COMPLIANCE ITEMS

1	Avoid Material Changes
2	File with the Authority evidence, (Form E) in the Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly registered in motor carrier's name, display CPCN number, Logo and/or name of motor carrier. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Explain and make available set-up of time tracking method put into place. Ensure all drivers have pre-employment drug testing in accordance with Part 40, and CFR 382.301 and make available to Enforcement Staff for inspection of their business and vehicle domiciles, if different from business location.
6	Ensure vehicle maintenance files are setup in accordance with CFR 396.
7	File a copy of Charter Order in accordance with NAC's which includes the CPCN number granted.
8	Provide copies of Business License(s).
9	File a Tariff for approval by the financial Analyst.
10	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
11	Ensure all drivers have applied for temporary drivers permits.
12	Apply for NTA Decal(s)
13	Provide signed Affidavit acknowledging requirements of NTA Annual Report pursuant to NRS 706.167
14	If vehicles are to be parked at a residence, provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
15	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: <i>K. Ray</i>	DATE: <i>8/30/21</i>
REVIEWED BY SUPERVISOR INVESTIGATOR: <i>[Signature]</i>	DATE: <i>8/30/21</i>
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: <i>9-14-21</i>

A listed EXHIBIT, (A,B,C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

JBANNES LLC
dba VEGAS MOB WEDDINGS
BALANCE SHEET
AT INCEPTION
(UNAUDITED)

ASSETS

Current assets	
Cash	\$ 16,800
Vehicles	103,750
Less: Accumulated Depreciation	<u>-</u>
Total Fixed Assets	103,750
 Total assets	 <u><u>\$ 120,550</u></u>

LIABILITIES AND MEMBER'S EQUITY

Current Liabilities	
Current portion long term debt	16,570
Long Term Liabilities	
Notes Payable	75,000
Less: current portion long term debt	<u>(16,570)</u>
Total Long Term Liabilities	58,430
Total Liabilities	75,000
 Member's equity	 <u>45,550</u>
 Total liabilities and member's equity	 <u><u>\$ 120,550</u></u>

37.78% Equity
Current Ratio
1.014

JBannes, LLC

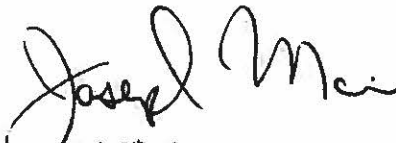
d/b/a Vegas Mob Weddings

Capital Contribution Narrative

Docket 21-02005

Please accept this letter as confirmation that a capital contribution of \$16,800 will be deposited into the JBannes LLC d/b/a Vegas Mob Weddings

Sincerely



Handwritten signature of Joseph Marino in cursive script.

Joseph Marino

Managing Member, JBannes, LLC

**Vegas Mob Weddings
Projections
First Twelve Months of Operations**

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	Year One
Mob Style Wedding Ceremonies	\$ 20,042	\$ 20,042	\$ 20,042	\$ 20,042	\$ 20,042	\$ 20,042	\$ 20,042	\$ 20,042	\$ 60,127	\$ 60,127	\$ 60,127	\$ 60,127	\$ 400,846
Mob Museum & Mob Tours	4,767	4,767	4,767	4,767	4,767	4,767	4,767	4,767	14,300	14,300	14,300	14,300	95,333
Charter Service Revenue	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	1,950	23,400
Total Revenue	26,759	26,759	26,759	26,759	26,759	26,759	26,759	26,759	76,377	76,377	76,377	76,377	519,579
Expense													
Ceremony Service Fees	7,280	7,280	7,280	7,280	7,280	7,280	7,280	7,280	21,840	21,840	21,840	21,840	145,600
Fuel	1,705	1,705	1,705	1,875	1,875	1,875	1,875	1,875	5,626	5,114	5,114	5,114	35,459
Depreciation*	479	479	479	479	479	479	479	479	1,729	1,729	1,729	1,729	10,750
Interest*	-	-	-	-	-	-	-	-	500	491	482	473	1,947
Insurance*	1,050	1,050	1,050	1,050	1,050	1,050	1,050	1,050	2,660	2,660	2,660	2,660	19,040
License and Fees	338	-	-	-	-	-	50	-	767	325	-	-	1,480
Vehicle Repairs and Maintenance	500	500	500	500	500	500	500	500	1,500	1,500	1,500	1,500	10,000
Payroll (see below)	6,711	6,651	6,639	6,639	6,531	11,119	11,103	11,069	24,491	24,371	24,347	24,347	164,021
Rent*	-	-	-	-	-	-	-	-	-	-	-	-	-
Overhead (office, etc.)*	550	550	550	550	550	550	550	550	550	550	550	550	6,600
Advertising	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	24,000
Legal and Accounting	800	800	800	800	800	800	800	800	800	800	800	800	9,600
Bank Charges*	30	30	30	30	30	30	30	30	30	30	30	30	360
Contractor Expenses	45	45	45	45	45	45	45	45	45	45	45	45	540
Uniforms	350	350	350	350	350	350	350	350	350	350	350	350	4,200
Miscellaneous	200	200	200	200	200	200	200	200	200	200	200	200	2,400
Total Expense	22,038	21,640	21,628	21,798	21,690	26,279	26,313	26,229	63,089	62,006	61,648	61,639	435,997
Net Profit	\$ 4,721	\$ 5,119	\$ 5,131	\$ 4,961	\$ 5,069	\$ 480	\$ 446	\$ 530	\$ 13,288	\$ 14,371	\$ 14,729	\$ 14,738	\$ 83,582

*34.5%
Charter
Service*

Payroll Summary (see narrative)	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12
Drivers	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	18,000	18,000	18,000	18,000
Manager	-	-	-	-	-	4,167	4,167	4,167	4,167	4,167	4,167	4,167
Total	6,000	6,000	6,000	6,000	6,000	10,167	10,167	10,167	22,167	22,167	22,167	22,167
Payroll taxes	711	651	639	639	531	953	937	903	2,325	2,205	2,181	2,181
Total payroll expense	6,711	6,651	6,639	6,639	6,531	11,119	11,103	11,069	24,491	24,371	24,347	24,347

Email 7/27/21

Vegas Mob Weddings
Projections
Year 1 Amended 7/27/21

Revenue

The Company will offer Mob Style Wedding Ceremony Packages to customers residing in or visiting Las Vegas.
The Company will offer Mob Museum & Mob Tours to customers residing in or visiting Las Vegas.
The Company will offer Charter Service to customers residing in or visiting Las Vegas.
The Company has proposed mob style wedding ceremony packages at an estimated monthly revenue of \$20,042
The Company has proposed mob museum & mob tours at an estimated monthly revenue of \$4,767
The company has proposed charter service at an estimated monthly revenue of \$1,950

Mob Style Wedding Ceremony Revenue:

Proposed Revenues (4 days per week, 1 wedding per day)	Average Package Price	1,156
	Days per week	4
	Packages per day	1
	Weeks	52
Total Annual Revenue		240,507
Total Monthly Revenue		20,042

Mob Museum & Mob Tour Revenue:

Proposed Revenues (2 days per week, 1 tours per day)	Average Tour Price	550
	Days per week	2
	Packages per day	1
	Weeks	52
Total Annual Revenue		57,200
Total Monthly Revenue		4,767

Charter Service Revenue:

Estimated Revenues (3 charters per week, 2 hours per day)	Hourly Rate	75
	Hours per day	2
	Charters per week	3
	Weeks	52
Total Annual Revenue		23,400
Total Monthly Revenue		1,950

Additional vehicles will be purchased in month 9 which will increase the number of packages per day to 3 for months 9-12.

Packages	999	Las Vegas Sign
	1,299	Red Rock Canyon
	1,499	Eldorado Canyon Mine
	1,599	Valley of Fire
	2,099	Night Flight
	599	Wedding Chapel
	1,156	Average

**Vegas Mob Weddings
Projections
Year One**

Fuel

There will be daily round trips between the office location, hotel pick up and destinations determined by passengers. We anticipate 2 trips per day per vehicle with trips ranging from 60 to 154 miles.

30 days estimated mileage	9,240
Total miles in a month	<u>9,240</u>

The Company will utilize the Ford Deluxe and proposed fleet, which gets approximately 14 miles per gallon on average.

Total miles	9,240
Miles per Gallon	14
Total gallons	660

As per www.vegasgasprices.com the Nevada average gas price as of November 17, 2020:

Price per Gallon	2.583
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Total monthly gas - non-summer months	1,704.78
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For summer months, assume a 10% increase in usage	1,875
---	-------

Additional vehicles will be purchased in month 9, which will increase fuel consumption in Months 9-12.

Vegas Mob Weddings
Projections
Year One

Fixed Assets and Depreciation

It is estimated that 3 vehicles will be utilized on a full-time basis - 1939 Ford Deluxe, 1939 Cadillac Fleetwood, 1939 Studebaker Champion.

1939 Ford Deluxe VIN: 2506	The Ford is currently owned and had a purchase price of \$28,750
1939 Cadillac Fleetwood	The Cadillac is listed at \$35,000, to be purchased in month 9
1939 Studebaker Champion	The Studebaker is listed at \$40,000, to be purchased in month 9

Assume utilizing the 1939 Ford at start of operations and to purchase additional 2 vehicle in month 9 - in service date for 1939 Ford is Month 1 and in service date for 1939 Cadillac and 1939 Studebaker is Month 9.

Assume 5-year life on all asset categories for depreciation purposes.

It is assumed that there will be no disposals or additional purchases in the first year.

Total Depreciable Cost:

1939 Ford Deluxe VIN: 2506	28,750
1939 Cadillac Fleetwood	35,000
1939 Studebaker Champion	40,000

	Year 1											
	1	2	3	4	5	6	7	8	9	10	11	12
1939 Ford Deluxe VIN: 2506	479	479	479	479	479	479	479	479	479	479	479	479
1939 Cadillac Fleetwood	-	-	-	-	-	-	-	-	583	583	583	583
1939 Studebaker Champion	-	-	-	-	-	-	-	-	667	667	667	667
Total Depreciation	479	479	479	479	479	479	479	479	1,729	1,729	1,729	1,729

Vegas Mob Weddings
Projections
Year One

Interest

The Company will purchase one 1939 Cadillac Fleetwood at \$35,000 in Month 9.

The Company will purchase one 1939 Studebaker Champion at \$40,000 in Month 9.

Secured by financing with Ally Financing for 48 months at 8.00% interest.

Payments will be \$854.45 and \$976.52 per month and include principal and interest.

The attached amortization schedule shows the breakdown of principal and interest on these loans.

	Interest Vehicle 1	Interest Vehicle 2	Total Monthly Interest
Month 1	-	-	-
Month 2	-	-	-
Month 3	-	-	-
Month 4	-	-	-
Month 5	-	-	-
Month 6	-	-	-
Month 7	-	-	-
Month 8	-	-	-
Month 9	233.33	266.67	500.00
Month 10	229.19	261.93	491.13
Month 11	225.02	257.17	482.19
Month 12	220.83	252.37	473.20
Total Interest Paid			1,946.52

Vegas Mob Weddings
Projections
Year One

Insurance

Liability and Umbrella

Insurance estimate:

Primary limits totaling \$1,500,000 - in compliance with the NTA	Estimate	9,667.00
Total premium for 1 vehicle		9,667.00
Total premium for 3 vehicles		29,001.00

Per Month (months 1-8)	805.58
Per Month (months 9-12)	2,416.75

Workers Comp

Worker's Comp estimate: based on previous estimate of one employee x 3.33

Total premium	2,943.72
Per Month	245.31

Vegas Mob Weddings
Projections
Year One

Insurance Calculation:

	Year 1											
	1	2	3	4	5	6	7	8	9	10	11	12
Liab and Umbrella	805.58	805.58	805.58	805.58	805.58	805.58	805.58	805.58	2,416.75	2,416.75	2,416.75	2,416.75
Worker comp	245.31	245.31	245.31	245.31	245.31	245.31	245.31	245.31	245.31	245.31	245.31	245.31
	1,050.89	1,050.89	1,050.89	1,050.89	1,050.89	1,050.89	1,050.89	1,050.89	2,662.06	2,662.06	2,662.06	2,662.06
Rounded	1,050	1,050	1,050	1,050	1,050	1,050	1,050	1,050	2,660	2,660	2,660	2,660

Vegas Mob Weddings
Projections
Year One

Licenses and Fees

When a vehicle is put on the road to provide transportation services, the following is required.

DMV - Business Fleet Registration - includes the registration fee, and basic and supplemental government service taxes

Estimated registration fees were calculated using the online tool from the Nevada DMV website, https://dmvapp.nv.gov/dmv/vr/vr_estimate/vrestimationinput.aspx

Based on information obtained from the above website, a total of \$109 will be paid for registration fees on the Ford Deluxe with a purchase price of \$28,750. Plus there was \$36 paid for special plate fee. This calculates to 0.5273% of the total vehicle cost. Calculate the registrations based on this percentage.

Assuming same cost for the existing fleet:

1939 Ford @ \$27,500 = \$28,750 x .5273%	151.60
1939 Cadillac @ \$35,000 = \$35,000 x .5273%	184.56
1939 Studebaker @ \$40,000 = \$40,000 x .5273%	210.92

Assume projections will remain constant year over year. Assuming the additional vehicles will be placed on the road in Month 9, the renewal for these 3 vehicles will happen annually as of the date of the license.

DMV - Special Plate Fee	108.00
NTA Decal: \$100 upon vehicle placed on the road, renewable annually	<u>300.00</u>
Total Fees renewable yearly	<u>955.07</u>
Clark County Business License: Calculated at \$50 per vehicle, payable at time the vehicle is placed on the road, and then every 6 months thereafter Three vehicles @ \$50 apiece	<u>150.00</u>
Annual renewal of the member list and state business license.	<u>325.00</u>

Vegas Mob Weddings
Projections
Year One

Repairs and Maintenance

Repairs and maintenance is estimated at a monthly rate of \$500 per vehicle
The repairs and maintenance costs are based on repair information obtained
from within the industry and would include such items as maintenance, tires, cleaning, etc.

Repairs and Maintenance	500
Number of Cars (Month 1-8)	1
Total Repairs and Maintenance	500
Repairs and Maintenance	500
Number of Cars (Month 9-12)	3
Total Repairs and Maintenance	1,500

Vegas Mob Weddings
Projections
Year One

Payroll

Chauffeur Driver

In order to provide sufficient coverages, it is assumed that there would need to be 1 driver per day to each handle 1 Ceremonies and 2 Scenic Tours. When additional vehicles are purchased in Month 9, the daily Ceremonies will increase to 6, also increasing the number of drivers to 3 per day.

Per day Wages:

Drivers	1
Hours per day	8
Total driver hours per day	8

Rate per hour	25
---------------	----

Total daily wages	200
-------------------	-----

Average days in month	30
-----------------------	----

Total monthly wages	6,000	amount per driver per month	6,000
---------------------	-------	--------------------------------	-------

Manager

The Manager would be in charge of overall management and scheduling duties (including after-hour on call duty) and will be hired in Month 6. The estimated salary for this individual will be \$50,000 per year.

Monthly	4,167
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Vegas Mob Weddings
Projections
Year One

Payroll Taxes:

FICA and Medicare: Calculated at standard 7.65% rates

NV SUTA: Calculated at standard 3% new business rate on the first \$26,400 of wages per employee

FUTA: Calculated at 1.2% on the first \$7,000 per employee (Nevada employers are subject to the credit reduction act, hence a rate that is double the Federal rate)

NV Modified Business Tax rate = 0 (all quarters under \$62,500 floor in wages)

FICA/Medicare	459	459	459	459	459	778	778	778	1,696	1,696	1,696	1,696
SUTA												
Drivers	180	180	180	180	72	-	-	-	360	360	360	360
Manager	-	-	-	-	-	125	125	125	125	125	125	125
FUTA												
Drivers	72	12	-	-	-	-	-	-	144	24	-	-
Manager	-	-	-	-	-	50	34	-	-	-	-	-
Total Payroll Taxes	711	651	639	639	531	953	937	903	2,325	2,205	2,181	2,181

Vegas Mob Weddings
Projections Amended 7/27/21
Year One

Rent and Overhead

The Company is not currently paying a lease of office space as it is a home office. 0

However, the Company also assumes it will have other general overhead costs not included in the amount paid for the leased space.

Advertising		2000
Legal and Accounting		800
Banking Fees		30
Contractor expenses (ie.drug testing/background check)		45
Uniforms (uniforms, props, dry cleaning)		350
Supplies, Internet, Phone		550
Ceremony Payment for Services (Variable)		
Dependent upon location of Ceremony to include per Ceremony:		
Officiant	100	1733
Marriage Documents	25	433
Photographer	175	3033
Flowers	100	1733
Permits and fees	20	347

Agenda

Item# 68

**Additional materials
introduced during the meeting**

1 **BEFORE THE NEVADA TRANSPORTATION AUTHORITY**

2 Re: Application of JBANNES, LLC dba Vegas Mob
3 Weddings for a Certificate of Public Convenience and
4 Necessity to provide scenic tour and charter limousine
5 services with the State of Nevada.

Docket 21-02005



6 **PROTEST**

7 COMES NOW, the Livery Operators Association of Las Vegas ("LOA"), by and through its
8 counsel, Kimberly Maxson-Rushton, Esq. of the law firm Cooper Levenson, P.A., and submits the
9 following Protest of the JBANNES, LLC. dba Vegas Mob Weddings ("Applicant") Application for a
10 Certificate of Public Convenience and Necessity ("CPCN") to provide scenic tour and charter
11 limousine services with the State of Nevada. This Protest is filed pursuant to Nevada Administrative
12 Code ("NAC") 706.397.
13

14 All notices, pleadings documents and correspondence pertaining to this proceeding should be
15 directed to the following individual:

16 Kimberly Maxson-Rushton
17 Cooper Levenson, Attorneys at Law
18 3016 West Charleston Boulevard, Ste. 195
19 Las Vegas, Nevada 89102
20 krushton@cooperlevenson.com

21 **I.**

22 **INTRODUCTION**

23 According to the NTA's September General Meeting materials, on or about February 4,
24 2021, Applicant filed an application for contract carrier authority seeking to provide commercial
25 transportation services pursuant to contracts with six (6) Las Vegas wedding companies¹. Thereafter,
26 on June 21, 2021, the application was amended and notice provided that Applicant was seeking
27
28

¹ LOA notes that there is no public notice of the application on the NTA's website.

1 common motor carrier authority to provide scenic tours and charter limousine services in Clark
2 County, Nevada².

3 In support of the Application is Staff's summary which specifically states the following:
4 **"Market – This application has two markets. It is Staff's policy not to verify the Market for**
5 **Scenic Tours."** (emphasis added). In response, the LOA hereby submits this Protest to the subject
6 application based on the fact that is it not ripe for consideration as the market relative to scenic tour
7 authority has not been demonstrated as required pursuant to Nevada Revised Statute ("NRS")
8 706.391(2)(f).
9

10 II.
11 **ARGUMENT**

12 NRS 706.391(2)(f) requires an applicant seeking to operate as a common motor carrier to
13 demonstrate that the market it intends to serve will support the proposed operation. The LOA
14 submits that the referenced statutory language [contained in NRS 706.391(2)(f)] is clear and
15 unambiguous and that there is no legal authority authorizing Staff to waive this legal requirement.
16

17 By law "Scenic Tour" is defined as common motor carrier authorized to provide
18 "transportation at a per capita or an hourly rate [to] passengers to various points of interest for the
19 purpose of sight-seeing or visiting those points of interest where a narrated tour is presented to the
20 passengers. The term does not include charter services by bus, charter services by limousine, special
21 services or airport transfer services." Thus, essential to an application for scenic tour authority is a
22 demonstration that the proposed tours will be to points and places of interest OR include a narrated
23 tour **and** that a market exists for said services, which will support the proposed operation. There
24 being no evidence that Applicant's proposed operations meet this definition or the market
25 requirement the Application cannot be deemed ripe for consideration.
26

27
28 ² LOA notes that the Public Notice states that Applicant intends to provide services within Clark County, Nevada
whereas the NTA Meeting agenda states that the services will be within the State of Nevada. Accordingly, the LOA
requests clarification of the geographic territory Applicant intends to operate in if approved.

