



VAUGHN HARTUNG
Chairman
DAWN GIBBONS
Commissioner
R. DAVID GROOVER
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE January 9, 2024 GENERAL SESSION

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

DIAL IN NUMBER: 1-844-621-3956

MEETING ACCESS CODE: 2492 453 4804

MEETING PASSWORD: nDtWwVe5x35

AGENDA

1. Call to Order

Chairman Vaughn Hartung called the meeting to order at 9:30 a.m.

2. Roll Call

Present in Reno: Chairman Vaughn Hartung Present in Las Vegas: Commissioner Dawn Gibbons, Commissioner R. David Groover, Deputy Commissioner David Rickert, Administrative Attorney Patricia Erickson, Applications Manager Liz Babcock, Financial Analyst Yvonne Shelton, Financial Analyst Paul Servello, Deputy Attorney General Radhika Kunnel, Supervisory Enforcement Investigator John Foster

3. Pledge of Allegiance

Drew Ribar led a recital of the pledge.

4. Public Comment

none

5. Approval of Agenda

Applications Manager Liz Babcock requested Items 49, 58, & 59 be removed from the Agenda. Motion Gibbons, Second Groover, Approved as modified 3-0

6. Approval of the Minutes of the December 11, 2023 Agenda Meeting

Motion Groover, Second Gibbons, Approved 3-0

7. Briefings from the Commissioners

Commissioner Gibbons recognized the Enforcement staff actions during the recent shooting at UNLV, during the National Finals Rodeo and currently during CES. Commissioner Groover recognized the entire Agency staff for the work being accomplished, notwithstanding the current vacancies. Chairman Hartung wished everyone a Happy New Year and an extremely productive 2024.

8. Briefing from the Deputy Commissioner

Deputy Commissioner Rickert stated the Agency continues to review policies and procedures, that preparations for Super Bowl are ongoing to ensure, on our end, that this is an exceptional event for the city and the continuation of the fulfillment of open staff positions.

9. Report of Legal Counsel

Deputy Attorney General Kunnel reported that in the Sierra West, Marji and Highroller matters the court has ruled in favor of the NTA, that the WMT matter is set for hearing on January 16, 2024 and that in the Western Trails matter the court ruled in favor of the NTA in the TRO and the proceedings have been stayed until March 14, 2024.

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Items 10 through 43 were considered collectively.

Kimberly Maxson-Rushton, Esq. stated the Respondents in Items 14, 23, 31 and 42 are taxi driver permit holders, suggested Enforcement cross-reference with the Taxicab Authority and requested the fines assessed be higher.

Motion Groover, Second Gibbons, Approved 3-0

- 10. Citation 21502 and Impound I-4556 and I-4557** The impoundment pursuant to NRS 706.476 of a vehicle and trailer registered to and Citation 21502 issued to Carlos Hurtado-Diaz for violations of NRS 706.386 and NRS 706.758 (DG)
- 11. Citation 22869 and Impound I-4823** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 22869 issued to Crystal James for violations of NRS 706.386 and NRS 706.758 (DG)
- 12. Citation 23912** issued to Aladdin Limousine Services, Inc. d/b/a Tahoe Tours for violation of NAC 706.203(4) (DG)
- 13. Citation 24015** issued to Ashley's Towing, Inc. dba Ashley's Towing for violation of NAC 706.4477 (DG)
- 14. Citations 24054 and 24055** issued to Ronald Mehu for violations of NRS 706A.280 and NRS 706.386 (DG)
- 15. Citation 24071 and Impound I-4846** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24071 issued to Lisa Roig for violations of NRS 706.386 and NRS 706.758 (DG)
- 16. Citations 24678 and 24679** issued to Osmiel Sanchez Collazo for violations of NRS 706A.280 and NRS 706.386 (DG)
- 17. Citation 24733** issued to Ibraheem Abusrour for a violation of NAC 706.376.11 (DG)
- 18. Citation 24734 and Impound I-4558 and I-4559** The impoundment pursuant to NRS 706.476 of a vehicle and trailer registered to and Citation 24734 issued to Mandeep Singh for violations of NRS 706.386 and NRS 706.758 (DG)
- 19. Citation 24771** issued to Joseph Hinshaw for a violation of NAC 706.2473 ref. 49 CFR 382.211 and NAC 706.1378 (DG)
- 20. Citation 24885** issued to Meylin Pereira/2 Guys and The Truck for Moving Service for violations of NRS 706.386 and NRS 706.758 (DG)

