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STATE OF NEVADA



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GEORGE ASSAD  
*Commissioner*

KEITH SAKELHIDE  
*Commissioner*

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

**MINUTES OF THE June 29, 2016**

**WORKSHOP AND AGENDA TO SOLICIT COMMENTS ON PROPOSED REGULATIONS**

**AGENDA**

**1. Call to Order**

*Chairman Wilkinson called the meeting to order at 9:00 a.m.*

**2. Roll Call**

*Present in Las Vegas: Commissioner George Assad, Commissioner Keith A. Sakelhide, Applications Manager Liz Babcock, Compliance Auditor Rene Revens, Chief of Enforcement Michael Bradford, Senior Deputy Attorney General David Newton, Deputy Attorney General Louis Csoka. Present in Reno: Chairman Ann Wilkinson, Deputy Commissioner Christopher A. Schneider*

**3. Pledge of Allegiance**

*Senior Deputy Attorney General David Newton led a recital of the pledge.*

**4. Public Comment**

*None*

**5. Approval of Agenda**

*Approved 3-0*

**DISCUSSION ITEM / RULEMAKING WORKSHOP**

- 6.** The Nevada Transportation Authority is considering the amendment of regulations within the new Chapter of the Nevada Administrative Code for purposes of implementing Assembly Bill No. 175 and Assembly Bill No. 176 of the 78<sup>th</sup> (2015) Nevada Legislative Session. This discussion item is for purposes of conducting an information-gathering workshop. The purpose of the workshop is to solicit comments and small business impacts from interested persons on the following general topics that may be addressed in the proposed regulations:

*Adopting, amending and/or repealing regulations (including but not limited to LCB File No. R029-15, Sec. 20) related to:*

- 1) The annual regulatory assessment for Transportation Network Companies required by Assembly Bill No. 175, Sec. 27, and Assembly Bill No. 176, Sec. 50, of the 78<sup>th</sup> (2015) Nevada Legislative Session; and*

- 2) *The form and contents of the annual report for Transportation Network Companies required by Assembly Bill No. 176, Sec. 37, of the 78<sup>th</sup> (2015) Nevada Legislative Session.*

The proposal has been designated as Docket 16-05004 by the Authority and will be designated with a File Number by the Nevada Legislative Counsel Bureau upon the Authority's submission of proposed regulations.

*Senior Deputy Attorney General David Newton requested that anyone who has concerns regarding the impact of the proposed regulation on small business be sure to forward those concerns to the Authority, in writing, or on the record during today's proceeding.*

*Chairman Wilkinson asked Commissioner Sakelhide to summarize the item. Commissioner Sakelhide summarized and requested comments to begin with the annual assessment. Senior Deputy Attorney General Newton detailed the written comments received by the Authority from Uber and Lyft.*

### Annual Assessment

*Craig Hulse, Uber, indicated the understanding that the annual assessment would fluctuate gross revenues.*

*Mike Hillerby, Lyft, offered two separate options, one with seven (7) tiers and one with four (4). The seven tier option might be more favorable to new and smaller companies. He also stated they would like to get the assessments lined back up with the fiscal year and that they are willing to work with the Authority toward that end. He offered the suggestion that the initial application fee remain the same for new applicants.*

*Craig Hulse, Uber offered to appear in support of the Authority during the Interim Finance Committee proceedings.*

*Chairman Wilkinson, Commissioner Sakelhide and Applications Manager Babcock all indicated the preference for a tiered system as it is more user friendly for smaller companies.*

*Dale Stamper, Jacob Transportation/Executive Limo, questioned the various levels by percentage. Craig Hulse, Uber, stated the percentages presented were not fixed, that they could fluctuate as required.*

*John Hickman, Western Companies, questioned if this assessment was related to the excise tax. Commissioner Sakelhide indicated it was not.*

*Jonathan Swartz, Yellow Checker Star Transportation, stated the opinion that the fees need to be much higher.*

*Chairman Wilkinson and Commissioner Sakelhide both stated the assessment was capped by regulation to fund the budgeting requirements for regulating the TNC companies.*

### Annual Report Form

*Ian Poirier, Lyft, stated the form was a rough template that had been agreed to, however, they are not adverse to changing or updating.*

*Applications Manager Babcock indicated some of the changes they would like to see made.*

*Commissioner Sakelhide stated the need to research the regulations to insure all statutory requirements are met. Chairman Wilkinson stated the Authority may want to include information for Clark and Washoe counties. She also detailed the proposed carryover of the residual TNC assessment fees into 2017.*

*Senior Deputy Attorney General David Newton reminded those present that anyone who has concerns regarding the impact of the proposed regulation on small business be sure to forward those concerns to the Authority in writing or at the next workshop/adoption hearing.*

**7. Public Comment**

*None*

**8. Adjournment**

*Meeting adjourned at 10:00a.m.*