

STATE OF NEVADA



DAWN GIBBONS
Chairman
GEORGE ASSAD
Commissioner
DAVID NEWTON
Commissioner

DEPARTMENT OF BUSINESS AND INDUSTRY
NEVADA TRANSPORTATION AUTHORITY

MINUTES OF THE October 4, 2018 GENERAL SESSION

AGENDA

1. Call to Order

Chairman Dawn Gibbons called the meeting to order at 9:30 a.m.

2. Roll Call

Present in Las Vegas: Chairman Dawn Gibbons, Commissioner George Assad, Commissioner David Newton, Deputy Commissioner Jennifer De Rose, Administrative Attorney Mark Liapis, Applications Manager Liz Babcock, Financial Analyst Yvonne Shelton, Chief of Enforcement Jeremy Jones, Deputy Attorney General Louis Csoka.

3. Pledge of Allegiance

Compliance Auditor Desiree Main led a recital of the pledge.

4. Public Comment

none

5. Approval of Agenda

Commissioner Newton noted Item 30 should read Impound 2721, not 3721. Item 48 removed from consideration. Approved as modified 3-0

6. Approval of the Minutes of the September 7, 2018 Agenda Meeting

Approved 3-0

7. Briefings from the Commissioners

Commissioner Assad thanked staff for the work done on Agenda preparation; Commissioner Newton echoed Commissioner Assad's comments.

8. Briefing from the Deputy Commissioner

Deputy Commissioner De Rose recognized the Enforcement and Compliance Audit staff.

9. Report of Legal Counsel

Deputy Attorney Csoka reported both Toman and Reda Petitions for Judicial Review have been dismissed.

ADMINISTRATIVE CITATIONS AND IMPOUNDMENTS

Items 10 through 49, with the exception of Item 48, were considered collectively. Approved 3-0

10. **Impound 2865 and Citation 17995** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 17995 issued to Florinda Marie Bender for violations of NRS 706.386 and NRS 706.758 (DG)
11. **Citation 19698** issued to Ian F. Davis for violations of NRS 706.386 and NRS 706.758 (DG)
12. **Citation 19885** issued to All West Coach Lines for violation of NAC 706.13775(1) (5 counts) (DG)
13. **Citation 20176** issued to Marque Motor Coach, LLC for a violation of NAC 706.381 (DG)
14. **Citation 20177** issued to Bour Enterprises, LLC d/b/a Stardust Transportation for a violation of NAC 706.381 (DG)
15. **Citation 20208** issued to Lance Dillehay for violations of NRS 706.386 and NRS 706.758 (DG)
16. **Impound 3473 and Citation 20522 and 20523** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 20522 and 20523 issued to Hongyu Wang for violations of NRS 706.386 and NRS 706A.280 (DG)
17. **Impound 3387 and 3388 and Citation 20614** The impoundment pursuant to NRS 706.476 of vehicles registered to and Citation 20614 issued to Javier Rubio-Barragan for violations of NRS 706.386 and NRS 706.758 (DG)
18. **Impound 3469 and Citation 20633** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 20633 issued to Getachew Tesfay Kebede for a violation of NRS 706.386 (DG)
19. **Citation 20651** issued to Brian Kendall Adams for violations of NRS 706.386 and NRS 706.758 (DG)
20. **Impound 3272 and Citations 20652 and 20653** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 20652 and 20653 issued to Eduardo Villegas for violations of NRS 706.386 and NRS 706A.280 (DG)
21. **Impound 3484 and Citation 20654** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 20654 issued to Jose Alfredo Benifez-Diaz for violations of NRS 706.386 and NRS 706.758 (DG)
22. **Citations 20706 and 20707** issued to Seiji Limousines d/b/a Winner Limousines for violations of NAC 706.381 (3 counts), NAC 706.210 (3 counts) and NAC 706.360 (DG)
23. **Impound 3253 and Citations 20734 and 20735** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 20734 and 20735 issued to Robert Edwards Ramos II for violations of NRS 706.386, NRS 706.758 and NRS 706A.280 (DG)