1 It is a well-settled rule that, "[w]here the language of a statute is plain and unambiguous and its
2 meaning clear and unmistakable, there is no room for construction, and the court are not permitted to
3 search for its meaning beyond the statute itself." Erwin v. State of Nevada, 111 Nev. 1535, 1538, 908
4 P.2d 1367, 1369 (1995) (quoting Charlie Brown Constr. Co. v. Boulder City, 106 Nev. 497, 503, 797
5 P.2d 946, 949 (1990)). Accordingly, the NTA is obligated to ensure that all of the application
6 requirements contained in NRS 706.391 are met prior to submitting an application to the Authority for
7 consideration and approval.
8

9 Furthermore, acts such as this are inconsistent with Nevada's Administrative Procedures Act
10 relative to rule making. NRS 233B specifically requires notice and a hearing for all rule making
11 conducted by applicable state agencies. As held by Nevada's Supreme Court, these requirements are
12 not mere technicalities but instead they're essential to the adoption of valid rules and regulations.
13 See, Public Serv. Comm'n v. Southwest Gas, 99 Nev. 268, 273, 662 P.2d 624, 628 (1983) (stressing
14 the importance of following the APA).
15

16 By electing to take certain actions not expressly authorized by statute or noticed as rule
17 making, the issue becomes whether the agency is engaging in rule making or merely making an
18 "interpretive ruling." Nevada's APA defines a regulation as an "agency rule, standard, directive or
19 statement of general applicability which effectuates or interprets law or policy, or describes the
20 organization, procedure, or practice requirements of an agency." NRS 233B.038; whereas an
21 interpretive ruling is how an agency construes a statute according to the specific facts before it.
22

23 In this instance the NTA is attempting to create an exemption (for one category of fully
24 regulated, common motor carriers) from a statutory standard, which if authorized will affect not only
25 other scenic tour operators that were previously required to demonstrate a market and limited to a
26 specific number of vehicles as a result, but it will also impact other applicants/carriers subject to
27 NRS 706.391(b). Thus, the NTA's policy has general applicability to a significant portion of the
28

1 commercial transportation industry in Nevada and as such constitutes rule making under the APA.
2 See, NRS 233B.038(1).

3 **III.**

4 **CONCLUSION**

5 For the reasons set forth herein, the LOA protests Staff's decision to forgo the market
6 requirement for scenic tour applicants and respectfully requests that the application be returned to
7 Staff for further analysis of Applicant's proposed market and whether it supports the intended
8 operations.
9

10 DATED this 29th day of September, 2021.

11 Respectfully submitted,

12 /s/Kimberly Maxson-Rushton

13 KIMBERLY MAXSON-RUSHTON, ESQ.
14 Nevada Bar No. 5065
15 COOPER LEVENSON, ATTORNEYS AT LAW
16 3016 West Charleston Boulevard, Ste. 195
17 Las Vegas, Nevada 89102
18 *Counsel for LOA*
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3
4 **CERTIFICATE OF SERVICE**

5 I HEREBY CERTIFY that, on 29th day of September, 2021, I served a copy of the above
6 and foregoing via U.S. Mail, postage prepaid, upon the following:
7

8 Louis V. Csoka
9 Senior Deputy Attorney General
10 Office of the Attorney General
11 555 East Washington Avenue, Suite 390
12 Las Vegas, Nevada 89101

Nevada Transportation Authority
Applications Manager
3300 West Sahara Avenue, Suite 200
Las Vegas, Nevada 89102

13
14 /s/Theresa Rutkowski
15 An employee of Cooper Levenson,
16 Attorneys at Law
17
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28

January 21, 2020 Agenda item

The request from Staff to change the market verification policy on scenic tour applications. More specifically, the market claimed by a scenic tour applicant would no longer require corroborating evidence such as letters of intent or documents.

Item briefing from the agenda binder

Staff requests to change the market verification policy on scenic tour applications to be the same policy applied on household goods mover applications. More specifically, that corroborating evidence, such as letters of intent or supporting documents, would no longer be required in order to receive staff's support. However, a market plan would continue to be required in the application to comply with NRS 706.391(2)(f).

Staff currently requires, at a minimum, letters of intent be part of a scenic tour market plan. Staff verifies the claim listed in the letters telephonically with the individual making the claim. If an applicant states they cannot obtain any letters of intent, staff has advised applicants in the past to hire a scenic tour carrier, and to apply with the Authority once their revenues can cover the costs of purchasing and operating a vehicle.

When letters of intent are provided in the application, staff encounters a difficult time to get the market to claim the number of tours that would be purchased for:

- A product that does not exist yet, and therefore no feedback is available for them to provide to potential customers.
- A one-of-a-kind vehicle is part of a tour.
- An industry that does not encounter highly repetitive customers such as the limousine or special service industry.
- An industry where many customers searching for tours/activities in the Las Vegas area now rely on the internet and phone applications such as Groupon.

Conclusion

Acknowledging the difficulties staff encounters regarding market verification on a scenic tour application, is there a sufficient argument to change the market policy for scenic tour applicants?

January 31, 2020 General Session

Meeting minutes:

118.

The request from Staff to change the market verification policy for scenic tour applications. More specifically, the market claimed by a scenic tour applicant would no longer require corroborating evidence such as letters of intent or supporting documentation.

Applications Manager Liz Babcock detailed the requested changes and the reasoning for the request. Approved 3-0

Agenda Item# 69

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In Re: The Application of Move 4 Less, LLC d/b/a)
Move 4 Less, MoveU4Less.com, Select Flat Rate)
Moving for an expansion of operating authority) Docket 21-05006
granted under CPCN 3344, Sub 6.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on May 5, 2021, Move 4 Less, LLC d/b/a Move 4 Less, MoveU4Less.com, Select Flat Rate Moving ("Applicant") filed an Application with the Authority for an expansion of authority granted under Certificate of Public Convenience and Necessity ("CPCN") 3344, Sub 6. The Applicant seeks to increase its geographic authority *from* Clark, Lincoln, and Nye Counties, Nevada on the one hand and the State of Nevada on the other *to* statewide authority. Said Application was designated docket 21-05006.
2. That on May 17, 2021, the Application was noticed to the public and no Petitions for Leave to Intervene or Protests were filed.
3. That Staff requested the hearing on the Application be dispensed pursuant to NRS 706.391 paragraph 9. Chairman Dawn Gibbons, serving in her capacity as Presiding Officer for the Authority, granted the request.
4. That Authority Staff reported the following:
 - a. Marta Acevedo, Compliance Audit Investigator, investigated the Applicant's

- background and inspected documentation relative to the proposed operation. Ms. Acevedo had no areas of concern with regard to the Applicant's operational fitness and reported that she supported approval of the Application.
- b. Yvonne Shelton, Financial Analyst, inspected the Applicant's financial information and reported no areas of concern regarding the Applicant's financial fitness and reported that she supported approval of the Application.
 - c. Liz Babcock, Applications Manager, reported that the Applicant met the requirements, that Staff had no overall concerns, and supported approval of the Application.
5. Based on all the records pertaining to the Application, after investigation and hearing, and pursuant to NRS 706.391:
- a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant is financially and operationally fit, willing and able to perform the transportation service for which applied.
 - c. Granting the Application on file herein would be in the public interest, will tend to foster sound economic conditions in the industry, and will not unreasonably or adversely affect other carriers operating in the territory served under the Certificate.
 - d. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.
 - e. The operation contemplated by the Applicant will benefit and protect the safety and convenience of the traveling and shipping public and the motor carrier business in this State.
 - f. The proposed operation will provide service on a continuous basis.
 - g. The market identified by the Applicant as the market the Applicant intends to serve will support the proposed operation.

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Therefore, based upon the foregoing findings, it is ORDERED that:

1. The Application on file herein shall be GRANTED for the transportation service specified below:

Transportation of household goods within the State of Nevada.

RESTRICTION:

The number of vehicles in the carrier's fleet shall be no more than thirty (30).

2. Upon full compliance with the conditions of this Order, the Certificate identified as **CPCN 3344, Sub 6** shall be CANCELLED and a new Certificate of Public Convenience and Necessity designated as **CPCN 3344, Sub 7** shall be issued to Move 4 Less, LLC d/b/a Move 4 Less, MoveU4Less.com, Select Flat Rate Moving authorizing operation in the transportation of household goods as is more particularly described in the first ordering paragraph hereinabove.
3. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational or financial fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File a tariff for review by the Financial Analyst.
 - c. Remit to the Authority any noticing fees and/or outstanding debt due to the Authority.
4. Compliance with the foregoing requirements must be made by the Applicant NO LATER THAN 120 days from the date of this Order. If the Applicant fails to comply within this 120-day time period, the Deputy Commissioner of the Authority may vacate this Compliance Order and dismiss this Application.
5. *This Order does not constitute operating authority on a statewide basis and the geographic expansion may not be instituted prior to the issuance of said Certificate referred to*

hereinabove.

6. The Deputy Commissioner shall be authorized to issue the above-referenced Certificate of Public Convenience and Necessity upon the Applicant meeting all requirements set forth herein.
7. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

Move 4 Less, LLC
Application for an Expansion on Household Goods Mover Authority
Docket 21-05006
September 30, 2021 General Session

Application Summary:

On May 5, 2021, Move 4 Less, LLC ("Applicant") filed an application requesting authority to increase its geographic authority *from* Clark and Nye Counties, Nevada on the one hand and State of Nevada on the other *to* statewide authority under CPCN 3344, Sub 6 (Exhibit A). The Applicant is proposing to open a second domicile in the Reno area and operate one vehicle (which will be transferred from the Las Vegas Fleet). Avraham Cohen 55% and Moti Perez 45% are member/owner of the LLC.

Staff Analysis:

Staff supports this application, and therefore requests the application hearing be dispensed per NRS 706.391(9). The following procedures were performed by Staff with acceptable results and is their basis to support this application:

- 1) The application was noticed and no petitions for leave to intervene or protests were filed.
- 2) Background investigation, including an operational inspection, was performed with no areas of concern noted. (Exhibit B)
- 3) Market – staff does not require market for household goods movers since proof of demand is difficult to compile and moving is not a highly repetitive activity compared to market for transporting passengers.
- 4) Geographic expansion request – The Applicant was certificated in 2007 with a fleet restriction of 2 vehicles and through various expansion applications has increased its fleet restriction to 30 vehicles. As a result, they can accommodate statewide authority, and therefore staff is in support.
- 5) Balance Sheet – the Applicant's 6/30/2021 actual balance sheet has 25% equity, a 2 to 1 current ratio, and approximately 24 vehicles in its fleet. It also can cover the 90-days' cash requirement (which covers all new costs associated with opening a second location). A cash infusion is not required since the financial requirements were met with the Applicant's current financial condition. (Exhibit C)
- 6) Pro Forma Income Statement - projects overall \$292,356 in sales and \$130,391 in net income for the Reno location. (Exhibit D). The 12/31/2020 income statement, including both intrastate and interstate operations, reported \$6,196,954 in (excluding PPP loan forgiveness reported as income) and net income of \$972,727.
- 7) Tariff – The Applicant is seeking a tariff modification to increase the mileage fee from \$0.75 per mile to \$1.50 per mile and staff is in support. This is the same rate that the Applicant currently charges for their Select Flat Rate services. There are no other tariff changes.

Exhibits:

- A. CPCN 3374
- B. Investigator's Background Report without exhibits
- C. Balance Sheet
- D. Pro Forma Income Statement and Narratives
- E. Tariff Rate Change - Mileage

Compliance Items in addition to those included in the background report:

- 1) Copies of the company's 2019 and 2020 IRS transcripts and that they trace materially to the copies of the tax returns previously provided to staff.

NEVADA TRANSPORTATION AUTHORITY
ORDER
and
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Move 4 Less, LLC
d/b/a Move 4 Less, MoveU4Less.com, Select Flat Rate Moving

CPCN 3344, Sub 6
Docket No. 16-09004

The Nevada Transportation Authority ("Authority") finds that the above-named carrier has complied with this Authority's Compliance Order dated January 26, 2018, the findings of fact and conclusions of law which are hereby incorporated by this reference, and therefore is entitled to receive authority from this Authority to engage in transportation in intrastate commerce as a motor carrier.

IT IS ORDERED that the certificate of public convenience and necessity identified as CPCN 3344, Sub 5, is hereby cancelled and Move 4 Less, LLC. d/b/a Move 4 Less, MoveU4Less.com, Select Flat Rate Moving is hereby granted this certificate of public convenience and necessity identified as CPCN 3344, Sub 6, as evidence of the authority of the holder to engage in transportation in intrastate commerce as a common carrier by motor vehicle subject to applicable statutes, rules and regulations of the Authority, and such terms, conditions and limitations as are now or may hereafter be attached to the exercise of the privileges herein granted.

IT IS FURTHER ORDERED and made a condition of this certificate that the holder shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure to do so shall constitute sufficient grounds for suspension, modification or revocation of this certificate.

IT IS FURTHER ORDERED that nothing contained herein shall be construed to be either a franchise or irrevocable and that failure to comply with rules, regulations and orders of the Authority and applicable statutory provisions shall constitute sufficient grounds for suspension or revocation of this certificate.

IT IS FURTHER ORDERED that this authority shall not be sold or transferred without the Authority's prior approval.

IT IS FURTHER ORDERED that the transportation service to be performed by said carrier shall be as specified below:

Transportation of household goods between points and places within Clark and Nye Counties, Nevada on the one hand and points and places within the State of Nevada on the other.

RESTRICTIONS:

The number of vehicles in the carrier's fleet shall be no more than thirty (30).

IT IS FURTHER ORDERED that the Authority retains jurisdiction for the purpose of correcting any errors which may have occurred in the drafting or issuance of this Order and Certificate of Public Convenience and Necessity.

By the Authority,


Dawn Gibbons, Chairman

Attest: 
Liz Babcock, Applications Manager

Dated: March 8, 2018
Las Vegas, Nevada

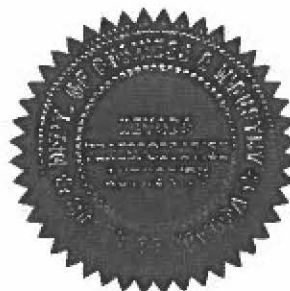


Exhibit A

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR ALL CARRIER APPLICATIONS
EXPANSION OF AUTHORITY**

CPCN

3344

DOCKET NUMBER: 21-05006	DATE APPLICATION WAS FILED: 05/05/2021
APPLICANT: Moti Perez	TITLE: Vice-president
COMPANY NAME: Move 4 Less, LLC, Move 4 Less, MoveU4Less.com, Select Flat Rate Moving	
ADDRESS: 6630 Arroyo Springer St. Las Vegas, NV 89113	
PHONE NUMBERS: (702) 443-1733	
ATTORNEY: N/A	PHONE#: N/A
INVESTIGATOR: M. Acevedo	DATE ASSIGNED: 5/13/2021

Attach completed Application Oath page as Exhibit A	Exhibit A
--	----------------------

What type of expansion is requested?	Geographical	X	Equipment		Other	
Explain: <i>Geographical area proposed will include all points and places within the state of Nevada Adding all other Counties will give carrier statewide authority</i>						

What type of service does the Applicant currently provide:							
Charter Limousine		Contract Carrier		Airport Transfer		Scenic Tours	
Charter Bus		Special Services		NEMT		HHG	X
USDOT Authority		Other States		Taxi		*Tow Car	
						*Consent	Non-consent

Copy of Carriers current Certificate	Exhibit B
---	----------------------

Is the Applicant seeking to add a new operating authority?	YES		NO	X
If so, what type of operating authority?				
Does the Applicant understand the distinction/differences between their current grant of operating authority and the new authority sought?	YES	X	NO	

What new geographical area of service is proposed, if applicable:				
Adding all other Counties to give carrier statewide authority				
If a geographical expansion is sought, will the Applicant be adding a new equipment point?	YES	X	NO	
Upon approval carrier will start looking for a facility/Equipment point.				
If so, describe:				
If a geographical expansion is sought, does this expansion require the hiring of additional personnel?	YES		NO	X
Currently, carrier has enough staff to start and cover Reno and Vegas operations. If approved, carrier will add new personnel if necessary.				
If yes, describe the Applicant's plan:				
Will Applicant's business structure/ownership change from what is currently on file with the NTA?				
	YES		NO	X

If the Applicant is increasing the amount of equipment, describe the type and number of vehicles the Applicant intends to operate:

There will be no changes to the equipment. Applicant plans to service the proposed service area with the current authorized fleet

A. Type of Vehicles: N/A

B. Number of Vehicles: N/A

Will the Applicant's current facilities accommodate the planned expansion?

YES

X

NO

If not, describe the Applicant's plan to accommodate:

Does this facility expansion require the hiring of additional personnel?

YES

X

NO

Does the Applicant have an acceptable timekeeping method?

YES

X

NO

If yes, describe:

Carrier is currently using Smart Moving software application.

Has the criminal background check disclosed any issue of concern?

YES

NO

X

Name(s):

Avraham Cohen

Moti Perez

Has there been any previous NTA enforcement action? (including against the companies drivers)

YES

X

NO

Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)

YES

X

NO

Is Applicant operating in another state?

YES

NO

X

If so, which State and under what type of Authority?

Explain:

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.

Exhibit

C

Copy of Tariff – (for Non-consent carriers Only)

Exhibit

N/A

Attach copy of Operational Inspection

Exhibit

D

COMPLIANCE ITEMS

1	Avoid Material Changes
6	File a tariff for approval by the Financial Analyst.
8	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: M. Acevedo

DATE: 9/15/2021

REVIEWED BY SUPERVISOR:

DATE: 9/15/21

REVIEWED BY APPLICATION MANAGER:

DATE: 9/10/21

A listed EXHIBIT, (A,B,C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant will be marked as NA.

