



DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

**MINUTES OF THE April 20, 2018 WORKSHOP TO
SOLICIT COMMENTS ON PROPOSED REGULATIONS**

1. Call to Order

Commissioner David Newton called the workshop to order at 9:10 a.m.

The proposal has been designated as Docket Number 18-03028:

- 1) Add definitions regarding "mini bus limousines";
- 2) Discuss potential changes to NAC 706.022, "Bus' defined;"
- 3) Discuss potential changes to NAC 706.032, "Charter order' defined;"
- 4) Discuss potential changes NAC 706.034, "Charter service by bus' defined;"
- 5) Discuss potential changes to NAC 706.036, "Charter Service by Limousine' defined;"
- 6) Discuss potential changes to NAC 706.1015, "Prearranged' defined;"
- 7) Discuss potential changes to NAC 706.191, "Insurance;" and
- 8) Other matters related thereto

2. Discussion and public comment.

Kimberly Maxson-Rushton, Esquire appeared on behalf of the Livery Operators Association and detailed the requests submitted to the Authority with regard to the definition of "charter bus" and "charter service by bus."

Commissioner Assad summarized his concerns with the "bus" definition and language to prevent "kellying."

A lengthy discussion ensued. Suggestion was made to amend the definition of "livery" to be 20+ passengers, with Sprinters to become fully-regulated.

Tony Clark, 24/7 Entertainment Limousines, offered his opinion with regard to the Sprinter as a "mini-bus", time frames for charter orders and voiced his agreement with most of the changes to the regulations. He suggested the insurance coverages be changed to a tiered system. Commissioner Assad detailed his suggestions. Mr. Clark suggested a time limitation on the grandfather clause for the vehicle types.

William Bensmiller, Federal Motor Carrier Safety Association, reiterated his concerns with the proposed regulations having possible crossover implications with other agencies.

John Amestoy, Nevada Highway Patrol, voiced concerns with the definition of a bus. Also indicated the "common carrier" definition and stated it may affect them. Suggested including 'fully regulated' language.

Commissioner Newton detailed proposed changes to insurance requirements, and stated his intent to revise back to current standards.

James Kent, Esquire questioned what the end result of changing the bus definitions would be to a Sprinter and would other changes be a more effective remedy. Tony Clark, 24/7 stated the traveling public cannot determine the difference between a charter bus or a limousine when approached by a Sprinter type vehicle. A discussion ensued regarding how many complaints have come in from the public with regard to the confusion, concerns with regard to DOT inspections and if hotel property staff have the right to determine if the carrier can stage without NTA enforcement. Stated they are not in favor of the proposed "30 minute" rule, and recommended a time allowance for those affected, to give them the ability to come in and become fully-regulated.

Robert Winner, Esquire, ODS, offered his opinion regarding the proposed regulation changes.

Dan Nunes, Vegas VIP Limousine, addressed the financial well being of the transportation industry with the influx of Uber, Lyft and additional charter bus operators. Stated he operates about 20 vehicles and employs about 35 people. He suggested harsher penalties for owner/operator violations.

Kimberly Maxson-Rushton, Esquire on behalf of the LOA, offered an additional statement regarding the need for a clear and concise definition for a charter bus and pre-arranged charter.

Kristina Kleist, Hyperion Advisors, on behalf of All My Sons Moving, suggested the removal of the 1:1 requirement for leasing vehicles. Commissioner Newton requested the submission of proposed language.

Commissioner Newton indicated another workshop on the charter bus regulations would be scheduled in the next month to six weeks.

Tony Clark, 2/7 Limousines, asked if the strip club transportation could be addressed. Robert Winner, Esquire, offered a statement in agreement.

Commissioner Newton stated he would be scheduling a noticing workshop in May, and would attempt to include the 1:1 language and address the strip club transportation issue at that time.

3. Adjournment

Workshop adjourned at 11:10 a.m.