24. **Impound 3488 and Citation 20736** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 20736 issued to Michael Osborne for violations of NRS 706.386 and NRS 706.758 (DG)
25. **Citation 20826** issued to Ronesha Monique Welch for violations of NRS 706.386 and NRS 706.758 (DG)
26. **Impound 3030** The impoundment pursuant to NRS 706.476 of a vehicle registered to Sarah Bussell (DG)
27. **Impound 3430** The impoundment pursuant to NRS 706.476 of a vehicle registered to La Claudia Lambert (DG)
28. **Impound 3474 and Citation 20789** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citation 20789 issued to Sergio M. Balderas-Luna for violation of NRS 706.386 (GA)
29. **Citation 19699** issued to TC Nevada, LLC for a violation of NAC 706.381 (DN)
30. **Impound ~~3721~~ 2721 Citations 19933 and 19934** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 19933 and 19934 issued to Lisa Hickman for violations of NRS 706.386, NRS 706.758 and NRS 706A.280 (DN)
31. **Citations 20180 and 20181** issued to St. George Executive Shuttle for a violations of NAC 706.2473/49 CFR 391.23, NAC 706.2473/49 CFR 391.25, NAC 706.2473/49 CFR 391.27 and NAC 706.2473/49 CFR 382.301 (DN)
32. **Citation 20407** issued to Mammoth Transportation for violations of NAC 706.191 and NRS 706.398 (DN)
Prior approval rescinded, to be reset for hearing. Approved 3-0
33. **Citation 20408** issued to 777 De La Fuente Towing Corp. for a violation of NAC 706.191 (DN)
34. **Citation 20626** issued to Rodney Spight for violations of NAC 706.360 and NAC 706.234 (DN)
35. **Citation 20731** issued to Donte Nelson II Marion III Johnson for violations of NRS 706.386 and NRS 706.758 (DN)
36. **Citation 20732 and 20733** issued to Jesus Benjamin Zabat Caro for violations of NRS 706.386 and NRS 706A.280 (DN)
37. **Impound 3427 and Citations 20787 and 20788** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 20787 and 20788 issued to Mbaye Thiam for violations of NRS 706.386 and NRS 706A.280 (DN)
38. **Impound 3359 and Citations 20791 and 20792** The impoundment pursuant to NRS 706.476 of a vehicle registered to and Citations 20791 and 20792 issued to Jurica Veric for violations of NRS 706.386 and NRS 706A.280 (DN)

39. **Citation 20801, 20802, 20803 and 20804** issued to Fast Towing for violation of NAC 706.2473/49 CFR 391.25(a)(c), NAC 706.2473/49 CFR 391.27(a) (d), NAC 706.2473/49 CFR 391.21(a) (b)(1)(2)(3)(4), NAC 706.2473/49 CFR 391.51(7)(I), NAC 706.2473/49 CFR 396.3(c) (11 counts), NAC 706.2473/49 CFR 396.11(a)(b)(c) (11 counts) and NAC 706.206 (DN)
40. **Citation 17991** issued to Sukhwinder Sudhan for violation of NAC 706.376(11)
41. **Citation 17992** issued to MD Karim for violation of NAC 706.376(11)
42. **Citation 17993** issued to Jon Nelson for violation of NAC 706.3747
43. **Citation 17994** issued to Michael Purdy for violation of NAC 706.2473 ref. 49 CFR 391.41
44. **Citation 18655** issued to Bo Murdock for violation of NRS 706.758
45. **Citation 19582** issued to Kenneth Cape for a violation of NRS 706.462(1)
46. **Citation 20179** issued to Alpha Transportations, LLC for violation of NAC 706.203
47. **Citation 20683** issued to Adventure Photo Tours, Inc. for violation of NRS 706.398(1)(a)
48. **Citation 20728** issued to Danny Armstrong for violation of NAC 706.228
Item removed from Agenda prior to consideration.
49. **Citation 20729** issued to Keith Nichols for violation of NAC 706.228 and NAC 706.329 -

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

50. **Docket 18-03011** The expired temporary discontinuance granted from March 9, 2018 through September 7, 2018 of services provided by Preventative Measures Security Firm, LLC d/b/a Slip-N-Grip Tag-N-Tow under CPCN 7339 and Staff's recommendation to issue an Order to Show Cause as to why the CPCN should not be revoked. Staff investigation concluded.
Applications Manager Liz Babcock summarized the procedural history of the docket and indicated staff recommends an Order to Show Cause be issued. Approved 3-0
51. **Docket 18-07004** The Request to extend temporary discontinuance from August 3, 2018 through January 3, 2019 of consent-only tow car services provided by Jose Bautista Moran d/b/a Moran's Towing Service under CPCN 7378. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0
52. **Docket 18-07043** The Request to extend temporary discontinuance from September 30, 2018 through December 30, 2018 of consent-only tow car services provided by Flourishing Enterprises, LLC d/b/a Blue Angels Towing under CPCN 7381. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