21. **Citation 24886** issued to Bryan Lowe for violations of NRS 706.386 and NRS 706.758 (DG)
22. **Impound I-4509** The impoundment pursuant to NRS 706.476 of a vehicle registered to Yudesky Pinar Vizoso (DG)
23. **Impound I-4791** The impoundment pursuant to NRS 706.476 of a vehicle registered to Frantz Mehu (DG)
24. **Impound I-5030** The impoundment pursuant to NRS 706.476 of a vehicle registered to Sixt Titling Trust LSR (DG)
25. **Citation 22366** issued to Fleming Investments, LLC d/b/a Big O's Towing for violation of NAC 706.191 and NAC 706.206(2) (RDG)
26. **Citation 23377 and 23378** issued to Whittlesea Checker Cab for violations of: NAC 706.3743 and NAC 706.3975 (RDG)
27. **Citation 24030** issued to All Valley, LLC d/b/a Code Blue Towing. for violation of NAC 706.4477 (RDG)
28. **Citation 24052 and 24053 and Impound I-4788** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 24052 and 24053 issued to Mingming Liu for violations of NRS 706.386 and NRS 706A.280 (RDG)
29. **Citation 24057** issued to Brandon Urzua-Hernandez for violations of NRS 706.386 and NRS 706.758 (RDG)
30. **Citation 24058 and Impound I-4810** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24058 issued to Radek Frydrych for violations of NRS 706.386 and NRS 706.758 (RDG)
31. **Citations 24081 and 24082** issued to Mogos Goitom-Teklay for violations of NRS 706A.280 and NRS 706.386 (RDG)
32. **Citation 24182** issued to GMT CARE, LLC for violation of NAC 706.2473 ref. 49 CFR 391.11 (RDG)
33. **Citation 24229** issued to Zachary Maguire/Unicorn Movers for violation of NRS 706.386 and NRS 706.758 (RDG)
34. **Citation 24241** issued to Joshua Huggins/AYYA Transportation for violations of NRS 706.386 (RDG)
35. **Citation 24731 and Impound I-4372** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 24731 issued to Stephen Barnes for violations of NRS 706.386 and NRS 706.758 (RDG)
36. **Citation 24754** issued to Thomas Forrest for a violation of NAC 706.2473 ref. 49 CFR 382.211 and NAC 706.1378 (RDG)
37. **Citation 24759** issued to Sherry Blades for a violation of NAC 706.13775.1 (RDG)

38. **Impound I-4792** The impoundment pursuant to NRS 706.476 of a vehicle registered to Dora Santillana (RDG)
39. **Impound I-4794** The impoundment pursuant to NRS 706.476 of a vehicle registered to Jennie Kearney (RDG)
40. **Impound I-4816** The impoundment pursuant to NRS 706.476 of a vehicle registered to Jenna Isidro Penaranda (RDG)
41. **Impound I-5024** The impoundment pursuant to NRS 706.476 of a vehicle registered to Naifeh Naser (RDG)
42. **Citations 24085 and 24086** issued to Yohenes Tafere for violation of NRS 706.386 and NRS 706A.280
43. **Citation 24195** issued to MNM, LLC d/b/a Fabulous Transportation for violation of NRS 706.463

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

*Items 44 through 46 were considered collectively.
Motion Gibbons, Second Groover, Approved 3-0*

44. **Docket 23-08041** The Application of Celda 27 Express, Inc. d/b/a Vega Towing for a certificate of public convenience and necessity to provide consent-only tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded. (DG)
45. **Docket 23-09013** The Application of Raconcity, LLC d/b/a Raconcity Towing for a certificate of public convenience and necessity to provide consent-only tow car service by tow car vehicle within the State of Nevada. Staff investigation concluded. (DG)
46. **Docket 23-10018** The Application of Oliva 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. (RDG)

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

47. **Docket 23-07015** The Application of Landmark Transportation, LLC d/b/a Landmark Transportation for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (RDG)
*Applications Manager Liz Babcock summarized the Application and indicated staff support.
Motion Groover, Second Gibbons, Approved 3-0*
48. **Docket 23-08019** The Authority will consider whether to adopt the United States Surface Transportation Board's approval of the sale and transfer of 100% of the corporate stock of Royal Coach Tours, Inc. to TKRG Holdings, Inc. Royal Coach Tours, Inc. is a carrier authorized to provide charter bus service granted under CPCN 2141, Sub 1, within the State of Nevada. Staff investigation concluded. (RDG)
*Kimberly Maxson-Rushton, Esq. appeared on behalf of the applicants.
Motion Groover, Second Gibbons, Approved 3-0*