MOVE 4 LESS, LLC
STATEMENT OF ASSETS, LIABILITIES AND MEMBERS' EQUITY
~~INCOME TAX BASIS~~ *its accrual basis*
AS OF June 30, 2021

A S S E T S

CURRENT ASSETS:

Cash	\$ 157,864
Employee advances	989
Member advances-Avi Cohen	347,050
Member advances-Moti Perez	424,889
Accounts receivable	52,698

TOTAL CURRENT ASSETS		\$ 983,490
----------------------	--	------------

PROPERTY AND EQUIPMENT:

Machinery & equipment	71,630
Furniture & fixtures	5,310
Auto and trucks	972,923
Capital Leased Trucks	584,129

Total Property and equipment		\$ 1,633,992
Less: Accumulated depreciation		<1,280,832>

NET PROPERTY & EQUIPMENT		353,160
--------------------------	--	---------

OTHER ASSETS:

Web site development	10,086
LOC fee	2,831
Accumulated Amortization	<6,557>
Unpaid Interest-SBA Loan	2,723

TOTAL OTHER ASSETS		9,083
--------------------	--	-------

TOTAL ASSETS		\$ 1,345,733
--------------	--	--------------

No assurance is provided
2

per their CPA, figures are on an accrual basis. Title wasn't removed.

ls 9.15.2021

EXHIBIT C 1/2

MOVE 4 LESS, LLC
STATEMENT OF ASSETS, LIABILITIES AND MEMBERS' EQUITY
INCOME TAX BASIS *ⓧ 1Hs accrual basis*
AS OF June 30, 2021

LIABILITIES AND MEMBERS' EQUITY

CURRENT LIABILITIES:

Accounts Payable	\$ 109,683
Credit cards payable	109,510
Notes payable	205,441
Note payable-Toyota(forklift)	9,827

TOTAL CURRENT LIABILITIES	<u>434,461</u>	
---------------------------	----------------	--

OTHER LIABILITIES:

Note payable long term	568,410
------------------------	---------

TOTAL OTHER LIABILITIES	<u>568,410</u>	
-------------------------	----------------	--

TOTAL LIABILITIES	<u>1,002,871</u>	
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MEMBERS' EQUITY:

Member's Equity	421,611
Member's Draw-Avi Cohen	<400,012>
Member's Draw-Moti Perez	<400,000>
Current Earnings (Loss)	721,263

TOTAL MEMBERS' EQUITY	<u>342,862</u>	
-----------------------	----------------	--

TOTAL LIABILITIES & MEMBERS' EQUITY	<u><u>\$ 1,345,733</u></u>	
-------------------------------------	----------------------------	--

25.48%

No assurance is provided

EXHIBIT C 2/2

MOVE 4 LESS, LLC RENO
FINANCIAL FORECASTS
FOR THE TWELVE MONTHS ENDING DECEMBER 31, 2021

	2021												TWELVE	
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	MONTH	RATIOS
													TOTAL	
REVENUE	20,800	21,218	21,855	22,810	23,185	23,881	24,697	25,335	26,065	26,878	27,685	28,515	292,368	
TOTAL GROSS INCOME	20,800	21,218	21,855	22,810	23,185	23,881	24,697	25,335	26,065	26,878	27,685	28,515	292,368	
COST OF SALES														
DELIVERY	515	530	546	583	580	597	615	633	652	672	692	713	7,308	2.50%
OUTSIDE LABOR	21	21	22	23	23	24	25	25	26	27	28	29	292	0.10%
DAY LABOR	41	42	44	45	46	48	49	51	52	54	55	57	585	0.20%
DAMAGE CLAIMS	62	64	66	68	70	72	74	76	78	81	83	86	877	0.30%
PACKING MATERIALS	474	488	503	518	533	549	566	583	600	618	637	656	6,724	2.30%
STORAGE COSTS	82	85	87	90	93	96	98	101	104	106	111	114	1,169	0.40%
DIESEL FUEL	762	785	809	833	858	884	910	937	966	994	1,024	1,055	10,817	3.70%
TOTAL COST OF SALES	1,957	2,016	2,076	2,138	2,203	2,269	2,337	2,407	2,479	2,553	2,630	2,709	27,774	9.50%
GROSS PROFIT	18,843	19,202	19,778	20,672	20,983	21,612	22,361	22,928	23,586	24,325	25,055	25,806	264,594	
EXPENSES														
ADVERTISING & PROMOTION	1,051	1,082	1,115	1,148	1,182	1,218	1,254	1,292	1,331	1,371	1,412	1,454	14,910	5.10%
AUTO EXPENSE	208	212	218	226	232	239	246	253	261	269	277	285	2,824	1.00%
TRAVEL	62	64	66	68	70	72	74	76	78	81	83	86	877	0.30%
MEALS & ENTERTAINMENT	4	4	4	5	5	5	5	5	5	5	6	6	58	0.02%
OPERATING SUPPLIES & EXPENSES	62	64	66	68	70	72	74	76	78	81	83	86	877	0.30%
OUTSIDE SERVICE	144	149	153	158	162	167	172	177	183	188	194	200	2,048	0.70%
RENT	602	620	639	658	678	698	719	741	763	786	809	834	8,547	2.82%
UTILITIES	62	64	66	68	70	72	74	76	78	81	83	86	877	0.30%
UNIFORMS	41	42	44	45	46	48	49	51	52	54	55	57	585	0.20%
DEPRECIATION	388	397	406	422	434	447	461	475	489	503	519	534	5,476	1.87%
AMORTIZATION	2	2	2	2	2	2	2	3	3	3	3	3	29	0.01%
VEHICLE LEASES	577	594	612	630	649	669	689	709	731	753	775	798	8,188	2.80%
REPAIRS & MAINTENANCE	288	276	284	293	301	310	320	329	338	349	360	371	3,801	1.30%
SECURITY	1	1	1	2	2	2	2	2	2	2	2	2	20	0.01%
401K EXPENSE	82	85	87	90	93	96	98	101	104	106	111	114	1,169	0.40%
OFFICERS SALARIES	218	225	232	239	246	253	261	269	277	285	293	302	3,068	1.06%
SALARIES	2,884	2,971	3,060	3,151	3,246	3,343	3,444	3,547	3,653	3,763	3,876	3,992	40,930	14.00%
CAFÉ 125	(144)	(149)	(153)	(158)	(162)	(167)	(172)	(177)	(183)	(188)	(194)	(200)	(2,048)	-0.70%
TELEPHONE & INTERNET	103	108	109	113	116	119	123	127	130	134	138	143	1,482	0.50%
OFFICE EXPENSE	62	64	66	68	70	72	74	76	78	81	83	86	877	0.30%
ANSWERING SERVICE	3	3	3	3	3	4	4	4	4	4	4	4	44	0.02%
POSTAGE	4	4	4	5	5	5	5	5	5	5	6	6	68	0.02%
BANK SERVICE CHARGES	3	3	3	3	3	3	3	4	4	4	4	4	41	0.01%
BANKCARD SERVICE FEES	350	381	372	383	394	406	418	431	444	457	471	485	4,970	1.70%
DUES & SUBSCRIPTIONS	6	6	6	6	6	7	7	7	7	8	8	8	82	0.03%
SETTLEMENT EXPENSES	62	64	66	68	70	72	74	76	78	81	83	86	877	0.30%
EQUIPMENT RENTAL	6	6	7	7	7	7	7	8	8	8	8	9	86	0.03%
INSURANCE	1,164	1,188	1,224	1,261	1,298	1,337	1,377	1,419	1,461	1,505	1,550	1,597	16,372	5.60%
TRAINING	21	21	22	23	23	24	25	26	26	27	28	29	292	0.10%
PROFESSIONAL FEES	82	85	87	90	93	96	98	101	104	106	111	114	1,169	0.40%
DENTAL INSURANCE	21	21	22	23	23	24	25	26	26	27	28	29	292	0.10%
PAYROLL TAX EXPENSE	803	828	852	876	904	931	959	988	1,018	1,048	1,080	1,112	11,402	3.90%
TAXES, LICENSE & FEES	185	191	197	203	209	215	221	228	235	242	249	257	2,631	0.90%
INTEREST EXPENSE	82	85	87	90	93	96	98	101	104	106	111	114	1,169	0.40%
TOTAL EXPENSES	9,455	9,739	10,031	10,332	10,642	10,961	11,290	11,629	11,978	12,337	12,707	13,088	134,191	45.90%
NET PROFIT (LOSS)	9,188	9,463	9,747	10,040	10,341	10,651	10,970	11,300	11,636	11,988	12,347	12,716	130,397	44.80%

Application

EXHIBIT D 1/2

ZOHAR BEN-REY, CPA
Certified Public Accountant

8720 Spanish Ridge Avenue
Las Vegas, Nevada 89148
(702) 968-2870
FAX (702) 968-2871

September 14, 2021

Re: MOVE4LESS RENO
Statement date: December 31, 2020

PROJECTION NARRATIVE

The following is the narrative with respect to the projected financial statements for Move4Less Reno operation:

Total annual revenue \$ 292,358.00. This amount was derived using historical operation data for 1 truck, daily use, with 3 men for an average of \$180.00 an hour for 20 days per month. All expenses were calculated using ratios of current operations of Move4Less.

EXHIBIT D 2/2

MOVE4LESS LLC
DBA Move 4 Less, MoveU4Less.com
& Select Flat Rate Moving

HOUSEHOLD GOODS TARIFF NO.1

RULES AND REGULATIONS

Rule No
400 (a)

APPLICATION OF HOURLY RATES

All shipments taking place within (25) air miles of home office are subject to a three (3) hour minimum charge. All shipments are subject to travel time charges, calculated using the applicable hourly rates of a move, from home office to point of origin and return to home office from point of destination. All charges are subject to a minimum of one (1) man and one vehicle. Chargeable time commences upon arrival at point of origin, ceases upon departure from point of destination plus the travel time charge. Charges consists of packing, loading, unloading, unpacking, mileage fee, and travel fee.

All charges after the 3 hour minimum are prorated by 15 minutes.

Moves longer than 8 hours on the same day are subject to 1 ½ times the hourly rate.

A.) Rates applying to shipments have a point of origin and/or destination in Clark County or Nye County, Nevada:

Furnish Vehicle (Regular Box Truck)	\$50.00 per hour
Furnish Vehicle (18-wheeler)	\$79.00 per hour
Furnish Vehicle (Van/Pick Up Truck)	\$50.00 per hour
Driver	\$29.00 per hour
Packer, Un-Packer	\$50.00 per hour
Stocker	\$35.00 per hour
Helper	\$20.00 per hour
Other Extra Help	\$30.00 per hour
Field Supervisor	\$55.00 per hour
CDL Driver	\$50.00 per hour

Move 4 Less will offer \$10.00 discount on field supervisor hourly rate. This discount will exclude shipments on Fridays, Saturdays, Federal Holidays and the first and last week of every month. This discount requires a minimum of 2 man move (i.e. move cost of \$97.00 after discount is \$87.00).

All moves performed on Sunday are subject to the overtime rate of 150% of the hourly tariff rates and a 5 hour minimum charge of total billable time.

Mileage Fee – If the distance between the point of origin and point of destination is greater than 50 miles, a fee of \$0.75 per mile will be charged for all miles traveled between the point of origin and destination and from the point of destination to carrier's office.

Issued:

12/14/2020

Issued By:

Move4Less
 Management
 6630 Arroyo Springs St #200
 Las Vegas NV 89113

Effective:

ACCEPTED

JAN 28 2021

Nevada Transportation Authority
 Las Vegas, Nevada

EXHIBIT E 1/3

MOVE4LESS LLC
DBA Move 4 Less, MoveU4Less.com
& Select Flat Rate Moving

HOUSEHOLD GOODS TARIFF NO.1

RULES AND REGULATIONS

Rule
No
400 (c)

APPLICATION OF SELECT FLAT RATE PACKAGES**Bronze Select Service - \$1.75 per cubic foot based on inventory list.***

- Complimentary on site visual estimate with guaranteed price. To be completed prior to reservation.
- Includes basic cargo coverage; \$0.60 per pound per article.
- Truck and labor size to be determined by operations department for most efficient move completion based on detailed move plan.
- Restricted to residential houses/condos up to 2 stories on each location.
- Restricted to 50 miles of total travel from office to pick up, destination, and return to office. **

Silver Select Service - \$2.00 per cubic foot based on inventory list. *

- Complimentary on site visual estimate with guaranteed price. To be completed prior to reservation.
- Includes Full Value Protection up to \$6,000.00 of coverage with a \$1,000.00 deductible including premium cargo coverage.
- Truck and labor size to be determined by operations department for most efficient move completion based on detailed move plan.
- Restricted to residential houses/condos up to 3 stories on each location.
- Restricted to 75 miles of total travel from office to pick up, destination, and return to office. **

*and** are defined on page 24.

Issued:

January 31, 2018

Issued By:

Move4Less
Management
6630 Arroyo Springs St #200
Las Vegas, NV 89113

ACCEPTED

JUL 09 2018

Nevada Transportation Authority
Las Vegas, Nevada

EXHIBIT E 73

MOVE4LESS LLC
DBA Move 4 Less, MoveU4Less.com
& Select Flat Rate Moving

HOUSEHOLD GOODS TARIFF NO.1

RULES AND REGULATIONS

Rule No
400 (c)

APPLICATION OF SELECT FLAT RATE PACKAGES

Gold Select Service - \$2.95 per cubic foot based on inventory list.*

- Complimentary on site visual estimate with guaranteed price. To be completed prior to reservation.
- Includes Full Value Protection up to \$50,000.00 of coverage with a \$1,000.00 deductible including premium cargo coverage
- Truck and labor size to be determined by operations department for most efficient move completion based on detailed move plan.
- Unlimited floors/stories on each location.
- Restricted to 100 miles of total travel from office to pick up, destination, and return to office. **

Platinum Select Service - \$3.95 per cubic foot based on inventory list. *

- Complimentary on site visual estimate with guaranteed price. To be completed prior to reservation.
- Includes Full Value Protection up to \$100,000.00 of coverage with a \$1,000.00 deductible including premium cargo coverage.
- Truck and labor size to be determined by operations department for most efficient move completion based on detailed move plan.
- Unlimited floors/stories on each location.
- Restricted to 125 miles of total travel from office to pick up, destination, and return to office. **

* Inventory list is the list of all articles to be transported during a shipment and it is prepared by the shipper during the onsite visual inspection.

** Miles over restriction billed at \$1.50 per mile.

Issued:

January 31, 2018

Issued By:

Move4Less
Management
6630 Arroyo Springs St #200
Las Vegas, NV 89113

Effective
ACCEPTED

JUL 09 2018

Nevada Transportation Authority
Las Vegas, Nevada

EXHIBIT E 3/3

Agenda Item#

70

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In the Matter of the Application of All M7 Movers,)
LLC for a Certificate of Public Convenience and) Docket 21-06005
Necessity to operate as a household goods mover)
within the State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
Commissioner George Assad
Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on June 2, 2021, All M7 Movers, LLC ("Applicant") filed an application for a Certificate of Public Convenience and Necessity to operate as a household goods mover within Clark County, Nevada on the one hand and points and places within the State of Nevada on the other and to operate one (1) vehicle. Said Application was designated as docket 21-06005.
2. That on June 10, 2021, the Application was properly noticed to the public and no Petitions for Leave to Intervene or Protests were filed.
3. That Staff requested the hearing on the Application be dispensed, pursuant to NRS 706.391 paragraph 9. Commissioner George Assad, serving in his capacity as Presiding Officer for the Authority, granted the request.
4. That Authority Staff reported the following:
 - a. Howard Woods, Compliance Audit Investigator, investigated the Applicant's background and inspected documentation relative to the proposed operation. Mr. Woods reported no areas of concern regarding the Applicant's operational fitness

and stated that he supported approval of the Application.

- b. Paul Servello, Financial Analyst for the Authority, inspected the Applicant's financial information. Mr. Servello reported no areas of concern regarding the Applicant's financial fitness and stated that he supported approval of the Application.
 - c. Liz Babcock, Applications Manager, reported that the Applicant met the minimum requirements.
5. Based on all records pertaining to the Application, after investigation, and pursuant to NRS 706.391:
- a. The Application on file herein comes within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant is financially and operationally fit, willing, and able to perform the transportation service for which applied.
 - c. Granting the Application on file herein would be in the public interest, will tend to foster sound economic conditions in the industry, and will not unreasonably or adversely affect other carriers operating in the territory served under the Certificate.
 - d. The operation contemplated by Applicant will be consistent with the public interest and will not operate to defeat the legislative policy set forth in NRS 706.151.
 - e. The operation contemplated by the Applicant will benefit and protect the safety and convenience of the traveling and shipping public and the motor carrier business in this State.
 - f. The proposed operation will provide service on a continuous basis.
 - g. The market identified by the Applicant as the market the Applicant intends to serve will support the proposed operation.

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Therefore, based upon the foregoing findings, it is ORDERED that:

1. The Application on file herein shall be GRANTED for the transportation service specified below:

Transportation of household goods between points and places within Clark County, Nevada.

RESTRICTIONS:

The number of vehicles in the carrier's fleet shall be no more than one (1).

2. Upon full compliance with the conditions of this Order, a Certificate of Public Convenience and Necessity identified as **CPCN 3389** shall be issued to All M7 Movers, LLC authorizing operation in the transportation of household goods as is more particularly described in the first ordering paragraph hereinabove.
3. Before issuance of the Certificate referred to hereinabove, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination of operational or financial fitness and immediately report to Authority Staff any such material changes, should they occur.
 - b. File with the Authority evidence of the required insurance (Form E) in the Applicant's name.
 - c. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicles covered.
 - d. Make vehicles available for inspection by Authority Staff to ensure that they have been marked in accordance with NAC 706.170 including the carrier's name/logo and CPCN number. Provide copies of insurance card, annual (USDOT) vehicle inspections, titles and registrations.
 - e. Ensure driver qualification files are set up in accordance with CFR 391.51. Explain and make available set-up of time tracking method put into place. Ensure all drivers have pre-employment drug testing in accordance with Part 40 and CFR 382.30. Make available for inspection by Authority Staff the business and vehicle domiciles.
 - f. Ensure vehicle maintenance files are setup in accordance with CFR 396.
 - g. Provide a copy of the Bill of Lading with the CPCN number granted and with complaint/commendation language, in accordance with NAC 706.335 and NAC 706.282.

- h. Provide proof that Applicant is in compliance with all municipal, county, and homeowner's association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
 - i. Provide copies of all applicable business licenses.
 - j. File a tariff that includes a description of the Authority granted, CPCN number, and the name and address of the Applicant.
 - k. Provide signed affidavit acknowledging requirements of NTA Annual Report pursuant to NRS 706.167.
 - l. Provide a copy of the contract between Applicant and the laboratory that will perform and monitor the substance abuse program. If the owner will also operate as a driver, the contract must require the laboratory to provide results of positive drug/alcohol tests directly to the Authority.
 - m. Reimburse the Authority for all noticing fees pursuant to NAC 706.1355.
4. Compliance with the foregoing requirements must be made by the Applicant NO LATER THAN 120 days from the date of this Order. If the Applicant fails to comply within 120-day time period, the Deputy Commissioner of the Authority may vacate this Compliance Order and dismiss this Application.
5. ***This Order does not constitute operating authority; performance of the transportation service contemplated by this Order may not be instituted prior to the issuance of said Certificate referred to hereinabove.***
6. If All M7 Movers, LLC is cited by the Authority for any violation of NRS 706 prior to the close of the compliance period, the Deputy Commissioner shall vacate this Order and dismiss the Application unless the Authority orders otherwise.
7. The Deputy Commissioner shall be authorized to issue the above-referenced Certificate of Public Convenience and Necessity upon the Applicant meeting all requirements set forth herein.

8. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

All M7 Movers, LLC
Application for Household Goods Mover Authority
Docket 21-06005
September 30, 2021 General Session

Application Summary:

On June 2, 2021, All M7 Movers, LLC ("Applicant") filed an application for authority to transport household goods and to operate one (1) vehicle between points and places within Clark County, Nevada on one hand and the State of Nevada on the other hand. Said Application was designated as Docket 21-06005.

On June 10, 2021, the application was properly noticed and no PLTIs or protests have been filed.

Jose Mares is the 100% owner of the company. Mr. Mares will oversee the day to day operations, driver qualification files, payroll, hiring and firing. Mr. Mares will also serve as one of the drivers.

