

NAC 706.1355 Public notice of application or tariff filing. (NRS 706.171)

1. If an authorization, expansion, reduction or curtailment of services, facilities or authority, increase in rates, fares or charges, or any change in regulations is filed by application or tariff filing and the filing is not rejected pursuant to [NAC 706.133](#), the Deputy Commissioner shall cause a notice of the application or tariff filing to be published on the Authority's website at http://nta.nv.gov/About/Notices/Published_Notices/ within 10 working days after acceptance unless circumstances dictate otherwise.

~~2. If the Deputy Commissioner determines that the proposal will have a statewide effect, he or she shall cause the notice to be published at least once in four or more newspapers of general circulation in this State, no two of which are published in the same county.~~

~~3. If the Deputy Commissioner determines that the proposal will have an effect on a limited number of counties, he or she shall cause the notice to be published once in a newspaper of general circulation in each county affected. If there is no newspaper published in an affected county, the Deputy Commissioner shall cause the notice to be published in a newspaper in an adjoining county.~~

~~4.~~ 3. The notice must be an advertisement which is reasonably calculated to notify affected persons and must include, without limitation:

- (a) The name of the applicant or the name of the agent for the applicant;
- (b) A brief description of the applicant's proposal;
- (c) The location at which the proposal is on file for the public; and
- (d) The date by which persons must file a protest or petition for leave to intervene with the Authority.

~~5. The Deputy Commissioner shall cause the notice to be published in the appropriate newspapers not less than 3 working days before the proposal becomes effective.~~

~~6. The applicant shall pay the cost of the publication.~~

(Added to NAC by Transportation Serv. Auth. by R071-98, eff. 10-28-98)

NAC 706.155 Notice of application for certificate or permit; hearing. (NRS 706.171)

1. If an application for a certificate or permit is filed with the Authority, notice will be given to the public on the Authority's website at http://nta.nv.gov/About/Notices/Published_Notices/ so that any affected person will have an opportunity to state his or her position before the issuance of the certificate or permit.

2. If the Authority:

- (a) Receives a valid petition for leave to intervene; and
- (b) Grants leave to intervene pursuant to [NAC 706.3968](#),

□ a hearing will be held unless all petitioners withdraw before the time set for hearing, and the Authority has sufficient information on which to establish that the applicant is financially fit and otherwise capable of providing safe transportation.

[Pub. Service Comm'n, Gen. Order 5, eff. 6-30-65] — (NAC A 9-1-87; A by Transportation Serv. Auth. by R071-98, 10-28-98; R078-98, 1-28-99)

NAC 706.208 Lease of equipment by authorized carrier: Generally. (NRS 706.171)

1. Except as otherwise provided in subsections 2 and 3, and [NAC 706.210](#) and [706.211](#), an authorized carrier may lease equipment for his or her own use, with or without a driver, on the basis of a long-term lease. For such a lease:

(a) An authorized carrier who is a fully regulated carrier may lease equipment on a one-for-one basis to supplement the carrier's fleet up to the entire amount of similar equipment owned and currently operated by the carrier under the operating authority of the carrier.

(b) Including the vehicles leased by an authorized carrier pursuant to this section, the total number of vehicles operated by the carrier must not exceed, under any circumstances, the total number of vehicles that the carrier is authorized to operate under the certificate or permit of the carrier.

(c) The authorized carrier may use his or her own insurance or insurance of the lessor to meet the insurance requirements of [NAC 706.191](#).

(d) The authorized carrier must ensure that all leased vehicles meet the vehicle safety requirements of [NAC 706.379](#) and 49 C.F.R. Part 396.

(e) The authorized carrier must have a copy of the lease, proof of insurance and reports of vehicle safety on file at his or her office upon commencement of the lease.