- 53. Docket 18-08003** The Application of Access Towing and Transport, LLC d/b/a 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)
Applications Manager Liz Babcock summarized the Application and indicated staff support. Approved 3-0
- 54. Docket 18-09001** The Request for temporary discontinuance from August 31, 2018 through October 31, 2018 of consent-only tow car services provided by Francisco A. Rameriz d/b/a Ram Towing under CPCN 7274. Staff investigation concluded.
Applications Manager Liz Babcock summarized the Application and indicated staff support. Approved 3-0

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

- 55. Docket 18-09002** The request for temporary discontinuance from September 5, 2018 through December 31, 2018 of charter bus services provided by Mammoth Transportation a Series of Platinum LV Transportation, LLC d/b/a Mammoth Transportation under CPCN 2072, Sub 3. Staff investigation concluded.
Ashley Wright appeared on behalf of the Applicant. Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

VOLUNTARY CANCELLATIONS

- 56. Docket 18-09003** The voluntary cancellation of A Limousine Company, LLC d/b/a J Transportation MV 6146. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0
- 57. Docket 18-09004** The voluntary cancellation of Maria Valencia d/b/a A+ Rolling Towing CPCN 7343. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0
- 58. Docket 18-09010** The voluntary cancellation of Starving Students of Nevada, LLC Starving Students, Inc. CPCN 3241, Sub 1. Staff investigation concluded.
Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

APPLICATIONS FOR WAREHOUSE PERMITS

- 59. Docket 18-01019** The Application of Puliz Moving & Storage Co. for a Warehouse Permit for a warehouse located in Reno, Nevada. Staff investigation concluded. (GA)
Items 59 and 61 were considered collectively. Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

- 60. Docket 18-01020** The Application of Puliz Moving & Storage Co. for a Warehouse Permit for a warehouse located in North Las Vegas, Nevada. Staff investigation concluded. (GA)
Applications Manager Liz Babcock summarized the request, indicated the warehouse is in compliance and indicated staff support. Approved 3-0
- 61. Docket 18-01021** The Application of Sierra Moving Systems, Inc. for a Warehouse Permit for a warehouse located in Reno, Nevada. Staff investigation concluded. (GA)
Items 59 and 61 were considered collectively. Applications Manager Liz Babcock summarized the request and indicated staff support. Approved 3-0

PETITION TO DEVIATE FROM REGULATION

- 62. Docket 18-09016** The Petition to deviate from Regulation NAC 706.203 for services conducted by St. George Executive Shuttle, LLC, granted under CPCN 1130. Staff investigation concluded.
Zach Wade, St. George Executive Shuttle, appeared telephonically. Applications Manager Liz Babcock summarized the request and indicated if the records would be kept for 90 days staff would be in support. Approved 3-0

PETITIONS FOR RECONSIDERATION

- 63. Docket 18-08031** Petition for Reconsideration from Ryan Young for reconsideration of fines on Citation 13791.
Ryan Young appeared telephonically and detailed his request. Mr. Young asked to make payments of \$600.00 to the Controller's Office to include the fees. Approved 3-0
- 64. Docket 18-08032** Petition for Reconsideration from Robel Begashaw for reconsideration of fines on Citation 20580.
Robel Begashaw did not appear. Petition denied 3-0
- 65. Docket 18-08036** Petition for Reconsideration from Roger Duran for reconsideration of Driver Permit #8051.
Roger Duran did not appear. Petition denied 3-0
- 66. Docket 18-09005** Petition for Reconsideration from Derick Anderson for reconsideration of Driver Permit #6560.
Derick Anderson appeared and requested his permit meeting be reset. Meeting to be reset Monday to Monday, Oct. 15, 2018, at 10:30a.m. Approved 3-0
- 67. Docket 18-09006** Petition for Reconsideration from Monarch Movers/Robert and Joann Cuadros for reconsideration of fines on Citation 15926.
Management Analyst Hope DiBartolomeo detailed the procedural history. Item to be tabled – Approved 3-0
- 68. Docket 18-09017** Petition for Reconsideration from Myron Todd for reconsideration of Driver Permit #2036.
Myron Todd appeared and offered a statement of explanation. Petition for Reconsideration approved 3-0 Temporary permit reinstated 3-0

FINANCIAL RATES AND TARIFFS

69. Docket 18-08038 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. *Financial Analyst Lidia Aronova summarized the request and indicated staff support. Approved 3-0*

70. Public Comment
None

1:15 PM AFTERNOON SESSION

71. Public Comment
Mark Hayden, Mammoth Transportation, requested Item 32 be reconsidered. Approval rescinded. Citation to be reset for hearing – Approved 3-0