Staff's Analysis:

Staff supports this application operationally and financially and respectfully requests the application hearing be dispensed per NRS 706.391 (9), for the reasons stated below:

- 1) Operations—Staff performed a background investigation with no areas of concern, **(Attachment A)**.
- 2) Market - staff does not require household good mover applicants to provide market to support its application. Staff recognizes that documentary evidence is difficult to compile for household good movers since moving is not a highly repetitive activity.
- 3) Pro forma balance sheet ("PFBS") –The Company's major asset, which consists of one (1) vehicle, is debt-free, resulting in 100% equity. Staff reviewed source documents (such as bank statements, vehicle Bill of Sale, etc.), and found them to be reasonable when compared to the balances reported on the PFBS. A cash infusion of \$5,020 has been made and there is enough cash to cover 90 days' worth of fixed expenses and prepaid insurance and no further cash infusion is required. **(Attachment B)**.
- 4) Pro forma income statement ("PFIS") – projects overall net income of \$6,292 on \$44,400 in total revenue for twelve (12) months of operations. The revenue projection and net income projection of 15.1% is conservative when compared with similar carriers with a single vehicle [Skyline Moving Service, LLC d/b/a Skyline Moving Service (CPCN 3374, Sub 1), and Astillita Productions, Inc. d/b/a Acme Moving Company (CPCN 3362)]. Staff's analysis did not disclose any material errors or omissions that would materially affect net income and make the proposed operations not compensable, **(Attachment C)**.

OK
GA

- 5) Tariff—the proposed rates were compared to several existing carrier’s tariffs with similar authorities and vehicle restrictions [Skyline Moving Service, LLC d/b/a Skyline Moving Service (CPCN 3374, Sub 1), Astillita Productions, Inc. d/b/a Acme Moving Company (CPCN 3362), and All Veteran Transit, LLC. (CPCN 3379)] and were found to be within the range of rates currently charged for similar services, **(Attachment D)**.

Attachments:

- A. Investigator’s Background Report, without exhibits
- B. Pro Forma Balance Sheet and Narratives
- C. Pro Forma Income Statement and Narratives
- D. Tariff

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
BACKGROUND INVESTIGATION FOR FULLY REGULATED CARRIERS**

DOCKET NUMBER: 21-06005		DATE APPLICATION WAS FILED: 06/02/2021	
APPLICANT NAME: JOSE MARES		TITLE: OWNER	
COMPANY NAME: ALL M7 MOVERS, LLC			
ADDRESS: 12825 ALCORES STREET LAS VEGAS NV 89141			
PHONE NUMBERS: 702 461 3294			
ATTORNEY:		PHONE#:	
INVESTIGATOR : WOODS		DATE ASSIGNED: 06/14/2021	

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.1375.2)

WHAT TYPE OF SERVICE IS PROPOSED?			
Charter Limousine		HHG	XX
Scenic Tours		Special Services	
Contract Carrier		NEMT	
WHAT GEOGRAPHICAL AREA IS PROPOSED FOR SERVICE?			
Statewide		County	
		Which Counties: CLARK	Clark and Nye

IS APPLICANT PRESENTLY PROVIDING ANY TYPE OF SERVICE: YES				NO	XX	What type of service?	
Charter Limousine		Contract Carrier		Charter Bus		Airport Transfer	
Scenic Tours		Special Services		HHG		NEMT	
Tow Car		Tow Car		US DOT Authority		Other States	

Attach completed Application Oath page as Exhibit A	Exhibit A
--	----------------------

IDENTIFY OWNERSHIP STRUCTURE OF THE PROPOSED OPERATIONS			
Corporation		LLC	X
		Partnership	
		Sole Proprietorship	

Identify each owner and their percentage of ownership:
JOSE MARES, 100%

Attach as an exhibit, appropriate proof of ownership interest where applicable.	Exhibit B
Will the Applicant be operating under a fictitious firm name? If so, attach a copy of their fictitious firm name filing.	N/A

Briefly describe the responsibilities of each owner, (i.e. driver, operational manager, mechanic, bookkeeper, financial backing only, etc):

Jose Mares will be responsible for driving, driver training, maintaining Driver Qualification and Vehicle Maintenance Files, hiring and firing of employees, billing, day to day operations.

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name JOSE MARES			
Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES	NO	X
Does the Applicant have USDOT Authority? (If so, include the SAFER printout as exhibit)	YES	NO	X
Is Applicant operating in another state?	YES	NO	X
If so, Which State and under what type of Authority?			
Explain:			

ENTERED
8/17/21

DT

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A-1 of 3

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations. Attach copies of MC/USDOT rating.	Exhibit
	N/A

Identify any key operational personnel who have no ownership interest and briefly describe their responsibilities:

Hire employees as needed

Describe the type and number of vehicles the applicant intends to operate:

A. Type of Vehicles:
IZUZU BOX VAN

B. Number of Vehicles: 1

Attach photographs of vehicles as an exhibit	Exhibit
Attach as an exhibit, copies of vehicle titles and registration, if available	C
	D

Describe the facilities to be used for this operation:
Commercial storage property for vehicle storage/ residential property for files.

C. Address (If Known): 12825 ALCORES STREET LAS VEGAS NV 89141

Does the Applicant have an acceptable Timekeeping method? YES X NO

If Yes, Describe: TIMECLOCK

Does the Applicant plan to store their vehicles at a location other than their legal domicile? YES X NO

D. If so, provide address (If known): 3001 Robert Trent Jones Lane Las Vegas NV 89141

Are the facilities adequate for the proposed service?

Properly Zoned? YES NO Adequate? TBD During Compliance YES NO

If inadequate, describe the Applicant's plan to remedy:

Does the Applicant understand the operating authority sought, and is their plans consistent with that grant of authority? YES X NO

Can the Applicant secure insurance as required by NAC 706.191? YES X NO

Attach appropriate proof of insurance, or ability to obtain, as an exhibit	Exhibit
	E

Does the Applicant understand the requirements contained within 49 CFR 391.51 as they pertain to the establishment and maintenance of driver qualification files? YES X NO

Does the Applicant understand the requirements contained within 49 CFR 396 as they pertain to the establishment and maintenance of vehicle maintenance records? YES X NO

Does the Applicant understand the requirements that pertain to the establishment of a substance abuse policy/program as contained in 49 CFR Parts 40, 382? YES X NO

Has the Applicant contracted with a laboratory to perform and monitor their substance abuse program? YES X NO

If so, which laboratory? ARCPPOINT

Does the Applicant have adequate personnel (drivers, managers, etc) to operate their business? YES X NO

Attach copies of the Applicant's charter orders, bills of lading, manifests, etc., as applicable. (Do not include copies of tariff or proposed contracts)	Exhibit
	F

Does the Applicant intend on using a Logo as contained in NAC 706.170(4)? Limousine only YES NO

Attach copies of proposed Logo	Exhibit
	N/A

A-2013²

Has the Applicant demonstrated adequate knowledge of the rules and regulations that pertain to operating authority sought; i.e., provisions of NRS Chapter 706, NAC Chapter 706, and the Federal Motor Carrier Safety Regulations?	YES	X	NO	
Does the Applicant understand the limitations inherent in their grant of operating authority?	YES	X	NO	

Has the Applicant read and signed the NTA Knowledge Statement?	YES	X	NO	
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Attach signed Knowledge Statement.	Exhibit G
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COMPLIANCE ITEMS	
1	Avoid Material Changes
2	File with the Authority evidence, (Form E), and/or if required (Form H) in the Applicant's name.
3	File with the Authority the necessary insurance (Certificate of Insurance), describing liability limits, vehicles covered.
4	Make vehicle(s) available for inspection by Enforcement Staff to ensure that they properly registered in motor carrier's name, display CPCN number, Logo and/or name of motor carrier. Provide copies of insurance cab card, annual (USDOT) vehicle inspections, titles and registrations.
5	Ensure Driver qualification files are setup in accordance with CFR 391.51. Explain and make available set-up of time tracking method put into place. Ensure all drivers have pre-employment drug testing in accordance with Part 40, and CFR 382.301 and make available to Enforcement Staff for inspection of their business and vehicle domiciles, if different from business location.
6	Ensure vehicle maintenance files are setup in accordance with CFR 396.
7	File a copy of Bill of Lading (HHG) in accordance with NAC's which includes the CPCN number granted.
8	Provide copies of Business License(s).
9	File a Tariff for approval by the financial Analyst.
10	Provide copy of contract with a laboratory to perform and monitor their substance abuse program and enrollment list.
11	Provide signed Affidavit acknowledging requirements of NTA Annual Report pursuant to NRS 706.167
12	If vehicles are to be parked at a residence, provide proof that the Applicant is in compliance with all municipal, county, and homeowners association laws, codes, regulations, and bylaws for the parking or storage of its vehicles.
13	Remit to the Authority any noticing fees and/or other outstanding debt due to the Authority.

INVESTIGATOR: WOODS	DATE: 08/03/2021
REVIEWED BY SUPERVISOR INVESTIGATOR:	DATE: 8/8/21
REVIEWED BY APPLICATION MANAGER:	DATE: 8/17/21

A listed EXHIBIT, (A,B,C etc), is the documentary evidence of the requirement being met. If a requirement has not been met, the EXHIBIT category will be left blank and it will be checked as a compliance item. Questions that do not apply to the Applicant the EXHIBIT category will be marked as NA.

Amended
All M7 Movers, LLC
Balance Sheet
Period = May 2021
Accrual

		Period to Date
CASH		
101	BANK OF AMERICA BUSA CHECKING	3,000.00
CASH		3,000.00
TOTAL CASH		3,000.00
ASSETS		
120	ACCOUNTS RECEIVABLES	-
130	PREPAID INSURANCE	1,344.00
140	TRUCK	7,000.00
150	OFFICE EQUIPMENT	1,170.00
ASSETS		9,514.00
TOTAL ASSETS		12,514.00
LIABILITIES		
200	ACCOUNTS PAYABLES	0.00
TOTAL		0.00
TOTAL LIABILITIES		0.00
OWNERS EQUITY		
300	CONTRIBUTIONS	12,514.00
310	DISTRIBUTIONS	-
320	RETAINED EARNINGS	-
TOTAL OWNERS EQUITY		12,514.00
		-

AR M7 Movers, LLC
Income Statement
 Period = June 2021 - May 2022

		Actual												
		Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Annual Total
INCOME														
400	SERVICE INCOME	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	44,400.00
	TOTAL INCOME	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	44,400.00
	GROSS PROFIT	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00	44,400.00
EXPENSES														
501	ADVERTISING & MARKETING	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	25.00	300.00
502	BANK & CREDIT CARDS FEES	14.00	14.00	14.00	14.00	14.00	14.00	14.00	14.00	14.00	14.00	14.00	14.00	168.00
503	TRUCK REPAIRS & MAINTENANCE	0.00	0.00	400.00	0.00	0.00	400.00	0.00	0.00	400.00	0.00	0.00	400.00	1,600.00
504	INSURANCE	385.00	385.00	385.00	385.00	385.00	385.00	385.00	385.00	385.00	385.00	385.00	385.00	4,620.00
505	DEPRECIATION	117.00	117.00	117.00	117.00	117.00	117.00	117.00	117.00	117.00	117.00	117.00	117.00	1,404.00
506	JOB SUPPLIES	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	600.00
507	WEBSITE	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	60.00	720.00
508	POSTAGE & DELIVERY	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	120.00
510	FUEL EXPENSE	240.00	240.00	240.00	240.00	240.00	240.00	240.00	240.00	240.00	240.00	240.00	240.00	2,880.00
511	TAXES & LICENSES	0.00	150.00	0.00	0.00	150.00	0.00	0.00	150.00	0.00	0.00	150.00	0.00	600.00
513	PAYROLL EXPENSE	153.00	153.00	153.00	153.00	153.00	153.00	153.00	153.00	153.00	153.00	153.00	153.00	1,836.00
514	WAGES & SALARIES	1,530.00	1,530.00	1,530.00	1,530.00	1,530.00	1,530.00	1,530.00	1,530.00	1,530.00	1,530.00	1,530.00	1,530.00	18,360.00
515	RENT	195.00	195.00	195.00	195.00	195.00	195.00	195.00	195.00	195.00	195.00	195.00	195.00	2,340.00
518	BROKER FEES & COMMISSIONS	80.00	80.00	80.00	80.00	80.00	80.00	80.00	80.00	80.00	80.00	80.00	80.00	960.00
519	OTHER BUSINESS EXPENSES	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	1,200.00
	TOTAL EXPENSES	2,989.00	3,109.00	3,359.00	2,988.00	3,808.00	3,398.00	2,989.00	3,109.00	3,389.00	2,989.00	3,109.00	3,359.00	38,108.00
	NET OPERATING INCOME	711.00	591.00	341.00	712.00	191.00	341.00	711.00	591.00	341.00	711.00	591.00	341.00	6,292.00
	NET INCOME	711.00	591.00	341.00	712.00	191.00	341.00	711.00	591.00	341.00	711.00	591.00	341.00	6,292.00

C-1011

CPCN No. _____

No supplement to this tariff will be issued
Except for the purpose of canceling the tariff
unless specifically authorized by the Authority.

Additions to, changes in and eliminations from
this tariff will be in loose-leaf form.

ALL M7 MOVERS, LLC

HOUSEHOLD TARIFF NO. 1

**NAMING LOCAL COMMODITY RATES INCLUDING SERVICE CHARGES,
MISCELLANEOUS SERVICE CHARGES, HOURLY RATES AND REGULATIONS**

**APPLYING ON NEW AND USED FURNITURE AND HOUSEHOLD EFFECTS,
PERSONAL EFFECTS, AND OTHER PROPERTY DESCRIBED IN THIS TARIFF**

BETWEEN POINTS AND PLACES WITHIN CLARK COUNTY, NEVADA

ALL M7 MOVERS, LLC

Issued:

Issued by:

Effective:

**ALL M7 MOVERS, LLC
Las Vegas, NV
89141**

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ORIGINAL PAGE 1

CPCN No. _____

Checking Sheet For Tariff

All of the pages contained in this tariff are listed consecutively by page and number.
The number of tariff and supplements to the tariff, listed on this page; a "0" original page.

Page	Revision	Page	Revision
1	0	8	0
2	0	9	0
3	0	10	0
4	0	11	0
5	0	12	0
6	0	13	0
7	0	14	0

Explanation of Abbreviations and Other Reference Marks

dba doing business as
 NV Nevada
 No. Number
 Nos. Numbers
 NTA.....Nevada Transportation
 Authority

N New
 C change, neither increase
 nor reduction
 I Increase
 R Reduction

Issued:

Issued by:

Effective:

ALL M7 MOVERS, LLC
 Las Vegas, NV
 89141

D2 07/18

ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1****APPLICATION OF CARRIER'S OPERATING RIGHTS**

Transportation of household goods, furniture, commercial offices, stores, stock, equipment supplies, and general commodities on-call over irregular routes and times between points and places within the State of Nevada.

Issued:

Issued by:

Effective:

ALL M7 MOVERS, LLC
Las Vegas, NV
89141

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ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1****Table of Contents**

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Issued:

Issued by:

Effective:

ALL M7 MOVERS, LLC
Las Vegas, NV
89141

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ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations
10	APPLICATION OF RATES- COMMODITY DESCRIPTION The rates named in this tariff apply on household goods: personal effects, furniture, baggage and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling; fixtures, furniture, equipment, stock or supplies of stores, offices or other establishments.
20	APPLICATION OF RATES- TERRITORY The rates shown in this tariff apply between all points and places In the State of Nevada.
30	ACCESSORIAL SERVICES Except as otherwise provided herein, rates and charges covering accessorial services rendered by the carrier, are in addition to the transportation rates named in this tariff.
40	AGENCY COMMISSIONS A maximum of (10%) of the applicable tariff charge may be paid to a referral service which has referred the booking to the company as a commission on each booking.
Issued:	<div data-bbox="802 1633 932 1667">Issued by:</div> <div data-bbox="704 1703 1029 1808">ALL M7 MOVERS, LLC Las Vegas, NV 89141</div> <div data-bbox="1240 1633 1370 1667">Effective:</div>

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ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations
50	<p>ARTICLES NOT ACCEPTED Unless otherwise provided, the following property will not be accepted for shipment: bank bills, coins or currency, deeds, notes, drafts or valuable papers of any kind, credit cards, jewelry, postage stamps, trading stamps, letters or packets of letters, precious stones or articles manufactured there from or perishable articles. Should such articles come into the possession of the carrier without Its knowledge, responsibility for safe delivery will not be assumed.</p> <p>The carrier will not accept for shipment articles which cannot be taken from the premises without damage to the article or premises. Explosives, dangerous goods or property liable to impregnate or otherwise damage equipment or other property will not be accepted for shipment. Household pets will not be accepted for transportation.</p>
60	<p>COMPLETE ARTICLE Each shipping piece or package and contents thereof shall constitute one article except the total component parts of any article taken apart or knocked down for handling or loading in vehicle shall constitute one article for the purpose of determining carrier's liability as provided in RULE 70.</p> <p>NOTICE: When an entire shipment is transported in containers or shipping boxes, each shipping package, piece or loose Item not enclosed within a package in such containers or shipping boxes will constitute the article.</p>
Issued:	Issued by: ALL M7 MOVERS, LLC Las Vegas, NV 89141
Effective:	

D6 7/18

ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations
70	<p>DECLARATION OF VALUE Shippers are required to state specifically in writing the agreed or declared value of property, otherwise a base value of 60 cents per LB, per article will apply. Where value in excess of 60 cents per LB. per article is declared, at the option of the shipper, the carrier will provide full declared value protection through special insurance at an added charge equivalent to the required premium.</p> <p>If the shipper declines to declare the value or agree to release value in writing, the shipment may not be accepted. If accepted, base release value of 60 cents per pound, per article will apply. (see RULE 20)</p>
80	<p>CLAIMS (A) Any claims for loss, damage or overcharge shall be In writing and shall be accompanied by the original paid bill for transportation and 2 estimates of repair or replacement. Carrier may require certified or sworn statement of claim. (B) Carrier shall be immediately notified of all claims for concealed damage and shall be given reasonable opportunity to inspect alleged concealed damage in original package. (C) Limitation of time for filing claims shall be 7 days. The carrier's liability shall not exceed the cost of repairing or replacing the property lost or damaged with materials of like kind and quality not exceeding the actual cash value of the property at time and place of loss with due allowances for depreciation or deterioration howsoever caused, but in no event exceed: the released value not exceeding 60 cents per pound, per article, if shipper has not released the value to a lump sum for the entire shipment, such proportion of the actual value of the article or articles lost or damaged shall be determined under RULE 70.</p>
Issued:	<p>Issued by:</p> <p>ALL M7 MOVERS, LLC Las Vegas, NV 89141</p> <p>Effective:</p>

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ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations	
80 (cont'd)	<p>(D) The carrier's liability for goods shall cease when the property has been delivered to and receipted for by the owner, or by the consignee or shipper or the authorized agent of either, except as to damage noted at the time of delivery. When the carrier is directed to unload or deliver property (or render any services) at a place or places at which the consignee or its agent is not present the property shall be at the risk of the owner after unloading or delivery.</p> <p>(E)Where the carrier is directed to load property from (or render any service) at a place or places at which the consignor or its agent is not present, the property shall be at risk of the owner before loading.</p> <p>(F)The carrier's liability with regard to sets or matched pieces shall be limited to repair or replacement of the lost or damaged piece or pieces only shall not extend to repair, replacement or recovering of the entire set, but in no event to exceed: (1) the released value on the entire shipment such proportion of the actual value of the article or articles lost or damaged as shall be determined under RULE 70.</p>	
85	<p>CLAIMS FOR LOST OR DAMAGED FREIGHT OR BAGGAGE A claim by a shipper or consignor against a common or motor carrier for lost or damaged freight or baggage must be submitted to the carrier within 7 days of the shipment.</p> <p>Within 14 days after receipt of the claim, the carrier shall: Compensate the shipper or consignor; Deliver to the shipper or consignor a written denial of the claim</p> <p>A Denial of the claim may be appealed by the shipper or consignor to the Nevada Transportation Authority</p>	
Issued:	Issued by: ALL M7 MOVERS, LLC Las Vegas, NV 89141	Effective:

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ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations	
90	<p>FAILURE TO MAKE DELIVERY</p> <p>(A) In all instances where carrier is unable to locate the consignee at the address given by the shipper, or correct address Of known by carrier); or where the consignee is unable or declines to accept delivery of the shipment, or the shipment remains in the possession of the carrier pursuant to instructions of the shipper or consignee, notification of failure to make delivery will be mailed to the consignee, consignor or owner, or written notice delivered to the premises where actual delivery was to be affected or to other notifying address and the property placed in the nearest warehouse or storage of the carrier, or at the option of the carrier, in a public storage warehouse, and upon such placement liability as a carrier shall immediately cease and liability shall thereafter be only that of the warehouseman in possession.</p> <p>(B) In cases where a "subsequent delivery" is called for and made, charges will be assessed for such "subsequent delivery" on the basis of charges lawfully applicable from carrier (as the case may be) to place of delivery.</p>	
100	<p>IMPRACTICABLE PICK-UP OR DELIVERY</p> <p>(A) It is the responsibility of the shipper to make shipment accessible to carrier or accept delivery from carrier at a point at which the road haul vehicle may be safely operated.</p>	
Issued:	Issued by: ALL M7 MOVERS, LLC Las Vegas, NV 89141	Effective:

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ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations	
100 (cont'd)	<p>(B) When it is physically impossible for carrier to perform pick-up of shipment at origin address or to complete delivery of shipment at destination address with normally assigned road haul equipment, due to the structure of the building, its inaccessibility by highway, Inadequate or unsafe public or private road overhead obstruction, narrow gates sharp turns, trees, shrubbery, the deterioration of roadway due to rain, flood, snow, or nature of an article(s) Included in the shipment, the carrier shall hold itself available at point of pick-up or tender delivery at destination at the nearest point of approach to the desired location where the road haul equipment can be made safely accessible.</p> <p>(C) Upon request of the shipper, consignee or owner of the goods, the carrier will use or engage additional equipment than its normal road haul equipment or provide extra labor for the purpose, if possible of accomplishment, of transferring the shipment between the origin address or the destination address and the nearest point of approach by the carrier's road haul equipment. Charges for this auxiliary service to cover labor and additional vehicle (If used) will be as provided in Rule 300 and shall be In addition to all other transportation or accessorial charges.</p> <p>D) If the shipper does not accept the shipment at nearest point of safe approach by carrier's road haul equipment to the destination address, the carrier may place the shipment, or any part thereof not reasonably possible for delivery, in storage at the nearest available warehouse of the carrier, or at the option of the carrier, in a public warehouse, subject to a lien for all lawful charges. The liability on the part of the carrier will cease when the shipment Is unloaded into the warehouse and the shipment shall be considered as having been delivered.</p>	
Issued:	Issued by: ALL M7 MOVERS, LLC Las Vegas, NV 89141	Effective:

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ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations	
110	IMPRACTICABLE OPERATION Nothing in this tariff shall require the carrier to perform any line haul service or any pick-up or delivery service or any to other service from or to or at any point or location where, through no fault or neglect of the carrier, the operation of vehicles is Impractical because: (A) The condition of roads, streets, driveways, alleys, or approaches thereto would subject operations to unreasonable risk or loss or damage to life or property; (B) Loading or unloading facilities are inadequate; (C) Any force majeure, war, insurrection, riot, civil disturbance, strike, picketing or other labor disturbance would (1) subject operations to unreasonable risk of loss or damage to life or property or (2) unreasonable jeopardize the ability of the carrier to render line-haul or pick-up or delivery or any other service from or to or at other points or locations.	
120	INSURANCE The cost of any insurance in the name of the shipper, or for the benefit of the shipper will not be assumed by the carrier. (See RULE 70).	
130	MARKING AND PACKING (A)Articles of fragile or breakable nature must be properly packed. No claims will be allowed on any items that are not packed by the carrier. (B)Where shipments are improperly, insecurely or unsafely packed, crated or boxed any by reason thereof the contents may be destroyed or damaged, carrier will arrange to have such shipment properly packed and charges shown in Rule 300 of this tariff will be assessed. (C)The shipper shall provide all original packing boxes or agree to use boxes as provided by the carrier. (D)If the shipper instructs the carrier to pack or repack any items, those items must be unpacked by the carrier. No claims will be allowed on any items that are not unpacked by the carrier.	
Issued:	Issued by: ALL M7 MOVERS, LLC Las Vegas, NV 89141	Effective:

D 11 07/18

ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations	
140	<p>PAYMENT OF CHARGES</p> <p>(A)The carrier will not deliver or relinquish possession of any property transported by it until all tariff rates and advance charges included in the original estimate have been paid by cash, money orders, cashier's check, or debit and credit card, except where other arrangements have been made in advance.</p> <p>(B) The carrier shall have lien rights on any property transported by it for all charges incurred.</p> <p>(C) The shipper will furnish the carrier, upon demand, a certified statement describing and setting forth the actual cash value of any property in possession of carrier being held for payment.</p> <p>(D) Transportation charges to cover the movement of shipment or part thereof from point at which it was originally tendered to warehouse location shall constitute a new shipment, subject to applicable rate as provided in tariff from point at which It was originally tendered to warehouse location, which shall be In addition to charges from initial point of origin to point at which shipment was originally tendered. All accrued charges on the shipment or any part thereof shall be due and payable upon delivery of same to the warehouse. Any subsequent movement from warehouse shall constitute a new shipment.</p> <p>(E) After seven days, with proper notice, carrier shall have the right to sell, as shipper's agent, at public or private sale, any property of shipper's in satisfaction of any charges not paid in full.</p> <p>(F) Upon default by the customer, shipper Is entitled to collect legal fees and interest as provided in the contract.</p>	
Issued:	Issued by: ALL M7 MOVERS, LLC Las Vegas, NV 89141	Effective:

D 12/18

ALL M7 MOVERS, LLC
HOUSEHOLD TARIFF NO. 1

Rule No.	Rules & Regulations	
150	PICK-UP AND DELIVERY AT WAREHOUSE Except as otherwise provided herein, if shipment is delivered to or picked up at a warehouse, the rates for transportation include only the unloading or loading at the door, platform, or other point convenient or accessible to the vehicle	
160	PICK-UP AND DELIVERY AT WAREHOUSE Except as otherwise provided herein, if shipment is delivered to or picked up at a warehouse, the rates for transportation include only the unloading or loading at the door, platform, or other point convenient or accessible to the vehicle	
170	PICK-UP AND DELIVERY AT WAREHOUSE Except as otherwise provided herein, if shipment is delivered to or picked up at a warehouse, the rates for transportation include only the unloading or loading at the door, platform, or other point convenient or accessible to the vehicle	
180	INSPECTION OF PACKAGES When the carrier or his agent believes it necessary that the contents of packages be inspected, he shall make or cause such inspection to be made, or require other sufficient evidence to determine the actual character of the property.	
Issued:	Issued by: ALL M7 MOVERS, LLC Las Vegas, NV 89141	Effective:

D13 07/18

ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations	
190	<p>SERVICING SPECIAL ARTICLES The transportation rates in this tariff do not include servicing or unservicing articles or appliances such as refrigerators , deep freeze cabinets, radios, record players, washing machines, television sets, air conditioners, and the like which, if not properly serviced, may be damaged in, or incident to transit; nor is liability assumed for any damage unless said articles or appliances are serviced and unserviced as provided in (a) or (b) below:</p> <p>(A) Upon request of shipper, owner or consignee of the goods, carrier will subject to (b) below, service and unservice such articles and appliances at origin and destination for the additional charge provided in RULE 300. Such servicing and unservicing does not include removal or installation of articles secured to the premises; or plumbing, electrical or carpentry services necessary to disconnect, remove, connect and install such articles and appliances.</p> <p>(B) If carrier does not possess the qualified personnel to properly service or unservice such articles or appliances, carrier will, upon request of shipper, owner or consignee and as agent for them, engage third persons to perform the servicing and unservicing. When third persons are engaged by the carrier to perform any service, the carrier will not assume responsibility for their activities or conduct; amount of their charges; nor for the quality of service furnished.</p> <p>(C) All charges of the third persons must be paid by the shipper, and are in addition to all other charges in this tariff. Such charges will be advanced by the carrier and billed as an Advanced Charge as provided in RULE 200 herein.</p>	
Issued:	Issued by: ALL M7 MOVERS, LLC Las Vegas, NV 89141	Effective:

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ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations	
200	<p>ADVANCING OF CHARGES Charges advanced by carrier for services of others engaged at the request of the shipper will be supported by the carrier with a copy of an invoice setting forth the services rendered, charges and basis thereof, together with reference to applicable schedule of tariff if charges are assessed in accordance there with. When third persons are engaged by carrier to perform any domestic or maid service, the earner will not assume responsibility for their activities or conduct; amount of their charges; nor for the quality or quantity of service furnished, except as otherwise provided.</p> <p>The charges so advanced are in addition to and shall be collected with all other lawful rates and charges.</p>	
210	<p>LABOR CHARGES Cover all accessorial services for which no charges are otherwise provided In this tariff, when such services are requested by the shipper except:</p> <p>Piano surcharge - \$250.00</p> <p>Pool table surcharge - \$300.00</p>	
Issued:	Issued by:	Effective:
	ALL M7 MOVERS, LLC Las Vegas, NV 89141	

D15 07/18

ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations	
220	<p>EARLY TERMINATION OF SHIPMENT</p> <p>(A)The carrier reserves the right to stop work at any time and demand payment for time worked and time estimated to complete shipment.</p> <p>(B) The shipper reserves the right to stop work at any time. Minimum charges still apply.</p>	
225	<p>ESTIMATE OF CHARGES</p> <p>Pursuant to NAC 706.312;</p> <ol style="list-style-type: none">1. A common motor carrier of household goods must, if requested by the shipper after a visual inspection of the goods give to the shipper, a written estimate of the charges. The original must be delivered to the shipper and a copy maintained by the carrier in his record of the shipment.2. The estimate must be based upon the carrier's tariff filed with the authority. The final charge for transporting the goods may not exceed the estimate and agrees to pay for the additional services so requested. If the final charge is less than the estimate, the carrier shall only collect the actual charge for the services.	
Issued:	Issued by: ALL M7 MOVERS, LLC Las Vegas, NV 89141	Effective:

D16 07/14

ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations	
230	NOTIFICATION OF LIABILITY COVERAGE Pursuant to NAC 706.334, before providing any service subject to regulation by the Authority, a carrier of household goods must notify the customer in writing of the scope of the standard liability coverage provided and the availability of additional coverage.	
235	BILL FOR PAYMENT In accordance to NAC 706.335; 1. Upon the completion of a shipment of household goods, the authorized carrier shall present to the person paying for the shipment the original bill for payment 2. The bill must show: A. Name and address of the carrier B. The name of the consignor and consignee. C. The points of origin and destination. D. The date and time the shipment was received by the carrier. E. The date and time of arrival of the shipment at its destination. F. The date of the bill. G. The weight of the shipment, if applicable. H. The route over which the household goods were transported, the name of the point of transfer and the name of each carrier participating in the transportation. I. The numbers of the vehicles which transported the household goods J. An adequate description of the property transported, K. The rate charged for the service L. Any other charges incident to the transportation. M. A statement that the carrier's rates are subject to regulation by the Authority. N. Any other information required by the Authority.	
Issued:	Issued by: ALL M7 MOVERS, LLC Las Vegas, NV 89141	Effective:

D170718

ALL M7 MOVERS, LLC**HOUSEHOLD TARIFF NO. 1**

Rule No.	Rules & Regulations	
300	<p>APPLICATION OF RATES Pursuant to NAC 706.312, carrier will charge hourly rates appearing in this item for use of vehicle and labor.</p> <p>All Shipments are subject to the 2 hour minimum charge plus a \$100 vehicle charge, per vehicle, in addition to the hourly rates listed below.</p> <p>The carrier will charge in 30 minute increments for driver & mover after the Initial 2 hour minimum.</p> <p>Rates for additional vehicles are based on \$100 per vehicle.</p> <p>Drivers \$45 per hour.</p> <p>Movers \$45 Per hour.</p> <p>Overtime Rates: Overtime at 150% of regular rates apply after 8 consecutive hours per day per move.</p> <p>Includes Sundays and Holidays</p>	
Issued:	Issued by: ALL M7 MOVERS, LLC Las Vegas, NV 89141	Effective:

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Agenda Item#

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DATED April 21, 2021

Experience Transportation Agency, LLC
OPERATION MANAGEMENT AGREEMENT

in respect of (Chad Taylor and Steve Moroney) interests in
24/7 LIMOUSINES LTD CPCN 1065



THIS AGREEMENT is valid for 12 months from the date of its execution between: (1) ANTHONY CLARK AS acting Operations Manager of Experience Transportation Agency, LLC, ("ETA"); and (2) Chad Taylor and Steve Moroney Managing Members of ETA

The parties hereto have prepared and agreed to contract wherein ETA. Chad Taylor and Steve Moroney are seeking to purchase CPCN 1065 from 24/7 Limousines, LTD ("24/7") additionally to sell certain assets described within that Asset Purchase Agreement, including, but not limited to, the rights that would be occasioned by transfer of the Certificate of Public Convenience and Necessity No. 1065, Sub 3, from (24/7) to ETA which transfer is expressly subject to the prior approval of the Nevada Transportation Services Authority. The joint Application of 24/7 and ETA is either on file or in the process of being filed with the Transportation Services Authority and will be heard on its merits in the future.

At the request of 24/7 and ETA both have agreed, in the interim, that Anthony Clark is to BE OPERATIONS MANAGER OF the business of ETA as it relates to operation of limousine and livery transportation services under the terms of NAC 706.250 and this Agreement under Anthony Clark with (24/7) all vehicles owned and operated by ETA under CPCN 1065 will be managed by Anthony Clark until sale of license receives final NTA approval in the future.

Anthony Clark of 24/7 and Chad Taylor, Steve Moroney of ETA to allow (Anthony Clark) to manage the Day-to-Day business of ETA for CPCN 1065 pursuant to NAC 706.250, the parties have agreed to the following terms and conditions:

- a. (24/7) hereby agrees under the terms of this Agreement, that (24/7) will permit ETA (Chad Taylor and Steve Moroney) to have Anthony Clark manage (24/7) CPCN 1065 immediately upon the acceptance of the Purchase Agreement by both parties under ETA.
- b. The duties of the Operations Manager (Anthony Clark) is to manage the business for the authorized Carrier (24/7), but to do so only consistent with and in compliance with NAC 706.250, in addition to all other applicable statutes and administrative codes. This may include but not necessarily be limited to supervising drivers, review of charter orders or similar documentation for proof of work being performed, review of trip sheets daily and ensuring accountability/reporting of drivers, their hours, and their charters. Operations Manager may also be responsible for hiring and firing of drivers, training of drivers, handling driver complaints, vehicle maintenance, and related aspects.
- c. Anthony Clark will be compensated as operations manager with 16 % of company net revenue of ETA.

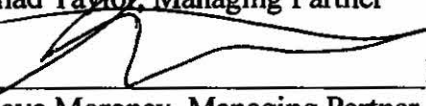
- d. Anthony Clark shall continue to oversee all aspects of the business, to the extent necessary to ensure that the public interest is protected and that the provisions of NRS 706.010, et seq. are complied with, and to expressly retain supervisory responsibility of the overall operations.
- e. Consistent with the foregoing, the term of this Agreement shall be valid for up to 12 months, allowing both 24/7 and (Chad Taylor and Steve Moroney) of ETA terminate this Management Agreement with written notice to the other party, only with cause, or failure to comply to the asset purchase agreement. This agreement may also be renewed upon expiration.
- f. ETA agrees and represents that it shall manage the business of the authorized Carrier in compliance with all applicable statutes and the administrative code provisions. Operations Managers shall be personally liable for any actions taken and/or performed outside the terms and conditions of this Agreement
- g. Anthony Clark of 24/7 and (Chad Taylor and Steve Moroney) of ETA to allow immediately up to 6 Limos to operate under 15 passengers under CPCN 1065 until temporary transfer is approved. These vehicles will be leased or shared ownership title with 24/7 Limousines.
- h. All expenses pertaining to the license transfer, operations and maintenance of vehicles added by (Chad Taylor and Steve Moroney or Anthony Clark acting Operations Manager) of ETA as well as Drivers Expenses, Payroll Taxes and Transportation Connection Tax, will be the responsibility of ETA.
- i. Anthony Clark's scope of authority with ETA will be to oversee and implement the operations when it comes to CPCN 1065, authorizing repairs facilities and vehicle maintenance, hiring and training qualified office personal and management for daily operations, as well as drivers. He will be allowed to add and remove vehicles from the License as needed through the NTA for CPCN 1065. He will not be writing checks or entering into any agreements on behalf of ETA. His scope of authority is focused solely on the transition and operations of CPCN 1065.
- j. Anthony Clark, Chad Taylor and Steve Moroney agree to jointly submit this Agreement immediately to the Nevada Transportation Services Authority for its review and consideration.
- k. This Agreement is contingent upon NTA approval of temporary transfer of CPCN 1065 and following all terms of agreement. Anthony Clark will remain operations manager of ETA until full authority and sale of CPCN 1065 is granted to ETA.

AS WITNESS this Agreement has been signed by and on behalf of the parties the day and year first before written.

Experience Transportation Agency, LLC
Chad Taylor, Steve Moroney
121 E Sunset Rd suite 2
Las Vegas, NV. 89119

24/7 Limousines LTD
3930 W. Windmill Lane Suite 130L
Las Vegas, NV. 89139

x  Date 6-21-21
Chad Taylor, Managing Partner

x  Date 6-21-21
Steve Moroney, Managing Partner

x  Date 6-21-21
Anthony Clark, Owner

x  Date 6-21-21
Anthony Clark, Operations Manager

**Experience Transport Agency, LLC d/b/a ETA
and
Anthony Clark
Business Management Agreement
Docket 21-06039**

Application Summary:

On June 24, 2021 Experience Transport Agency, LLC d/b/a ETA ("ETA") filed a business management agreement pursuant to NAC 706.250 for management services to be provided by Anthony Clark ("Clark") (together "Applicants").

Carrier History:

Both ETA and Clark are well established in the transportation industry and have good standing with the Nevada Transportation Authority ("Authority"). ETA is a charter bus operator since February of 2017. Clark is the owner operator of 24/7 Entertainment, LLC and 24/7 Limousines, LTD and has been a transportation operator for approximately 15 years.

24/7 Limousines, LLC has filed for a temporary transfer of operating rights for CPCN 1065 to ETA under Docket 21-06040. Clark will be managing the limousine operations for ETA as Operations Manager under this management agreement until such time as a final sale and transfer of CPCN 1065 is granted by the Authority, Exhibit A). The Applicants assert that a sale and transfer application will be filed in the near future.