49. **Docket 23-08033** The Application of Denson Land & Livestock, LLC d/b/a ILL-“Limo”-Natti and/or Plan B for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (DG)
Item removed from Agenda prior to consideration.
50. **Docket 23-08043** The Application of Sphere Las Vegas, LLC d/b/a Sphere Las Vegas, Sphere Las Vegas Transportation, Sphere Party Bus for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada and the legality of the use of the trademarked name, Sphere Las Vegas. Staff investigation concluded. (RDG)
James Kent, Esq. appeared on behalf of the applicant and stated they intend to operate under Love Vegas and Love Vegas Party Bus. Commissioner Groover requested the Application be tabled until a legal opinion can be obtained regarding the corporate name. A brief discussion ensued with regard to the corporate name.
Motion by Groover to table item, Second Gibbons, Approved 3-0
51. **Docket 23-09009** The Application of Jay Limo, LLC for a certificate of public convenience and necessity to provide charter bus service within the State of Nevada. Staff investigation concluded. (RDG)
Applications Manager Liz Babcock summarized the Application and indicated staff support.
Motion Groover, Second Gibbons, Approved 3-0

FINANCIAL RATES AND TARIFFS

Items 53 through 57, with the exception of Item 56, were considered collectively.
Motion Gibbons, Second Groover, Approved 3-0

52. **Docket 23-08008 - B** The Application of Reno Medical Transport, LLC d/b/a GMT CARE for final approval of a tariff rate modification for services conducted under CPCN 1143. Staff investigation concluded.
Financial Analyst Yvonne Shelton indicated the rate is unique and that there are no comparable rates in the market. Brent Carson, Esq. and Emil Bejgu appeared on behalf of Reno Medical and both offered a statement regarding the tariff request before the Authority. A lengthy discussion ensued. Drew Ribar offered the statement that this seems to be a 233b issue.
Motion by Groover to table item to the next subsequent Agenda, Second Gibbons, Approved 3-0
53. **Docket 23-10021** The Application of Jofam, LLC d/b/a All In Towing for approval of a tariff rate modification for services conducted under CPCN 7520. Staff investigation concluded.
54. **Docket 23-11005** The Application of Anytime Towing, LLC for approval of a tariff rate modification for services conducted under CPCN 7336. Staff investigation concluded.
55. **Docket 23-11013** The Application of AWG Ambassador, LLC d/b/a AWG Ambassador Limousine, AWG Ambassador, AWG Charter Services for approval of a tariff rate modification for services conducted under CPCN 1041, Sub 7. Staff investigation concluded.
56. **Docket 23-11031** The Application of 24/7 Entertainment, LLC d/b/a 24/7 Entertainment Limousines Operated by M Executive Car, LLC, for final approval of a tariff rate modification for services conducted under CPCN 1102, Sub 1. Staff investigation concluded. (RDG)
Brent Carson, Esq. appeared on behalf of the Applicant. Applications Manager Liz Babcock summarized the Application and indicated the Applicant request that the tariff become effective at the time of the transference and that staff supports the request.
Motion Groover, Second Gibbons, Approved 3-0

57. **Docket 23-12003** The Application of Commerce Auto Towing, Inc. for approval of a tariff rate modification for services conducted under CPCN 7293, Sub 1. Staff investigation concluded.

APPLICATIONS FOR FULLY REGULATED CARRIERS

Items 60 through 62 were considered collectively.

Motion Groover, Second Gibbons, Approved 3-0

58. **Docket 19-06030** The Application of LifeTrans, Inc. for consideration of Applicant's Motion to extend time for execution of contracts and for recognition of substituted and added contracts. Staff investigation concluded. (RDG)
Item removed from Agenda prior to consideration.
59. **Docket 20-11015** The Application of Las Vegas Tuk Tuk, LLC for a certificate of public convenience and necessity to provide charter limousine, special service and scenic tour services by specialty vehicle within Clark County, Nevada. Staff investigation concluded. (DG)
Item removed from Agenda prior to consideration.
60. **Docket 21-11012** The Joint Application of Strip Limousine Services, LLC d/b/a Strip Limo, SLS, to sell and transfer and Strip Limo, LLC d/b/a Strip Limo to purchase and acquire the authority to provide charter limousine, airport transfer, and special service within the Clark County, Nevada granted under CPCN 1131, Sub 3. Staff investigation concluded. (DG)
61. **Docket 22-07019** The Application of Carevans Medical Transport Services, LLC d/b/a Carevans for final approval of an expansion of operating authority granted under CPCN 1117, Sub 2, to increase fleet size from seven (7) to twelve (12) vehicles. Staff investigation concluded. (DG)
62. **Docket 22-10010** The Joint Application of Personal Sedan Services, LLC d/b/a PSS to sell and transfer and Limofi, LLC to purchase and acquire the authority to provide charter limousine, service within the Clark and Nye Counties, Nevada granted under CPCN 1080, Sub 1. Staff investigation concluded. (DG)
63. **Docket 23-04037** The final approval of Temporary Transfer of Operating Rights of Western Limousine Service, LLC granted under CPCN 1054, Sub 3, to EmpireLV, LLC. Staff investigation concluded. (DG)