2. Except as otherwise provided in subsection 3 and [NAC 706.210](#) and [706.211](#), an authorized carrier who leases equipment for his or her own use, with or without a driver, on the basis of a short-term lease:

(a) May use the authorized carrier's own insurance or insurance of the lessor to meet the insurance requirements of [NAC 706.191](#);

(b) Must ensure that all leased vehicles meet the vehicle safety requirements of [NAC 706.379](#) and 49 C.F.R. Part 396; and

(c) Must have a copy of the lease, proof of insurance and reports of vehicle safety on file at the authorized carrier's office upon commencement of the lease.

3. The Authority may approve the lease of equipment that does not comply with subsection 1 or 2 if:

(a) The authorized carrier files a petition for a waiver of the requirement with which the lease does not comply; and

(b) The Authority finds that approval of the lease would be in the public interest.

□The Authority will issue a public notice of the receipt of a petition for a waiver received pursuant to this subsection on the Authority's website at http://nta.nv.gov/About/Notices/Published_Notices/.

4. Leased equipment may only be used in an operation authorized by the lessee's certificate or permit and must be identified as operated by the lessee. A copy of the lease must be carried with the equipment during the period of the lease.

5. Work may not be performed pursuant to an expired lease.

6. An authorized carrier may lease restored theme or antique vehicles if the Authority approves the lease before its commencement. The Authority will approve the lease if:

(a) The leased vehicle is used only for special occasions; and

(b) Arrangements to lease the vehicle are made at least 7 days before the commencement of the lease.

7. Every lease of equipment by an authorized carrier must be in writing, dated and signed by the parties thereto or an authorized agent or employee of the parties.

8. The leased equipment must be under the control and direction of the authorized carrier.

9. The leased equipment must be operated within the scope of the operating authority of the authorized carrier and in conformance with the tariff of the authorized carrier.

10. The driver of a leased vehicle must be under the complete control and direction of the authorized carrier. The authorized carrier must:

(a) Ensure that all drivers meet and maintain the driver qualifications required pursuant to [NAC 706.2473](#); and

(b) Be free to enforce rules regarding working and driving.

11. The authorized carrier may not avoid liability for any damages arising out of the negligent operation of the equipment through the terms of the lease.

12. The terms of any lease of equipment pursuant to this section must include, without limitation, a provision that the equipment must be insured in accordance with the provisions of [NAC 706.191](#). A lessee may use his or her insurance or the lessor's insurance to satisfy the requirements of [NAC 706.191](#). A copy of the insurance used by a lessee to satisfy the requirements of [NAC 706.191](#) must be made available for review by the Authority.

13. The compensation to be paid for any leased equipment must be fixed at the inception of the lease and may include a specific sum or formula for calculating the compensation for the duration of the lease.

14. A vehicle leased pursuant to this section must be identified in accordance with [NAC 706.170](#) as operated by the lessee.

15. For the purposes of this section, equipment leased by an authorized carrier pursuant to a bona fide capital lease, as that term is defined by generally accepted accounting principles, shall be deemed to be equipment that is owned by the authorized carrier. The provisions of this section do not apply to such a lease.

(Added to NAC by Pub. Service Comm'n, eff. 9-1-87; A 11-15-88; 9-16-92; A by Transportation Serv. Auth. by R071-98, 10-28-98; R040-02, 9-20-2002; R090-05, 12-29-2005)

NAC 706.210 Lease of vehicle by common motor carrier for use as traditional limousine or livery limousine. ([NRS 706.171](#))

1. A common motor carrier authorized to operate a traditional limousine or livery limousine shall not lease any vehicle that it uses as a traditional limousine or livery limousine without the prior approval of the Chair or his or her designee.

2. A carrier must submit a request for the approval of such a lease to the Authority at least 10 working days before the execution of the lease. The Chair or his or her designee shall approve or disapprove the lease within 10 working days after receiving the request for the approval of the lease. If the Chair or his or her designee does not approve or disapprove the lease within 10 working days after receiving the request for approval of the lease, the lease shall be deemed to be approved.