Staff Discussion:

Pursuant to NAC 706.250 the management agreement is for a period of one year and details the scope of the authority that Clark will have over the management of ETA's limousine division. The compensation for Clark is stated as 16% of net revenue per month and does not include any bonus.

The management agreement limits the control of the manager in that Clark will not have authority to issue any checks nor entering into any agreements on behalf of ETA. His scope of authority will be focused solely on the transition and operations of CPCN 1065.

A background investigation of ETA was completed with no areas of concern noted. Additionally, an operational inspection of 24/7 Limousines, LTD (a charter limousine company owned and operated by Clark), was performed with no areas of concern noted.

Conclusion:

The management agreement meets the requirements of NAC 706.250.

NEVADA TRANSPORTATION AUTHORITY
ORDER
and
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

24/7 Limousines, LTD
d/b/a 24/7 Limousines

CPCN 1065, Sub 3
Docket No. 16-11026

The Nevada Transportation Authority ("Authority") finds that the above-named carrier has complied with this Authority's Compliance Order dated September 7, 2018, the findings of fact and conclusions of law which are hereby incorporated by this reference, and therefore is entitled to receive authority from this Authority to engage in transportation in intrastate commerce as a motor carrier.

IT IS ORDERED that certificate of public convenience and necessity identified as CPCN 1065, Sub 2.2, is hereby cancelled and 24/7 Limousines, LTD d/b/a 24/7 Limousines is hereby granted this certificate of public convenience and necessity identified as CPCN 1065, Sub 3, as evidence of the authority of the holder to engage in transportation in intrastate commerce as a common carrier by motor vehicle subject to applicable statutes, rules and regulations of the Authority, and such terms, conditions and limitations as are now or may hereafter be attached to the exercise of the privileges herein granted.

IT IS FURTHER ORDERED and made a condition of this certificate that the holder shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure to do so shall constitute sufficient grounds for suspension, modification or revocation of this certificate.

IT IS FURTHER ORDERED that nothing contained herein shall be construed to be either a franchise or irrevocable and that failure to comply with rules, regulations and orders of the Authority and applicable statutory provisions shall constitute sufficient grounds for suspension or revocation of this certificate.

IT IS FURTHER ORDERED that this authority shall not be sold or transferred without the Authority's prior approval.

IT IS FURTHER ORDERED that the transportation service to be performed by said carrier shall be as specified below:

On-call over irregular routes for the transportation of passenger and their baggage in charter limousine service between points and places in Clark County and Nye County, Nevada.

RESTRICTIONS:

The number of vehicles in the carrier's fleet shall be no more than fourteen (14).

Carrier shall, upon request, transport passengers' automated motor scooter/power chairs and wheelchairs using a ramp or lift system equipped on the vehicle.

Carrier shall include in Yellow Pages and Internet advertising reference to capability to transport automated motor scooter/power chairs and wheelchairs.

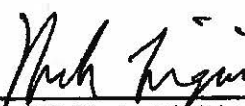
Each ramp or lift system must be well maintained and in proper working order.

All drivers are to be trained in the use of ramp and lift systems used to facilitate the transportation of automated motor scooters/power chairs and wheelchairs.

IT IS FURTHER ORDERED that the Authority retains jurisdiction for the purpose of correcting any errors which may have occurred in the drafting or issuance of this Order and Certificate of Public Convenience and Necessity.

By the Authority,


Dawn Gibbons, Chairman

Attest: 
Mark T. Liapis, Administrative Attorney

Dated: January 28, 2019
Las Vegas, Nevada



EXHIBIT A

**STATE OF NEVADA
TRANSPORTATION AUTHORITY
MANAGEMENT AGREEMENT**

CPCN/MV 2229

DOCKET NUMBER: 21-06039	DATE APPLICATION WAS FILED: 06/24/21
APPLICANT NAME: Chad Taylor and Steve Moroney	TITLE: Owners
COMPANY NAME: Experience Transportation Agency, LLC d/b/a ETA	
ADDRESS: 121 E. Sunset Rd. Suite 2, Las Vegas, NV 89119	
PHONE NUMBERS: 702-207-0000	
INVESTIGATOR: K. Rayson	DATE ASSIGNED: 06/28/21

NEW MANAGEMENT
MANAGER: Anthony Clark
ADDRESS: 3930 W. Windmill Ln Ste 130L, Las Vegas, NV 89139
PHONE NUMBERS: 702-837-8700

GENERAL REQUIREMENTS FOR APPLICATION (NAC 706.250)

WHAT TYPE OF SERVICE IS PROPOSED?					
Charter Limousine	<input checked="" type="checkbox"/>	HHG		Airport Transfer	
Charter Bus		Special Services		Tow Car	
Contract Carrier		NEMT			

Attach completed Business Management Agreement	Exhibit A
---	----------------------

Has the criminal background check disclosed any issue of concern?	YES	NO	X
Name(s): Anthony Clark			

Has there been any previous NTA enforcement action? (Including against the companies drivers)	YES	NO	X
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If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations.	Exhibit N/A
--	------------------------

Number of Vehicles owned and operated by: Experience Transportation Agency, LLC d/b/a ETA CPCN 2229 – 2 Buses	Exhibit B
---	----------------------

Is the Manager a current Certificated Carrier	YES	X	NO
If so, list Certificated Carrier Name and CPCN #'s below:			

24/7 Limousines LTD d/b/a 24/7 Limousines CPCN 1039 24/7 Limousines LTD d/b/a 24/7 Limousines CPCN 1065 24/7 Entertainment, LLC d/b/a 24/7 Entertainment Limousines CPCN 1102 24/7 Entertainment, LLC d/b/a 24/7 Entertainment Limousines CPCN 2073	ENTERED 9/13/21 PT NTA
--	---

EXHIBIT B 1/2

OK QA.

9/15/21 Review
No Required

Number of Vehicles owned and operated by: (if managed by another carrier)	Exhibit
24/7 Limousines LTD d/b/a 24/7 Limousines CPCN 1039 currently has 9 vehicles in fleet	C
24/7 Limousines LTD d/b/a 24/7 Limousines CPCN 1065 currently has 8 vehicles in fleet	
24/7 Entertainment, LLC d/b/a 24/7 Entertainment Limousines CPCN 1102 currently has 1 vehicle in fleet	
24/7 Entertainment, LLC d/b/a 24/7 Entertainment Limousines CPCN 2073 currently has 1 vehicle in fleet	

Has there been any previous NTA enforcement action? (Including against drivers for the new Mangers Certificated Company)	YES	X	NO	
---	------------	----------	-----------	--

If so, attach copies of Enforcement Database Printout(s). If more than 5 citations include summary listing the citation number, fine amounts and date of issuance, NAC or NRS, or CFR violations.	Exhibit
	D

Operational Inspection	Exhibit
Experience Transportation Agency, LLC d/b/a ETA	E

Operational Inspection	Exhibit
24/7 Limousines LTD d/b/a	F

NTA Knowledge Statement	Exhibit
	G

INVESTIGATOR: <i>[Signature]</i>	DATE: 8/31/21
REVIEWED BY SUPERVISOR INVESTIGATOR: <i>[Signature]</i>	DATE: 9/1/21
REVIEWED BY APPLICATION MANAGER: <i>[Signature]</i>	DATE: 9/10/21

Revised 8/17/21-rmr

B²/₂

Agenda Item#

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BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re Application of "24/7" 24/7 Limousines LTD
dba Experience Transport Agency, LLC
dba Experience Transport Agency, LLC To Temporarily
Transfer the Operating Rights of 24/7 to ETA)

APPLICATION TO TEMPORARILY TRANSFER OPERATING RIGHTS

24/7 Limousines LTD ("24/7") and Experience Transport Agency, LLC ("ETA")
(or collectively "Applicants") are seeking approval to temporarily transfer the operating rights of
24/7 to ETA, pursuant to Nevada Administrative Code 706.359. Specifically, Applicants seek
authority for ETA to assume operations as a common carrier for charter limousine, conducted
under Certificate of Public Convenience and Necessity ("CPCN") 1065, Sub 3, from 24/7
Limousines LTD for a period of not less than thirty (30) days or longer than two (2) years.

The application was filed pursuant to Chapter 706 of the Nevada Revised Statutes ("NRS")
and the Nevada Administrative Code ("NAC").

I.

PUBLIC INTEREST

Applicants, 24/7 and ETA respectfully submit that the requested authority to temporarily
transfer the operating rights of 24/7 to ETA is in the public interest for the following reasons:

1/ The proposed transfer is between two certificated carriers which are currently regulated
by the NTA. Specifically, the proposed operator, ETA has recently undergone an operational
inspection by the NTA with no deficiencies noted or areas of concern raised. In addition, as

1 demonstrated by the current balance sheet contained herein, ETA has the requisite financial fitness
2 to lease said operating rights¹.

3 2/ Consistent with the intent of the regulation, the parties are preparing to enter into a
4 permanent transaction to sale and purchase the assets and operating rights of 24/7 thus, the
5 temporary transfer will allow ETA, the proposed new owner an opportunity to conduct operations
6 and maintain the good-will of 24/7 during the pendency of the sale and transfer application.
7

8 3/ The uniqueness of the authority contained in CPCN 1065, with the ability to facilitate
9 transportation for Disabled Persons and or their automated motor scooter/ power chairs and
10 wheelchairs, currently held by 24/7, will allow ETA to serve a niche market, which provides
11 services to the Disabled Persons.
12

13 II.

14 TERM OF LEASE

15 Consistent with the provisions set forth in NAC 706.359(2), attached hereto is an executed
16 copy of the Temporary Transfer of Operating Rights and Lease Agreement which sets forth the
17 applicable terms and conditions of the proposed lease agreement, operating rights and
18 responsibilities as well as reversion of operating rights.
19

20 III.

21 CIRCUMSTANCES WHICH MAKE 22 THE TRANSFER NECESSARY

23
24 ¹ Further evidence of ETA financial fitness can be found by the assets that will be added in the
25 form of vehicles per the sale and transfer. Please see attached list of assets accompanied by the
26 titles for
27 each vehicle.
28

1 Applicants have executed an Asset Purchase Agreement² wherein 24/7 intends to sell its
2 assets and transfer its authority pursuant to CPCN 1065 to certificated carrier, ETA. In
3 anticipation of the sale and transfer, ETA will resume 24/7 operations and provide services
4 consistent with that authorized in CPCN 1065.

5
6 IV.

7 **SPECIFIC PERIOD FOR WHICH TRANSFER IS**
8 **SOUGHT, CONSIDERATION FOR THE TRANSFER,**
9 **TIME AND METHOD OF PAYMENT AND**
10 **AGREEMENT RELATIVE TO OPERATING**
11 **RIGHTS AND REVERSION OF OPERATING RIGHTS**

12 Please see attached copy of the Temporary Transfer of Operating Rights and Lease
13 Agreement which sets forth the applicable terms and conditions of the proposed lease agreement,
14 operating rights and reversion of operating rights.

15 V.

16 **A STATEMENT OF THE RATES OR FARES**
17 **PROPOSED TO BE CHARGED AND THE**
18 **RULES GOVERNING SERVICE**

19 Please find attached hereto a proposed tariff submitted on behalf of 24/7 as operated by
20 Experience Transport Agency, LLC dba ETA.

21 VI.

22 **EVIDENCE THAT ETA IS FINANCIALLY**
23 **ABLE TO OPERATE THE PROPOSED BUSINESS.**

24 Please find attached hereto a current balance sheet for ETA evidencing the company's
25 financial fitness.

26
27 ² The Asset Purchase Agreement does not constitute a sale and transfer of authority until all
28 applicable regulatory approvals have been secured.

VII.

**EVIDENCE THAT THE APPLICANT, ETA
CAN SECURE THE INSURANCE
REQUIRED BY NAC 706.191.**

Please find attached hereto a letter from a licensed insurance carrier evidencing ETA ability to secure the necessary insurance as required by NAC 706.191.

VIII.

**STATEMENT DESCRIBING THE FACILITIES TO
BE USED TO PROVIDE THE PROPOSED SERVICE**

Upon approval of the application to temporarily transfer the operating rights of 24/7 to ETA, said business, including the storage of vehicles as well as the maintenance of all required records and files, will be conducted at ETA current domicile 121 E Sunset Rd suite 2, Las Vegas NV 89119.

IX.

**ADDITIONAL INFORMATION NECESSARY FOR A
FULL UNDERSTANDING OF THE APPLICATION**

If authorized to assume the operating rights of 24/7, ETA proposes to utilize vehicles currently in its authorized fleet and consistent with all restrictions contained in CPCN 1065. Accordingly, the vehicles will be marked by the "24/7 Logo" with the specific CPCN 1065 identified on each vehicle in order to demonstrate compliance with said restrictions.

Additionally, all records specific to the operation of 24/7 will be maintained on site at ETA business domicile including but not limited to driver qualification files and vehicle maintenance files.

DATED this 2nd day of June, 2021



Anthony Clark

NEVADA TRANSPORTATION AUTHORITY
ORDER
and
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

24/7 Limousines, LTD
d/b/a 24/7 Limousines

CPCN 1065, Sub 3
Docket No. 16-11026

The Nevada Transportation Authority ("Authority") finds that the above-named carrier has complied with this Authority's Compliance Order dated September 7, 2018, the findings of fact and conclusions of law which are hereby incorporated by this reference, and therefore is entitled to receive authority from this Authority to engage in transportation in intrastate commerce as a motor carrier.

IT IS ORDERED that certificate of public convenience and necessity identified as CPCN 1065, Sub 2.2, is hereby cancelled and 24/7 Limousines, LTD d/b/a 24/7 Limousines is hereby granted this certificate of public convenience and necessity identified as CPCN 1065, Sub 3, as evidence of the authority of the holder to engage in transportation in intrastate commerce as a common carrier by motor vehicle subject to applicable statutes, rules and regulations of the Authority, and such terms, conditions and limitations as are now or may hereafter be attached to the exercise of the privileges herein granted.

IT IS FURTHER ORDERED and made a condition of this certificate that the holder shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure to do so shall constitute sufficient grounds for suspension, modification or revocation of this certificate.

IT IS FURTHER ORDERED that nothing contained herein shall be construed to be either a franchise or irrevocable and that failure to comply with rules, regulations and orders of the Authority and applicable statutory provisions shall constitute sufficient grounds for suspension or revocation of this certificate.

IT IS FURTHER ORDERED that this authority shall not be sold or transferred without the Authority's prior approval.

IT IS FURTHER ORDERED that the transportation service to be performed by said carrier shall be as specified below:

On-call over irregular routes for the transportation of passenger and their baggage in charter limousine service between points and places in Clark County and Nye County, Nevada.

RESTRICTIONS:

The number of vehicles in the carrier's fleet shall be no more than fourteen (14).

Carrier shall, upon request, transport passengers' automated motor scooter/power chairs and wheelchairs using a ramp or lift system equipped on the vehicle.


Carrier shall include in Yellow Pages and Internet advertising reference to capability to transport automated motor scooter/power chairs and wheelchairs.

Each ramp or lift system must be well maintained and in proper working order.


All drivers are to be trained in the use of ramp and lift systems used to facilitate the transportation of automated motor scooters/power chairs and wheelchairs.

IT IS FURTHER ORDERED that the Authority retains jurisdiction for the purpose of correcting any errors which may have occurred in the drafting or issuance of this Order and Certificate of Public Convenience and Necessity.

By the Authority,



Dawn Gibbons, Chairman

Attest: 
Mark T. Liapis, Administrative Attorney

Dated: January 28, 2019
Las Vegas, Nevada



TEMPORARY TRANSFER OF OPERATING RIGHTS

THIS TEMPORARY TRANSFER OF OPERATING RIGHTS AND LEASE AGREEMENT (hereinafter referred to as this "Agreement") is made and entered into on this 2nd day of June, 2021 by and between, 24/7 Limousines LTD, DBA 24/7 Limousines (hereinafter referred to as the "24/7" or "OWNER"), and Experience Transport Agency, LLC, DBA ETA (hereinafter referred to as the "LESSEE-OPERATOR" or "ETA") for the purpose of temporarily transferring the operating rights granted to 24/7 pursuant to Certificate of Public Convenience and Necessity ("CPCN") to ETA consistent with the provisions set forth pursuant to Nevada Administrative Code ("NAC") 706.359.

RECITALS

A. 24/7 is the duly registered owner of commercial transportation business presently located at 3930 W Windmill Ln Unit 130, Las Vegas, NV 89139 in Clark County, Nevada.

B. OWNER currently holds CPCN 1065 issued by the Nevada Transportation Authority ("NTA") authorizing OWNER to provide, charter limousines and special services. Said CPCN includes the lawful right to engage in the general transportation of persons for compensation on an irregular schedule and over irregular routes within Clark County, and Lincoln County Nevada. A copy of the CPCN is attached hereto as Exhibit "A".

C. OWNER desires to temporarily transfer the operating rights and authority contained in CPCN 1065 to ETA, and ETA agrees to accept the rights and obligations to operate 24/7 (otherwise referred to as "The Business") consistent with all terms and conditions as required by the NTA.

NOW THEREFORE, in consideration of the mutual agreements of the parties contained in this Agreement, the parties agree as follows:

1. **LEASE AGREEMENT.** OWNER agrees to lease the business currently operated by 24/7 to ETA consistent with terms and conditions set forth herein as well as all applicable federal and state laws. Additionally, the parties mutually agree that the proposed temporary transfer of operating rights may not occur until the application filed pursuant to NAC 706.359 is approved by the NTA.

2. **SERVICES TO BE PERFORMED AND LIMITATIONS.**

a. **Services.** LESSEE-OPERATOR shall at all times have complete responsibility for and control over the day-to-day operations and transportation services rendered pursuant to this Agreement. The services to be performed by LESSEE-OPERATOR shall include:

(i) Operating and managing The Business within the confines of Chapter 706 of the Nevada Revised Statutes ("NRS"), Chapter 706 of the NAC, CPCN (1065), and as prescribed by any Federal, state, county or city agencies, including, without limitation the NTA.

(ii) Paying any and all normal expenses associated with operating The Business.

(iii) The training, safety instruction, and supervision of all employees.

(iv) The hiring and firing of all employees.

(v) Maintaining the vehicles as prescribed by their maintenance manuals and the maintenance program of the Business.

(vi) Maintaining as part of the normal expenses set forth in Section 2(a)(ii), the same insurance coverage as presently maintained by Owner and consistent with the provisions set forth in NRS and NAC Chapter 706.

(vii) Keeping a true and accurate account of all money's, checks, drafts, money orders, any other evidences of indebtedness, services, goods, equipment and effects which pertain to the Business.

(viii) Rendering monthly accounting reports to the OWNER containing an accurate and itemized list of monthly expenditures, amount of services rendered by the Business, the revenues generated by the Business, and any other information regarding the Business requested by the OWNER.

(ix) Any other services agreed upon and added in writing by both parties.

b. Limitations. In providing its services, the LESSEE-OPERATOR shall at all times have the following limitations:

(i). No loans shall be contracted on behalf of the Business by the LESSEE-OPERATOR, and no notes or other evidences of indebtedness of the Business shall be issued except upon written authorization by OWNER;

(ii) No loans shall be contracted on behalf of the 24/7 Limousines by the LESSEE-OPERATOR, and no notes or other evidences of indebtedness of the Business shall be issued except upon written authorization by OWNER;

(iii) No contracts on behalf of the 24/7 Limousines shall be executed the LESSEE-OPERATOR in an amount in excess of \$15,000 except upon written authorization by the OWNER. No conveyances of property of the Business, other than payments of money in the ordinary course of business, shall be made except upon written authorization by OWNER.