Brian Hardy, Esq. and David Seelinger appeared on behalf of the Applicant and offered a statement regarding EmpireLV, which states they operate in and the type of businesses they conduct. Kimberly Maxson-Rushton, Esq. appeared on behalf of the Livery Operators Association, and stated the need for financials. Applications Manager Liz Babcock stated there is not a financial requirement for a Temporary Transfer of Operating Rights. Ms. Rushton reiterated her opinion that the financial requirement is necessary to insure public safety. Mr. Hardy offered a statement of rebuttal. Lucas Foletta, Esq. appeared on behalf of BLS. Motion Gibbons, Second Groover, Approved 3-0

REQUEST FOR TEMPORARY DISCONTINUANCE

Items 64 and 65 were considered collectively.

Motion Groover, Second Gibbons, Approved 3-0

64. **Docket 23-11029** The temporary discontinuance from December 1, 2023, through June 1, 2024 and the extended date of December 1, 2024, of service provided by K&R Enterprises, LLC d/b/a EMF Towing under CPCN 7495, and if denied, Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.

65. **Docket 23-12005** The temporary discontinuance from December 4, 2023, through June 4, 2024 and the extended date of December 4, 2024, of service provided by Silver Dollar Transportation, LLC under CPCN 2220, and if denied, Staff’s recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.

PETITION FOR LOGO APPROVAL

Items 66 and 67 were considered collectively.

Motion Groover, Second Gibbons, Approved 3-0

66. **Docket 23-12015** The Application of Chesspiece, LLC d/b/a Go Vamo Transport for final approval of a logo for services conducted under CPCN 1152. Staff investigation concluded. (RDG)
67. **Docket 23-12008** The Application of Personal Sedan Service LLC d/b/a PSS for final approval of a logo for services conducted under CPCN 1089. Staff investigation concluded. (RDG)

VOLUNTARY CANCELLATIONS

Items 68 and 69 were considered collectively.

Motion Groover, Second Gibbons, Approved 3-0

68. **Docket 23-10027** The voluntary cancellation of Double Decker Bus Company of Las Vegas, LLC d/b/a Double Decker Bus Co., CPCN 2120. Staff investigation concluded.
69. **Docket 23-11002** The voluntary cancellation of Andert 24 Hour towing, LLC d/b/a Andert 24 Hour Towing, CPCN 7558. Staff investigation concluded.

DISCUSSION ITEMS

70. **Docket 23-11019** Staff’s proposal to have non-consent tow carriers apply for tariff rate increases/decreases during a specified time frame without the necessity of providing financial data in support of the rate changes.

Applications Manager Liz Babcock indicated that within the model tow tariff, there is a ceiling that requires the submission of financial information to exceed, which has meant tow operators have simply hit the ceiling and not gone above. She indicated staff support for the increase and suggested there be a “volunteer” payor to collect noticing fees from each carrier for the legal noticing. Lucas Foletta, Esq. appeared on behalf of the Nevada State Tow Association (“NSTA”) and offered a statement in support. Jose Norena, Big Valley Towing, offered his appreciation for the Authority’s time and suggested a 30% increase. Drew Ribar offered that there has not been a significant tariff increase in the past 13 years and thanked the Authority for the possibility to increase tariffs without submitting financials. Michael Baumbach, President of NTSA, offered a statement regarding the increase in costs over the past several years and the NSTA would consider the collection of fees from a number of carriers for the legal noticing. Tom Baumbach offered a statement regarding the enhancement of the tow industry driver education, safety equipment, vehicles etc. He also mentioned fees and abandoned vehicles.

Chairman Hartung stated he had done research in the Reno area, toured several tow operations and tow yards and gave a statement regarding the cost of inflation over the last several years. He suggested a 20% increase now, with 5% each year for the next two years. Michael Baumbach indicated the preference for an immediate 30% increase, but that the Association could work with the Chairman’s suggestion. Applications Manager Liz Babcock asked that the “emergency” increase be limited to this docket, that future increases over the ceiling on the model tow template still require financials and suggested the tow carriers include fees for electric car storage. The

issue of fuel indexing and special tow rates for electric vehicles will be considered on a future agenda as a discussion item.

Motion by Gibbons for a 30% increase, that the increase be limited to this docket and that the Authority allow four weeks to accommodate legal noticing, Second by Groover, Approved 3-0

71. Public Comment

none

72. Adjournment

Meeting adjourned at 12:20 p.m.