APPLICATIONS FOR FULLY REGULATED CARRIERS

72. Docket 17-03007 The Application of Sunset Limousine Services, LLC for a certificate of public convenience and necessity to provide charter limousine service within the State of Nevada. Staff investigation concluded. (GA)

Ryan McElhinney, Esquire and Ed Loudenclos appeared in Reno on behalf of the Applicant. Commissioner Assad summarized the request and recommended the application be denied. Ryan McElhinney offered a statement in support of the Applicant and the possible granting of a “provisional or limited” license. Applications Manager Liz Babcock indicated staff does not support the application. Mr. Loudenclos offered a statement with regard to proposed market. A discussion ensued. Application denied 3-0

73. Docket 17-09007 The Authority’s reconsideration of the July 26, 2018, approval of the Application of On Demand Sedan Services, Inc. d/b/a AAA ODS Limousine, ODS Limousines, ODS Chauffeured Transportation, On Demand Sedan & Limousine for an expansion of operating authority granted under CPCN 1040, Sub 3. Staff investigation concluded. (GA)

Commissioner Newton summarized the reasoning behind his request for reconsideration. Original order stands as approved.

74. Docket 17-11019 The Application of Kevin McKeirnan d/b/a Classic Firetruck Rides for a certificate of public convenience and necessity to provide charter limousine service and special service within the State of Nevada. Staff investigation concluded. (GA)

Kimberly Maxson-Rushton, Esquire appearing on behalf of the Livery Operators Association, requested clarification to the charter limousine service requested. Applications Manager Liz Babcock summarized the application and indicated agreement to change the vehicle description and indicated staff support. Approved 3-0

75. Docket 18-07021 The request for approval of a Management Agreement by Western Limousine Service, LLC d/b/a Western Limousine Service authorized to provide charter limousine service under CPCN 1054, Sub 3. Staff investigation concluded. (GA)

Brent Carson, Esquire, J.T. Moran and Mulgetta Abraham appeared on behalf of the Applicants. Applications Manager Liz Babcock summarized the request and subsequent hearing. Commissioner Assad summarized the request and indicated his support. Approved 3-0

DISCUSSION ITEMS

- 76.** Staff's request regarding Procedures for determination of NRS 712 warehouse suitability for North Las Vegas Warehouses. Staff investigation concluded.
Applications Manager Liz Babcock summarized the limited conditions currently existing in the North Las Vegas area and questioned if Authority staff determination is acceptable. If a fire permit is not available, staff agrees to inspect the warehouse and verify square footage, sprinklers etc.
- 77. Citations 20278, 20279, 20097, 20451, 20452, 20485, and 20603** issued to All About Service Limousine, Inc., for violations of NAC 706.203, NAC 706.360 (4 counts), NAC 706.311, NAC 706.247/49 CFR 391.11, NAC 706.329, NRS 706.167, NRS 706.2885, NRS 706.391, and NRS 706.398 (GA) Staff investigation concluded
Darren Welsh, Esquire and Aaron Sas, key employee, appeared on behalf of All About Service Limousine. Commissioner Assad summarized the Operational Inspection and subsequent violations. Mr. Welch gave a lengthy statement in support of the carrier. A discussion ensued. Motion to Revoke CPCN – Approved 3-0

APPLICATIONS FOR DRIVER PERMITS

(Closed sessions may be held for items 78 through 82 to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030.)

- 78. Permit 8055** The Authority will determine whether to grant the application of Jaime Martinez for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (05/25/18)
Mr. Martinez appeared and offered documentation in support of his permit. Permit approved.
- 79. Permit 4702** The Authority will determine whether to grant the application of Dereje Buka for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (8/27/18) –
Denied 3-0
- 80. Permit 6821** The Authority will determine whether to grant the application of Lian Grave dePeralto-Rosales Martinez for issuance of a driver's permit pursuant to NRS 706.462. Staff investigation concluded. (09/27/18)
Lian Grave dePeralto-Rosales Martinez appeared. Approved 3-0
- 81. Permit 1859** The Authority will determine whether to grant the application of Aynealem Gebreslasie for issuance of a permanent driver's permit pursuant to NRS 706.462. Staff investigation concluded.
Permit denied 3-0
- 82. Permit 7248** The Authority will determine whether to grant the application of Eric Oase for issuance of a driver's permit pursuant to NRS 706.462. (8/27/18) Staff investigation concluded.
Permit denied 3-0
- 83. Public Comment**
none
- 84. Adjournment**
Meeting adjourned at 3:00 p.m.