3. **REGULATORY APPROVALS.** The Parties acknowledge and agree that this Agreement is subject to approval by the NTA. The OWNER will promptly take all necessary and appropriate actions to obtain all consents or approvals of, make all filings with the NTA. The LESSEE-OPERATOR shall cooperate with and assist the OWNER to apply for and obtain the necessary approvals from the NTA by providing any information that is reasonably required by the NTA.

4. **SCOPE.** The LESSEE-OPERATOR agrees to devote the necessary time, skill, labor and attention, to the Business during the term of this Agreement.

5. **COSTS.** LESSEE-OPERATORS shall pay OWNER a sum total of _____) on or before the 1st day of the month. All net operating profits will be maintained by the LESSEE-OPERATOR. For purpose of this Agreement, net operating profit for any accounting period shall mean the gross receipts of the Business for that period, less the sum of all cash expenses of operation for that period, and such sums as may be necessary to establish a reserve for operating expenses. Any and all net operating losses shall be borne solely by the LESSEE-OPERATOR.

6. **TERM OF LEASE AGREEMENT.** The temporary transfer of operating rights shall commence upon receipt of all necessary approvals from the NTA and shall remain in effect for a term up to twenty-four (24) months or the completion of sale and transfer if sale/transfer is completed in less than twenty-four (24) months, all lease payments in this agreement are to be paid in full through the twenty-four (24) month period. This Agreement may only be cancelled as set forth below in Section 11 of this Agreement.

7. **PLACE OF BUSINESS.** The LESSEE-OPERATOR shall provide the location from which the Business shall be operated, said location to be located at, 121 E Sunset Rd suite 2, Las Vegas, Nevada, 89119 (hereinafter referred to as the "Commerce Location") and thereafter in conjunction with OWNER submit a "Petition to Change Domicile" with the NTA. Any and all rent for the Commerce Location shall be the sole responsibility of the LESSEE-OPERATOR

8. **BOOKS AND RECORDS.** The LESSEE-OPERATOR shall maintain full and complete books and records with all receipts and expenditures resulting from the operation and management of the Business. Such books of account and records shall comply with Generally Accepted Accounting Principles and as required pursuant NRS and NAC Chapters 706. The LESSEE-OPERATOR is also responsible for filing all reports required by the NTA. The books and records shall be the property of the OWNER and shall at all times during regular business hours be open to the inspection by OWNER or its representatives or any authorized member of the NTA.

On termination of services, for any cause, or upon presentation of a written order by any authorized agent of the OWNER, the LESSEE-OPERATOR will promptly turn over to OWNER, all books of accounts, papers, orders, price lists, and all other property and documents pertaining to or containing information relative to the license or belonging to the OWNER, or used in its Business.

9. REPRESENTATIONS AND WARRANTIES. The OWNER hereby represents and warrants to the LESSEE-OPERATOR that this Agreement is a valid obligation binding on the OWNER except as may be limited by bankruptcy, insolvency, reorganization, moratorium or similar laws or equitable principles relating to or limiting creditors rights generally. Neither the execution and delivery of this Agreement nor the consummation of the transactions contemplated hereunder and compliance by the OWNER with any of the provisions hereof will (i) violate any provision of law or administrative regulation or any judicial or administrative order, or judgment or decree applicable to the OWNER; (2) conflict with any provision or the OWNER'S bylaws, or (3) conflict with, result in a breach of, constitute a default under, or accelerate or permit the acceleration of the performance required by, any material agreement or instrument relating to the Business or any other material agreement or instrument to which the OWNER is a party or by which the OWNER is bound.

10. INDEMNITY. The LESSEE-OPERATOR shall indemnify, defend and hold harmless the OWNER and its Affiliates, officers, directors, agents and representatives and persons claiming by and through any of them and their respective heirs, personal representatives, successors and assigns (collectively, the "OWNER's Group"), for, from and against all demands, claims, actions, causes of action, losses, damages, liabilities, costs and expenses, including, but not limited to, interest, penalties and reasonable attorneys' fees and expenses asserted against, imposed upon or incurred by the OWNER's Group or any member thereof by reason of the LESSEE-OPERATOR operation of the Business.

11. TERMINATION. The operating rights involved in the transaction shall revert to the OWNER by LESEE-OPERATOR defaulting on the purchase agreement, at expiration of term. In case of reversion, the OWNER shall give immediate notice to the NTA.

a. Events of Termination. Except as otherwise specifically provided herein, this Agreement may be terminated as follows:

(i) By both parties mutually consenting in writing to the termination of this Agreement;

(ii) Upon receipt of approval from the NTA authoring the sale and transfer of The Business from OWNER to LESSEE-OPERATOR;

(iii) By the OWNER, if the LESSEE-OPERATOR materially breaches its responsibilities herein; (reference section 2)

(iv) By the OWNER, if the LESSEE-OPERATOR is unable to perform the services set forth herein;(reference section 2)

(v) By the OWNER, if the NTA revokes the authorization for the LESSEE-OPERATOR to manage the Business;

b. Effect of Termination.

(i) Upon termination of this Agreement by the Parties as provided in Sections 11(a)(i) and (v), the OWNER and the LESSEE-OPERATOR shall have no further rights or obligations pursuant to this Agreement.

(ii) Upon termination of this Agreement by the OWNER as provided in Sections 11(a)(ii), (iii), (iv), and (vi), the OWNER and the LESSEE-OPERATOR shall have no further rights or obligations pursuant to this Agreement; however, the OWNER shall have the right to revert operations to the original business domicile prior to agreement.

c. **Remedies.** For any breach of this Agreement by the LESSEE-OPERATOR, the OWNER may avail itself of all rights, powers remedies now or hereafter existing at law or in equity or by statute or otherwise, including, without limitation, the rights to specific performance and/or damages.

12. FURNISHING BUSINESS INFORMATION TO OUTSIDERS. The LESSEE-OPERATOR agrees that he will not, during the term of employment, or at any other time of employment, furnish to any individual, firm, or corporation other than the OWNER any list or lists of customers, or information of any kind or nature pertaining to the 24/7 Limousines or ETA.

13. ENTIRE AGREEMENT. This Agreement contains the entire agreement between the parties and will tie in with the purchase agreement and all prior discussions and written agreements between the parties hereto about such matters.

14. ARBITRATION. Any controversy or claim between OWNER and LESSEE-OPERATOR relating to this Agreement shall be settled by binding arbitration in accordance with the Commercial Arbitration Rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. One arbitrator will be used, unless the parties to the dispute are not able to agree on a designated arbitrator, in which case a three (3) member panel of arbitrators will be used. The formula will be that each party will appoint one arbitrator and the two arbitrators will appoint a third. The third arbitrator will be appointed at the discretion of the first two appointed arbitrators, and without input from either of the parties. The exception to arbitration will be injunctive relief. All other matters will be presented to such arbitrator for final arbitration under the Uniform Arbitration Act.

15. REPRESENTATION BY COUNSEL. The Parties represent and agree that they fully understand their right to discuss this Agreement with an attorney; that to the extent, if any, the Parties so desired, they have availed themselves of this opportunity; that they have carefully read and fully understand all of the provisions of this Agreement; and that the Parties are voluntarily entering into this Agreement with full understanding of its legal consequences.

16. INTERPRETATION. The Parties acknowledge it is their respective intention that this Agreement be interpreted as if drafted cooperatively by any counsel representing the Parties to this Agreement, and that for purposes of subsequent interpretation, this Agreement shall be treated as if drafted equally by each Party and shall not be interpreted against either one Party of the other, but rather inure to the benefit of both the same.

17. MISCELLANEOUS.

a. This agreement shall be binding upon and shall inure to the benefit of the Parties hereto and their respective heirs, personal representatives, successors and assigns.

b. The captions are inserted into this Agreement for convenience only and in no way define, limit or describe the scope of this Agreement, nor the intent of any provision herein.

c. In the event either Party shall prevail in any legal action commenced to enforce this agreement, including Arbitration, the prevailing party shall be entitled to all costs incurred in such action including attorney's fees.

d. Time is of the essence of the Agreement and each of its provisions.

e. No waiver, amendment or modification of any provision contained in this Agreement shall be effective unless fully set forth in writing executed by both the OWNER and the LESSEE-OPERATOR.

f. The parties shall not have the right to assign their respective interests in this Agreement.

g. All notices or other communications that are required or permitted hereunder shall be in writing and sufficient if delivered personally by telex, telegram, prepaid courier, or registered or certified mail, postage prepaid, return receipt requested, at the last known address of the Parties.

h. One or more waivers of any covenant, term or condition of this Agreement by either Party shall not be construed by the other Party as a waiver of a subsequent breach of the same or any other covenant, term or condition, term or condition. The consent or approval of either Party to or of any act by the other Party of a nature requiring consent or approval shall not be deemed to waive or render unnecessary consent to or approval of any subsequent act.

i. This Agreement is governed and interpreted under the laws of the State of Nevada as they exist at the date of the Agreement.

IN WITNESS WHEREOF, each of the Parties hereto has caused this Agreement to be executed on its behalf in the State of Nevada as of the day and year as first written above.

OWNER:

**24/7 Limousines LTD
3930 W Windmill Ln Unit 130
Las Vegas, NV 89139**



Tony Clark

Dated: _____

LESSEE-OPERATOR:

**Experience Transport Agency, LLC ETA
PO Box 96833
Las Vegas, NV 89193**



Chad Taylor Managing Member

Dated: 6-21-21



Steve Moroney Managing Member

Date: 6-21-21

Agenda Item#

73

BEFORE THE NEVADA TRANSPORTATION AUTHORITY

In re the Application of River North Transit LLC,)
d/b/a Via for a permit to operate as a transportation) Docket 20-10017
network company within the State of Nevada.)
_____)

At a general session of the Nevada Transportation
Authority held on September 30, 2021.

PRESENT: Chairman Dawn Gibbons
 Commissioner George Assad
 Deputy Commissioner Jennifer De Rose

COMPLIANCE ORDER

The Nevada Transportation Authority ("Authority") makes the following findings of fact and conclusions of law:

1. That on October 13, 2020, River North Transit LLC d/b/a Via ("Applicant" or "Via") filed an Application with the Authority seeking authority to operate as a transportation network company within the State of Nevada. Said application was designated as Docket 20-10017.
2. That the Applicant seeks a restriction of no more than 100 cumulative authorized drivers for the first twenty-four (24) months of operation and has paid the application fee appropriate to this restriction pursuant to NAC 706A.150.
3. That the full authority considered the Application at its September 30, 2021 General Session. Jenny Du, Legal Operations Associate for Via represented the Applicant. The Applicant provided testimony regarding the proposed operations in Nevada including the fact that Via will be partnering with Motional Inc ("Motional"), where Motional will be testing Level 3 autonomous vehicles ("AV's"). Via will be offering the public free shared rides for the first few weeks and will provide written notice to the Authority prior to charging \$5.00 per ride.
4. That the vehicles will be owned and operated by Motional and will be using Driver

Monitors, who will be employees of Motional.

5. That Authority Staff expressed support for the Application.
6. That based on all the records relating to the Application, after investigation, and testimony provided, and pursuant to the provisions of NRS 706A and NAC 706A:
 - a. The Application on file is within the purview of the statutes of the State of Nevada and within the regulatory jurisdiction of the Authority.
 - b. The Applicant has satisfied all the requirements for the issuance of a statewide permit for the operation of a transportation network company.

Therefore, based upon the foregoing findings, it is ORDERED that:

1. The Application on file herein is hereby **GRANTED**, authorizing the following services:

Operate as a transportation network company in the State of Nevada.

RESTRICTION:

The carrier may not activate (by filing driver information with the Authority pursuant to NAC 706A. 150) more than 100 drivers cumulatively during the first two years from the date of issuance of the permit.

2. Upon full compliance with the conditions of this Order, a Permit identified as TNC 0007 shall be issued to River North Transit LLC d/b/a Via authorizing the services described in the first ordering paragraph above.
3. Before issuance of the above-referenced Permit, the Applicant shall be required to:
 - a. Avoid material changes in any conditions relied upon by the Authority in its determination herein and immediately report to Authority Staff any such material changes, should they occur. File with the Authority evidence, (Form E) in the Applicant's name.
 - b. File with the Authority the necessary insurance (Certificate of Insurance) describing the liability limits and vehicle(s) covered.
4. **This Order does not constitute operating authority. Performance of the services**

contemplated by this Order may not be instituted prior to the issuance of the above-referenced Permit.

5. The Authority will issue the above-referenced Permit upon all requirements herein having been met by the Applicant.
6. The Authority retains jurisdiction for the purpose of correcting any errors that may have occurred in the drafting or issuance of this Order.

By the Authority,

Dawn Gibbons, Chairman

George Assad, Commissioner

Attest: _____
Jennifer De Rose, Deputy Commissioner

Dated: _____
Las Vegas, Nevada

NOTICE: Pursuant to NRS 233B.130, any party to this matter aggrieved by the above final decision may file a petition for rehearing or reconsideration. A petition for rehearing or reconsideration must be filed with the Authority within 15 days after the date the party received this Order.

River north Transit, LLC d/b/a Via ("Via")
Transportation Network Company ("TNC")
Docket 20-10017

As presented at the November 19, 2020 general session: Staff had issues of material non-compliance with the following statutes:

NRS 706A.040 – Driver Defined

NRS 706A.090 – Company prohibited from controlling, directing, or managing driver

NAC 706A.320 – Compensation for services of driver

This analysis investigates if SB 288 alleviates these issues.

NRS 706A.040 – Driver defined

1. Operates a motor vehicle that is owned or leased for use by the person
2. Enters into an agreement with a TNC to receive connections to potential passengers in exchange for the payment of a fee to the TNC

In the Via application as originally submitted, the vehicles were owned by Motional (Vehicle Provider), and the drivers were paid by Motional (Employees of Motional).

This bill revises various provisions of existing law governing TNC's for the purpose of authorizing a monitored autonomous vehicle provider to provide transportation services to a passenger through the digital network of a TNC in the same manner and generally subject to the same requirements as a driver.

Section 2 of the bill defines Monitored autonomous vehicle generally to mean an autonomous vehicle in which a monitored autonomous vehicle monitor is physically present at all times during the operation of the vehicle.

Section 2.5 defines monitored autonomous vehicle monitor to mean a person employed by a monitored autonomous vehicle provider (Motional) to remain physically present at all times during the operation of the vehicle.

Section 3 defines monitored autonomous vehicle provider as a person who: (1) owns and operates a monitored autonomous vehicle; and (2) enters into an agreement with a TNC to receive connections to potential passengers and related services from the TNC in exchange for the payment of a fee to the TNC.

While NRS 706A.040 is not specifically amended in this bill, it is Staff's opinion that Sections 2 through 3 alleviate the concerns originally expressed regarding this NRS 706A.040

NRS 706A.090 is amended by adding autonomous vehicles to read as follows:

A company shall not control, direct, or manage a monitored autonomous vehicle provider or any monitored autonomous vehicle operated by a monitored autonomous vehicle provider.

This amendment alleviates any concerns with NRS 706A.090

NAC 706A.320 concerns are alleviated in **Section 5(2)** which states the following:

A monitored autonomous vehicle monitor employed by the monitored autonomous vehicle provider which has entered into an agreement with a TNC pursuant to subsection 1 may only accept compensation for his or her services from the monitored autonomous vehicle provider by which he or she is employed.

CONCLUSION: Following the amendments to NRS 706A regarding monitored autonomous vehicles, it is Staff's opinion that Via's operations will be compliance with NRS and NAC Chapters 706A.

Agenda Item#

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DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

**NOTICE OF WORKSHOP TO
SOLICIT COMMENTS REGARDING ASSEMBLY BILL 301**

The Nevada Transportation Authority ("Authority") is proposing the adoption, amendment, and/or repeal of regulations pertaining to Nevada Administrative Code chapter 706. A workshop has been set for **September 30, 2021, at 3:00 pm**. The public may attend this workshop via WebEx in the following manners:

WEBEX LINK: <https://businessnv2.webex.com>

DIAL IN NUMBER: 1-844-621-3956

THURSDAY, SEPTEMBER 30, 2021 MEETING ACCESS CODE: 2485 198 0690

THURSDAY, SEPTEMBER 30, 2021 MEETING PASSWORD: kmFGidRp359

The purpose of this workshop is to determine impact of the proposed regulations on small businesses and to solicit comments from interested persons on the following general topics:

Assembly Bill 301, please see attached.

The proposal has been designated as Docket Number 21-09007 by the Authority. A copy of all materials relating to the proposal may be obtained at the workshop. A copy is also available for review at the offices of the Authority listed hereinabove or on the Authority's website at www.nta.nv.gov.

This Notice of Workshop to Solicit Comments has been sent to all persons on the Authority's mailing list for administrative regulations, to all motor carriers licensed by the Authority, and has been posted at the following locations:

Clark County Court House, 200 Lewis Avenue, Las Vegas, NV 89101
Washoe County Court House, 75 Court Street, Reno, NV 89501
Nevada State Library & Archives, 100 North Stewart Street, Carson City, NV 89701
Carson City Library, 900 North Roop Street, Carson City NV 89702
Churchill County Library, 553 South Main Street, Fallon, NV 89406
Clark County District Library, 833 Las Vegas Boulevard North, Las Vegas, NV 89101
Douglas County Library, 1625 Library Lane, Minden, NV 89423
Elko County Library, 720 Court Street, Elko, NV 89801
Esmeralda County Library, Corner of Crook & 4th Streets, Goldfield, NV 89013
Eureka Branch Library, 10190 Monroe Street, P.O. Box 293, Eureka, NV 89316
Humboldt County Library, 85 East 5th Street, Winnemucca, NV 89445
Lander County Library, 625 South Broad Street, Battle Mountain, NV 89820
Lincoln County Library, 63 Main Street, Pioche, NV 89043
Lyon County Library, 20 Nevin Way, Yerington, NV 89447
Mineral County Public Library, 110 1st Street, Hawthorne, NV 89415
Pershing County Library, 1125 Central Avenue, Lovelock, NV 89419
Storey County Public Library, 95 South R Street, Virginia City, NV 89440
Tonopah Public Library, 167 Central Street, Tonopah, NV 89049
Washoe County Library, 301 South Center Street, Reno, NV 89501
White Pine County Library, 950 Campton Street, Ely, NV 89301
Nevada Transportation Authority, 3300 W. Sahara Suite #200, Las Vegas, NV 89102
Nevada Transportation Authority, 1755 East Plumb Lane, Suite #229, Reno, NV 89502
Nevada Transportation Authority website: www.nta.nv.gov

NOTICE: The Authority is pleased to make reasonable accommodations and will assist and accommodate people who are disabled that wish to attend its meetings and hearings. If special arrangements are necessary, please contact the Authority in Las Vegas at (702) 486-3303 or in Reno at (775) 688-2800 as far in advance of the workshop as possible.

Dated: September 13, 2021

Assembly Bill No. 301—Assemblymen C.H. Miller; Anderson, Considine, Flores, González, Monroe-Moreno, Peters, Summers-Armstrong, Thomas and Watts

Joint Sponsor: Senator Spearman

CHAPTER.....