3. The Chair or his or her designee shall approve such a lease if:

(a) The vehicle will be leased for not more than 14 days;

(b) The vehicle will be used only in an operation authorized by the certificate of the carrier;

(c) Including the vehicles to be leased by the carrier under the lease:

(1) Not more than one-half of the vehicles of the carrier will be leased; and

(2) The total number of vehicles operated by the carrier does not exceed the number of vehicles the carrier is authorized to operate pursuant to its operating authority;

(d) The driver of the vehicle will be an employee of the carrier who has no ownership interest in the vehicle; and

(e) The carrier demonstrates to the satisfaction of the Chair or his or her designee that the carrier temporarily needs to increase the size of its fleet, including, without limitation, facts which indicate that the carrier expects to experience:

(1) An increase in customer demand; or

(2) A decrease in the size of its permanent fleet.

4. The Chair or his or her designee may approve the lease of a vehicle that does not comply with paragraph (a) of subsection 3 or subparagraph (1) of paragraph (c) of subsection 3 if:

(a) The authorized carrier files a petition for a waiver of the requirement with which the lease does not comply; and

(b) The Chair or his or her designee finds that approval of the lease would be in the public interest.

□The Authority shall issue a public notice of the receipt of a petition for a waiver received pursuant to this subsection on the Authority's website at http://nta.nv.gov/About/Notices/Published_Notices/.

5. If a lease is approved pursuant to this section:

(a) A copy of the lease must be submitted to the Authority not later than the date on which the lease becomes effective; and

(b) A copy of the lease and a copy of the approval of the lease must be:

(1) Carried in the vehicle during the period of the lease; and

(2) Maintained by the carrier for a minimum of 3 years.

6. A carrier may not lease vehicles for more than 45 days in any calendar year.

7. The approval of a lease pursuant to this section does not relieve the carrier of the obligation to comply with all other laws that otherwise apply with respect to the operation of the traditional limousine or livery limousine.

(Added to NAC by Transportation Serv. Auth. by R040-02, eff. 9-20-2002; A by Nev. Transportation Auth. by R127-07, 9-18-2008)

NAC 706.3982 Hearings: Notice of hearing. (NRS 233B.050, 706.171)

1. In addition to complying with the requirements of NRS 233B.121 for a notice of hearing in a contested case, the Authority will include the words "notice of hearing" in any such notice.

2. The Deputy Commissioner shall file or cause to be filed an affidavit of publication with the Authority.

3. The Authority will cause such a notice to be published on the Authority's website at http://nta.nv.gov/About/Notices/Published_Notices/ in an advertisement of at least 1 column inch by 3 inches, with a border on all sides, in newspapers selected as follows:

~~—(a) If the Deputy Commissioner determines that the subject matter of the hearing will have a statewide effect, the notice will be published at least once in four or more newspapers of general circulation, which are published in this State, no two of which are published in the same county; or~~

~~—(b) If the Deputy Commissioner determines that the subject matter of the hearing will have an effect on a limited number of counties only, the notice will be published once in a newspaper of general circulation published in each county where affected members of the public reside. If there is no newspaper published in a county where affected members of the public reside, the notice will be published in a county adjacent to the county.~~

4. The Authority will serve notice of a hearing on the parties of record and publish the notice on the Authority's website at http://nta.nv.gov/About/Notices/Published_Notices/ at least 10 days before the time set for the hearing.

5. A copy of the notice will be posted at each office of the Authority at least 3 days before the date set for the hearing.

(Added to NAC by Transportation Serv. Auth. by R071-98, eff. 10-28-98)

Sec. 48, LCB File No. R135-17

1. Each permit holder shall notify the Authority of the base rate currently in use, and file with the Authority any new base rate before its utilization.

2. During an emergency, as defined in NRS 414.0345, an autonomous vehicle network company shall not charge a rate in excess of twice the base rate on file with the Authority upon the date of the emergency. If an autonomous vehicle network company chooses to charge a rate up to twice the base rate during such an emergency it must disclose to the customer the rate charged by the company and the method by which the amount of the fare is calculated.

