

**State of Nevada
Department of Business and Industry
Nevada Transportation Authority**

**Request for Exemption Under NAC 706.147
Provider of Free Shuttle Service**

Name of business/proposed provider of free shuttle service

Name and title of person submitting request for exemption on behalf of proposed provider

Signature of person submitting request for exemption on behalf of proposed provider

Address:

Telephone number:

Email address:

Company website:

Fax number:

INSTRUCTIONS: Please answer the following questions and submit an **original** document with the requested attachments to: Nevada Transportation Authority 3300 W. Sahara Ave. Suite 200, Las Vegas, NV 89102 or by fax with hardcopy to follow by mail to (702) 486-2590. If you have any questions, please call (702) 486-3303.

DESCRIPTION OF PROPOSED SERVICES

The above-named business/proposed provider of free shuttle service hereby requests from the Nevada Transportation Authority an exemption from the requirements of obtaining a Certificate of Public Convenience and Necessity as the services we propose to provide meet the requirements of Nevada Administrative Code (“NAC”) 706.147: Provider of free shuttle service (copy attached).

1. (a) What is the proposed provider’s primary business?

(b) Will passenger transportation furnished be incidental to the proposed provider's business?

2. Will advertisement including information on free transportation indicate that the transportation will only be furnished to the proposed provider's customers?

3. Will information on free transportation be incidental to advertisement of the proposed provider's business?

4. Will transportation be provided to anyone *other than* the proposed provider's customers?

5. Will the point of origin or the point of destination of each customer's trip be the proposed provider's place of business? Explain the proposed operation of the free shuttle service. Provide the address of the qualifying place of business to be used as point of origin or destination.

6. If the proposed provider is a health insurer licensed to transact insurance in the State of Nevada, will each insured's trip (not including emergency transportation) be between a medical facility where medical services covered by the health insurer have been or will be rendered and another medical facility or the residence of the insured?

7. Will the driver of the vehicle proposed to provide the free shuttle service be prohibited from soliciting gratuities/tips, whether directly or indirectly, for providing such service?

8. Will the driver be prohibited from placing a container for gratuities/tips in the vehicle proposed to provide the free shuttle service?

9. Will the driver be compensated based upon the number of persons transported in a given period or on some other basis? (State other basis.)

10. Who will the vehicle proposed to provide the free shuttle service be owned by and registered to? (Please mark one of the following):

- The proposed provider, at the place of business of the provider;
- A subsidiary of the proposed provider, at the place of business of the subsidiary (See NRS 692C.100 for definition of "Subsidiary");
- An affiliate that controls the proposed provider, at the place of business of the affiliate (See NRS 692C.030 for the definition of "Affiliate"); or
- A certificate holder, at the place of business of the certificate holder;

11. Please list the name of the registered owner and explain how the registered owner is related to the proposed provider.

12. Will the driver be employed by the registered owner of the vehicle proposed to provide free shuttle service or by an affiliate of said registered owner (See NRS 692C.030 for the definition of "Affiliate")? If by affiliate, provide name of the affiliate.

13. Will the vehicle proposed to provide free shuttle service be marked on each side with the name or logo of the proposed provider? If marked with a logo, provide image of the logo.

14. Will said markings be at least 2 inches in height and be visible from a distance of at least 50 feet?

15. Attach a copy of the proposed provider's business license or business license application.

16. Attach a copy of the vehicle registrations (s) for the vehicle(s) to be used to provide the free shuttle service.

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

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

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

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

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

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

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

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

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

(1) The provider, at the place of business of the provider;

(2) A subsidiary of the provider, at the place of business of the subsidiary;

(3) An affiliate that controls the provider, at the place of business of the affiliate; or

(4) A certificate holder, at the place of business of the certificate holder.

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

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

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

3. As used in this section:

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

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

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