AN ACT relating to motor vehicles; revising provisions governing the release of a motor vehicle connected to a tow car at the point of origination of the towing; revising provisions relating to the towing of a motor vehicle from a residential complex or a common-interest community; revising provisions restricting the keeping of unregistered vehicles on real property; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires an operator of a tow car to allow the owner, or agent of the owner, of a motor vehicle that has been connected to a tow car to obtain the release of the vehicle at the point of origination of the towing if: (1) a request is made to release the vehicle; and (2) the owner or agent pays a fee established by the operator for releasing the vehicle. (NRS 706.4469) If a vehicle that has been connected to a tow car due to the vehicle not being registered and the owner of the motor vehicle or agent of the owner of the motor vehicle provides proof that the motor vehicle is registered, **section 1** of this bill: (1) requires the operator to immediately release the motor vehicle to the owner or agent of the motor vehicle; and (2) provides that the owner or agent is not responsible for paying the fee established by the operator for releasing the vehicle.

Existing law imposes certain conditions on the towing of a motor vehicle which is requested by a person other than the owner of the vehicle, an agent of the owner of the vehicle or a law enforcement officer. (NRS 706.4477) **Section 2** of this bill provides that the conditions also do not apply to a person that is employed by a local government to enforce the laws, ordinances or codes of the local government. Existing law provides that the owner of real property on which a residential complex is located, or an authorized agent of the owner, may only have a vehicle towed: (1) because of a parking violation; (2) if the vehicle is not registered; (3) if the registration of the vehicle has been expired for not less than 60 days or is expired; or (4) if the vehicle is blocking a fire hydrant, fire lane or parking space designated for the handicapped or is posing an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the residents of a residential complex. (NRS 706.4477) **Section 2** prohibits the owner or agent from having a motor vehicle towed solely because the registration of the vehicle is expired. **Section 5** of this bill makes a conforming change as a result of this prohibition.

Existing law provides that, in certain situations, a registered owner of a motor vehicle that is towed is responsible for the cost of removal and storage of the motor vehicle and further provides that an operator of a tow car may impose a fee on the owner of the motor vehicle for the towing and storage of the vehicle. (NRS 706.4477, 706.4479) **Section 2** provides that the operator shall not charge any fee or cost for the storage of the motor vehicle until at least 48 hours has passed since the motor vehicle arrived and was registered at the place of storage. If a vehicle has



been towed due to the vehicle not being registered and the owner of the vehicle does not provide proof that the vehicle is registered, **section 2** provides that the owner shall pay a hardship tariff for the removal and storage of a towed motor vehicle if, for reasons outside of the owner's control, the owner is incapable of paying the normal rate for the removal and storage of the towed motor vehicle. **Section 2** requires the Nevada Transportation Authority to adopt regulations to carry out the hardship tariff program.

Sections 1 and 2 provide that a person may provide proof of registration of a vehicle by providing current registration documents in a physical format or in certain electronic formats that predate the date on which the vehicle was connected or towed.

Existing law authorizes the unit-owners' association of a common-interest community to direct the removal of vehicles improperly parked on property owned or leased by the association. (NRS 116.3102) **Section 4** of this bill prohibits an association from having a vehicle that is parked on property owned or leased by the association removed solely because the registration of the vehicle is expired. **Section 5** makes a conforming change as a result of this prohibition.

With certain exceptions, existing law makes it a misdemeanor for a person to keep more than two unregistered cars on real property owned by or under possession or control of the person if the vehicles are no longer intended for or in condition for lawful use on the highway. (NRS 487.290, 487.300) **Section 5** exempts from prosecution for this crime the owner of real property on which a residential complex is located or an agent thereof and the association of a common-interest community or an agent thereof.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 706.4469 is hereby amended to read as follows:

706.4469 **1.** The operator shall allow the owner, or agent of the owner, of a motor vehicle that has been connected to a tow car to obtain the release of the vehicle at the point of origination of the towing if:

~~[1.]~~ **(a)** A request is made to release the vehicle; and

~~[2. The]~~

(b) *Except as otherwise provided in subsection 2, the* owner or agent pays a fee established by the operator for releasing the vehicle.

2. *If a vehicle that has been connected to a tow car was requested to be towed pursuant to subparagraph (2) of paragraph (b) of subsection 2 of NRS 706.4477 and the owner, or agent of the owner, provides proof that the vehicle is registered pursuant to this chapter or chapter 482 of NRS or in any other state:*



(a) The operator shall immediately release the motor vehicle to the owner or agent; and

(b) The owner or agent is not responsible for paying the fee established by the operator for releasing the vehicle.

3. As used in this section, "provide proof" includes, without limitation, providing current registration documents in a physical format or in an electronic format as set forth in NRS 482.255 that predate the date on which the vehicle was connected to the tow car.

Sec. 2. NRS 706.4477 is hereby amended to read as follows:

706.4477 1. If towing is requested by a person other than the owner, or an agent of the owner, of the motor vehicle or a law enforcement officer ~~§~~ *or other person who is employed to enforce the laws, ordinances and codes of a local government:*

(a) The person requesting the towing must be the owner of the real property from which the vehicle is towed or an authorized agent of the owner of the real property and must sign a specific request for the towing. Except as otherwise provided in subsection 2, for the purposes of this section, the operator is not an authorized agent of the owner of the real property.

(b) The area from which the vehicle is to be towed must be appropriately posted in accordance with state or local requirements.

(c) Notice must be given to the appropriate law enforcement agency pursuant to state and local requirements.

(d) The operator may be directed to terminate the towing by a law enforcement officer.

2. If, pursuant to subsection 1, the owner of the real property or authorized agent of the owner of the real property requests that a vehicle be towed from a residential complex at which the vehicle is located, the owner of the real property or authorized agent of the owner, which may be the tow operator if the tow operator has entered into a contract for that purpose with the owner of the real property:

(a) Must:

(1) Meet the requirements of subsection 1.

(2) Except as otherwise provided in this subparagraph, if the vehicle is being towed pursuant to subparagraph (1) ~~§~~ *or* (2) ~~§~~ *or* (3) of paragraph (b), notify the owner or operator of the vehicle of the tow not less than 48 hours before the tow by affixing to the vehicle a sticker which provides the date and time after which the vehicle will be towed. The provisions of this subparagraph do not apply and the vehicle may be immediately towed if it is a vehicle for which a notice was previously affixed:



(I) For the same or a similar reason within the same residential complex.

(II) Three or more times during the immediately preceding 6 months within the same residential complex for any reason, regardless of whether the vehicle was subsequently towed.

(b) May only have a vehicle towed:

(1) Because of a parking violation;

(2) If the vehicle is not registered pursuant to this chapter or chapter 482 of NRS or in any other state; *or*

(3) ~~If the registration of the vehicle:~~

~~(I) Has been expired for not less than 60 days, if the vehicle is owned or operated by a resident of the residential complex or does not meet the requirements of sub-subparagraph (II); or~~

~~(II) Is expired, if the owner of real property or authorized agent of the owner verifies that the vehicle is not owned or operated by a resident of the residential complex; or~~

~~(4)] If the vehicle is:~~

(I) Blocking a fire hydrant, fire lane or parking space designated for the handicapped; or

(II) Posing an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the residents of the residential complex, which may include, without limitation, if the vehicle is parked in a space that is clearly marked for a specific resident or the use of a specific unit in the residential complex.

(c) May not have a vehicle towed solely because the registration of the vehicle is expired.

3. If towing is requested by a county or city pursuant to NRS 244.3605 or 268.4122, as applicable:

(a) Notice must be given to the appropriate law enforcement agency pursuant to state and local requirements.

(b) The operator may be directed to terminate the towing by a law enforcement officer.

4. The ~~registered~~ owner of a motor vehicle towed pursuant to the provisions of subsection 1, 2 or 3:

(a) Is presumed to have left the motor vehicle on the real property from which the vehicle is towed; and

(b) ~~Is~~ *Subject to the provisions of subsection 7, is* responsible for the cost of removal and storage of the motor vehicle.

5. The ~~registered~~ owner may rebut the presumption in subsection 4 by showing that:

(a) The ~~registered~~ owner transferred the ~~registered~~ owner's interest in the motor vehicle:



(1) Pursuant to the provisions set forth in NRS 482.399 to 482.420, inclusive; or

(2) As indicated by a bill of sale for the vehicle that is signed by the **[registered]** owner; or

(b) The vehicle is stolen, if the **[registered]** owner submits evidence that, before the discovery of the vehicle, the **[registered]** owner filed an affidavit with the Department or a written report with an appropriate law enforcement agency alleging the theft of the vehicle.

6. *An operator shall not charge any fee or cost for the storage of the motor vehicle until at least 48 hours after the motor vehicle arrives and is registered at the place of storage. If the motor vehicle arrives at the place of storage after the regular business hours of the place of storage, the 48-hour period begins when the regular business hours of the place of storage next begin.*

7. *The owner of the vehicle shall pay a hardship tariff for the cost of removal and storage of the motor vehicle if:*

(a) *A vehicle has been towed pursuant to subparagraph (2) of paragraph (b) of subsection 2;*

(b) *The owner of the vehicle does not provide proof that the vehicle was registered pursuant to this chapter or chapter 482 of NRS or in any other state at the time the vehicle was towed; and*

(c) *The owner, for reasons outside of his or her control as determined by the regulations adopted pursuant to this section, is incapable of paying the normal rate charged for the removal and storage of the motor vehicle.*

↪ *The Authority shall adopt regulations to carry out the provisions of this section, including, without limitation, establishing a range of hardship tariffs a person may pay pursuant to this section and setting forth what qualifies as a reason that is outside of the control of the owner.*

8. As used in this section:

(a) “Parking violation” means a violation of any:

(1) State or local law or ordinance governing parking; or

(2) Parking rule promulgated by the owner or manager of the residential complex that applies to vehicles on the property of the residential complex.

(b) *“Provide proof” includes, without limitation, providing current registration documents in a physical format or in an electronic format as set forth in NRS 482.255 that predate the date on which the vehicle was towed.*

(c) “Residential complex” means a group of apartments, condominiums or townhomes intended for use as residential units



and for which a common parking area is provided, regardless of whether each resident or unit has been assigned a specific parking space in the common parking area.

Sec. 3. (Deleted by amendment.)

Sec. 4. NRS 116.3102 is hereby amended to read as follows:

116.3102 1. Except as otherwise provided in this chapter, and subject to the provisions of the declaration, the association:

(a) Shall adopt and, except as otherwise provided in the bylaws, may amend bylaws and may adopt and amend rules and regulations.

(b) Shall adopt and may amend budgets in accordance with the requirements set forth in NRS 116.31151, may collect assessments for common expenses from the units' owners and may invest funds of the association in accordance with the requirements set forth in NRS 116.311395.

(c) May hire and discharge managing agents and other employees, agents and independent contractors.

(d) May institute, defend or intervene in litigation or in arbitration, mediation or administrative proceedings in its own name on behalf of itself or two or more units' owners on matters affecting the common-interest community. The association may not institute, defend or intervene in litigation or in arbitration, mediation or administrative proceedings in its own name on behalf of itself or units' owners with respect to an action for a constructional defect pursuant to NRS 40.600 to 40.695, inclusive, unless the action pertains to:

(1) Common elements;

(2) Any portion of the common-interest community that the association owns; or

(3) Any portion of the common-interest community that the association does not own but has an obligation to maintain, repair, insure or replace because the governing documents of the association expressly make such an obligation the responsibility of the association.

(e) May make contracts and incur liabilities. Any contract between the association and a private entity for the furnishing of goods or services must not include a provision granting the private entity the right of first refusal with respect to extension or renewal of the contract.

(f) May regulate the use, maintenance, repair, replacement and modification of common elements.

(g) May cause additional improvements to be made as a part of the common elements.



(h) May acquire, hold, encumber and convey in its own name any right, title or interest to real estate or personal property, but:

(1) Common elements in a condominium or planned community may be conveyed or subjected to a security interest only pursuant to NRS 116.3112; and

(2) Part of a cooperative may be conveyed, or all or part of a cooperative may be subjected to a security interest, only pursuant to NRS 116.3112.

(i) May grant easements, leases, licenses and concessions through or over the common elements.

(j) May impose and receive any payments, fees or charges for the use, rental or operation of the common elements, other than limited common elements described in subsections 2 and 4 of NRS 116.2102, and for services provided to the units' owners, including, without limitation, any services provided pursuant to NRS 116.310312.

(k) May impose charges for late payment of assessments pursuant to NRS 116.3115.

(l) May impose construction penalties when authorized pursuant to NRS 116.310305.

(m) May impose reasonable fines for violations of the governing documents of the association only if the association complies with the requirements set forth in NRS 116.31031.

(n) May impose reasonable charges for the preparation and recordation of any amendments to the declaration or any statements of unpaid assessments, and impose reasonable fees, not to exceed the amounts authorized by NRS 116.4109, for preparing and furnishing the documents and certificate required by that section.

(o) May impose a reasonable fee for opening or closing any file for each unit. Such a fee:

(1) Must be based on the actual cost the association incurs to open or close any file.

(2) Must not exceed \$350.

(3) Must not be charged to both the seller and the purchaser of a unit.

(4) Except as otherwise provided in this subparagraph and subject to the limitation set forth in subparagraph (2), may increase, on an annual basis, by a percentage equal to the percentage of increase in the Consumer Price Index (All Items) published by the United States Department of Labor for the preceding calendar year. The fee must not increase by more than 3 percent each year.



(p) May provide for the indemnification of its officers and executive board and maintain directors and officers liability insurance.

(q) May assign its right to future income, including the right to receive assessments for common expenses, but only to the extent the declaration expressly so provides.

(r) May exercise any other powers conferred by the declaration or bylaws.

(s) May exercise all other powers that may be exercised in this State by legal entities of the same type as the association.

(t) ~~[May]~~ *Except as otherwise provided in this paragraph, may* direct the removal of vehicles improperly parked on property owned or leased by the association, as authorized pursuant to NRS 487.038, or improperly parked on any road, street, alley or other thoroughfare within the common-interest community in violation of the governing documents. *An association may not direct the removal of a vehicle parked on property owned or leased by the association solely because the registration of the vehicle is expired.* In addition to complying with the requirements of NRS 487.038 and any requirements in the governing documents, if a vehicle is improperly parked as described in this paragraph, the association must post written notice in a conspicuous place on the vehicle or provide oral or written notice to the owner or operator of the vehicle at least 48 hours before the association may direct the removal of the vehicle, unless the vehicle:

(1) Is blocking a fire hydrant, fire lane or parking space designated for the handicapped; or

(2) Poses an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the units' owners or residents of the common-interest community.

(u) May exercise any other powers necessary and proper for the governance and operation of the association.

2. The declaration may not limit the power of the association to deal with the declarant if the limit is more restrictive than the limit imposed on the power of the association to deal with other persons.

3. The executive board may determine whether to take enforcement action by exercising the association's power to impose sanctions or commence an action for a violation of the declaration, bylaws or rules, including whether to compromise any claim for unpaid assessments or other claim made by or against it. The executive board does not have a duty to take enforcement action if it determines that, under the facts and circumstances presented:



(a) The association’s legal position does not justify taking any or further enforcement action;

(b) The covenant, restriction or rule being enforced is, or is likely to be construed as, inconsistent with current law;

(c) Although a violation may exist or may have occurred, it is not so material as to be objectionable to a reasonable person or to justify expending the association’s resources; or

(d) It is not in the association’s best interests to pursue an enforcement action.

4. The executive board’s decision under subsection 3 not to pursue enforcement under one set of circumstances does not prevent the executive board from taking enforcement action under another set of circumstances, but the executive board may not be arbitrary or capricious in taking enforcement action.

5. Notwithstanding any provision of this chapter or the governing documents to the contrary, an association may not impose any assessment pursuant to this chapter or the governing documents on the owner of any property in the common-interest community that is exempt from taxation pursuant to NRS 361.125. For the purposes of this subsection, “assessment” does not include any charge for any utility services, including, without limitation, telecommunications, broadband communications, cable television, electricity, natural gas, sewer services, garbage collection, water or for any other service which is delivered to and used or consumed directly by the property in the common-interest community that is exempt from taxation pursuant to NRS 361.125.

Sec. 5. NRS 487.038 is hereby amended to read as follows:

487.038 1. Except as otherwise provided in subsections 3 and 4 ~~and~~ **and NRS 116.3102 and 706.4477**, the owner or person in lawful possession of any real property may, after giving notice pursuant to subsection 2, utilize the services of any tow car operator subject to the jurisdiction of the Nevada Transportation Authority to remove any vehicle parked in an unauthorized manner on that property to the nearest public garage or storage yard if:

(a) A sign is displayed in plain view on the property declaring public parking to be prohibited or restricted in a certain manner; and

(b) The sign shows the telephone number of the police department or sheriff’s office.

2. Unless notice has been provided pursuant to NRS 706.4477, oral notice must be given to the police department or sheriff’s office, whichever is appropriate, indicating:

(a) The time the vehicle was removed;

(b) The location from which the vehicle was removed; and



(c) The location to which the vehicle was taken.

3. Any vehicle which is parked in a space designated for persons with disabilities and is not properly marked for such parking may be removed if notice is given to the police department or sheriff's office pursuant to subsection 2, whether or not a sign is displayed pursuant to subsection 1.

4. The owner or person in lawful possession of residential real property upon which a single-family dwelling is located may, after giving notice pursuant to subsection 2, utilize the services of any tow car operator subject to the jurisdiction of the Nevada Transportation Authority to remove any vehicle parked in an unauthorized manner on that property to the nearest public garage or storage yard, whether or not a sign is displayed pursuant to subsection 1.

5. All costs incurred under the provisions of this section for the towing, storage and disposition of the vehicle, as applicable, must be borne by the owner of the vehicle, as that term is defined in NRS 484A.150.

6. The provisions of this section do not limit or affect any rights or remedies which the owner or person in lawful possession of real property may have by virtue of other provisions of the law authorizing the removal of a vehicle parked on that property.

7. If the owner or person in lawful possession of real property and the tow operator agree that the vehicle is likely to be ultimately disposed of as an abandoned vehicle and that the estimated disposition value of a vehicle to be towed pursuant to this section is less than the estimated cost for the towing, storage and disposal of the vehicle, the owner or person in lawful possession of real property and the tow operator may enter into an agreement whereby the owner or person in lawful possession of real property makes a voluntary payment to the tow operator. Such a payment:

(a) Does not reduce the costs incurred by the owner of the vehicle pursuant to subsection 5.

(b) May not be a condition for the towing of the vehicle.

Sec. 6. NRS 487.290 is hereby amended to read as follows:

487.290 1. Unless the person first obtains a license pursuant to NRS 487.050 or 487.410, a person shall not for any reason keep more than two unregistered vehicles on real property owned by or under possession or control of the person if the vehicles are no longer intended for or in condition for lawful use on the highway.

2. The provisions of subsection 1 do not apply to:

(a) Premises used by a licensed dealer, manufacturer, distributor or rebuilder.



(b) Vehicles to be restored or used as a source of parts in conjunction with the operation or maintenance of a fleet of vehicles for the carriage of persons or property.

(c) Premises used as a farm, ranch, mine or repair shop for motor vehicles.

(d) Any person engaged in the restoration of one or more vehicles entitled to registration as a Horseless Carriage or otherwise having classic or historic significance.

(e) The owner of real property on which a residential complex is located or an agent thereof.

(f) The unit-owners' association of a common-interest community or an agent thereof.

3. *As used in this section:*

(a) "Common-interest community" has the meaning ascribed to it in NRS 116.021.

(b) "Residential complex" has the meaning ascribed to it in NRS 706.4477.

(c) "Unit-owners' association" has the meaning ascribed to it in NRS 116.011.



Agenda Item# 75

Public
Comment

Agenda Item# 76

Adjournment