3. Except as otherwise provided in subsection 2, an autonomous vehicle network company shall not charge, demand, collect or receive a greater, lesser or different compensation for the transportation of person or property or for any service in connection therewith than the rates applicable to the transportation as specified in the application filed by the autonomous vehicle network company pursuant to section 28 of this regulation without providing notice of such different compensation to the Authority within five business days of the event.

Sec. 52, LCB File No. R135-17

1. Before allowing a fully autonomous vehicle to be placed into service by or through a autonomous vehicle network company, the permit holder shall provide notice an affidavit to the Authority confirming the vehicle has met all of the requirements contained in Section 14.72 of Assembly Bill No. 69, chapter 608, Statutes of Nevada 2017, at page 4474;

2. Upon receipt of the documentation identified in subsection 1, the Authority may issue a decal for the fully autonomous vehicle which:

(a) Shall be affixed to the lower right hand corner of the vehicle's windshield, or the autonomous vehicle network company may design and affix its own decal with permission of the Authority; and

(b) Is non-transferable.

Sec. 35, LCB File No. R135-17

1. Unless otherwise authorized by the Authority, each applicant for a permit, or the transfer of a permit, whose application has been granted must commence operations within 120 days after the date on which the permit was issued, or forfeits the rights granted.

2. No applicant may start operating until he or she has complied with all requirements of the law and the regulations of the Authority, unless otherwise ordered by the Authority.

Sec 27, LCB File No. R-135-17

1. If an application submitted pursuant to Section 28 of this regulation is filed and the filing is not rejected pursuant to Section 25 of this regulation, the Deputy Commissioner shall cause a notice of the application filing to be published on the Authority's website at http://nta.nv.gov/About/Notices/Published_Notices/ within 10 working days after acceptance unless circumstances dictate otherwise.

~~2. If the Deputy Commissioner determines that the proposal will have a statewide effect, he or she shall cause the notice to be published at least once in four or more newspapers of general circulation in this State, no two of which are published in the same county.~~

~~3. If the Deputy Commissioner determines that the proposal will have an effect on a limited number of counties, he or she shall cause the notice to be published once in a newspaper of general circulation in each county affected. If there is no newspaper published in an affected county, the Deputy Commissioner shall cause the notice to be published in a newspaper in an adjoining county.~~

4. The notice must be ~~an advertisement which is~~ reasonably calculated to notify affected persons and must include, without limitation:

- (a) The name of the applicant or the name of the agent for the applicant;
- (b) A brief description of the applicant's proposal;
- (c) The location at which the proposal is on file for the public; and
- (d) The date by which persons must file a protest with the Authority.

~~5. The Deputy Commissioner shall cause the notice to be published in the appropriate newspapers not less than 3 working days before the proposal becomes effective.~~

6. The applicant shall pay the cost of the publication.

Sec. 97 LCB File No. R-135-17.

1. In addition to complying with the requirements of NRS 233B.121 for a notice of hearing in a contested case, the Authority will include the words "notice of hearing" in any such notice.

2. The Deputy Commissioner shall file or cause to be filed an affidavit of publication with the Authority.

3. The Authority will cause such a notice to be published on the Authority's website at http://nta.nv.gov/About/Notices/Published_Notices/. ~~in an advertisement of at least 1 column inch by 3 inches, with a border on all sides, in newspapers selected as follows:~~

~~—(a) If the Deputy Commissioner determines that the subject matter of the hearing will have a statewide effect, the notice will be published at least once in four or more newspapers of general circulation, which are published in this State, no two of which are published in the same county; or~~

~~—(b) If the Deputy Commissioner determines that the subject matter of the hearing will have an effect on a limited number of counties only, the notice will be published once in a newspaper of general circulation published in each county where affected members of the public reside. If there is no newspaper published in a county where affected members of the public reside, the notice will be published in a county adjacent to the county.~~

4. The Authority will serve notice of a hearing on the parties of record and publish the notice at least 10 days before the time set for the hearing.

5. A copy of the notice will be posted at each office of the Authority at least 3 days before the date set for the hearing.